MORRO BAY
OUR WATER
RELIABLE. CLEAN. FOR LIFE.

The City of Morro Bay
595 Harbor Street
Morro Bay, CA 93442

1/31/2025

United States Fish and Wildlife Service
Ecological Services
Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003
United States Environmental Protection Agency

Subject: 2024 Yearly Report for the City of Morro Bay Water Reclamation Facility Project Biological Opinion

Please accept the below and attached information intended to provide compliance with the following requirement encompassed in the Biological Opinion (08EVEN00-2020-F-0010; BO) as amended on January 6, 2021 and January 14, 2022 for the subject Project.

Excerpt: Biological Opinion of the City of Morro Bay's Water Reclamation Facility Project dated February 20, 2020 (Page 31):

REPORTING REQUIREMENTS

Pursuant to 50 CFR 402.l4(i)(3), EPA must report the progress of the action and its impact on the species to the Service as specified in this incidental take statement. The applicant, through a qualified botanist, will monitor the success of revegetation actions on areas of temporary disturbance for a period of 5 years after revegetation takes place. The EPA or applicant will provide yearly reports to the Service by January 31 of each year during the construction phase of the project. These reports will include the number and age class of California red-legged frogs that have been captured and relocated, and that have been found injured or dead. These reports will also include the dates and results of inspections of the chain link fence, as well as any repairs that were made to the fence, an analysis of whether the chain link fence is successful in excluding California red-legged frogs, and any suggestions to improve the efficacy of the fence.

The City has continued to provide the USPEA with quarterly updates for the Project elements, which include the Water Reclamation Facility, Lift Station and Offsite Pipelines (Conveyance Facilities), and the Recycled Water Facilities. In addition to this information, the following Year 2024 Annual Reporting information pertaining to the Biological Opinion is as follows:

1. *Project Construction Summary*:

2023 Summary

As detailed in the first annual report prepared in 2020, project biologists were approved by USFWS prior to initiating work under the Biological Opinion. Work at the Facility site commenced in March 2020, and the majority of all site surface disturbance from grading was completed in 2021. All major construction activities were essentially completed in Summer of 2022 with plant start up occurring in October 2022 and punchlist closeout well into 2024. Throughout construction all work occurred generally within areas previously disturbed during initial site grading. These areas were surveyed repeatedly by project biologists for special status species and common wildlife prior to and during all work outside the facility fencing. The only work that occurred in 2023 outside the fencing included work to repair the hillside drainage features after a major storm event in January 2023. Biological monitoring continued on an as-needed basis during 2023 to facilitate any required monitoring for small construction activities. Most work occurred within the fenced site therefore requiring spot checks as needed prior to and after construction. Consistent with the 2020, 2021, and 2022 monitoring effort, no California red-legged frogs were observed in the WRF project disturbance zone or in the adjacent Drainage 3 corridor during the monitoring work. In addition, no other special status species such as American badger were observed in the project area, and regular monitoring confirmed no nesting birds were affected by project activities.

The project biologist required replantings as necessary to ensure the BO requirements were met in the area just east of the project site adjacent to the natural drainage feature. The year one biological monitoring report is attached to this report. Additionally, the Contractor attempted to establish hydroseed in late summer 2022, however given drought conditions was unable to provide an adequate level of established grasses prior to the 2022-2023 rainy season. Currently to ensure that the natural grasses are established, the Contractor has installed a temporary irrigation line system to ensure that erosion control grasses are established prior to the 2023-2024 rainy season.

Upon substantial completion of the WRF, the planting of the riparian enhnacement plan areas occurred in September 2022 and closely monitored by the Project biologist. Upon initial planning, a heat wave occurred when the irrigation system was not fully functional resulting in approximately 50% loss of the planted materials. Furthermore, the entire fill slope and all disturbed areas around the facility were hydroseeded to provide ground cover for erosion protection. Due to drought and topsoil conditions, some areas had poor germination of seeded material and low cover. These locations had additional treatments of compost and were seeded again with serpentine tolerant species to increase vegetation cover on the steeply cut hillside above the facility. Areas with exposed bedrock were left since the erosion potential was deemed to be low and vegetation cover was consistent with nearby reference locations with similar soil composition.

The City experienced an above average volume of rain during the early part of the year and experienced significant storm events that caused damage to the WRF western hillside drainage system. Significant erosion damage occurred on the existing hillslope and drainage facilities were repaired in preparation of continuous rainfall during the early spring 2023. Monitoring continued to occur prior to, during and after rainfall events on an as needed

basis providing spot checks throughout the site outside of the WRF fence. Even though major construction activities were complete, with the erosion damage repaired and monitoring continued as needed throughout 2023 active construction was consistent with the BO and supporting documents.

The conveyance element of the project commenced in 2021, Pre-construction activity surveys continued on an as-needed basis in coordination with the contractor to make sure surveys occurred no more than 48 hours before the onset of construction activities. The majority of all major construction was completed in November of 2022, therefore construction activities within 2023 were very minor fixes affecting only surface features within City streets were performed to close out the punchlist.

No red-legged frogs, Morro shoulderband snails, tidewater gobies or other special status species (i.e., American badger or nesting birds) have been observed, captured, or relocated from the site during the 2023 reporting period. Furthermore, no nesting birds or any wildlife impacts were observed during the 2023 construction phase. Environmental awareness trainings also occurred on an as-needed basis throughout the project site to help the contractor implement avoidance and minimization measures developed to protect biological resources. Project biologists continue to work with the construction team to conduct pre-activity surveys, inspect the exclusion fencing at the WRF, provide environmental awareness training, and help them adhere to all avoidance and minimization measures detailed in the BO and project EIR. The contractor has completed revegetation (hydro-seeding native species seed mix) of disturbed areas including the CA-Route 1 at Atascadero Road S/B on-ramp embankment, and the City Bike Path 70-ft wide easement.

2024 Update

The project team is in the process of developing a revised layout of the Recycled Water Facilities (injection wells and pipelines) to ensure the project effectively supplements the City's drinking water supply and mitigates seawater intrusion. Using hydrogeological analysis from previous phases of the project, the project team determined several potential pipeline alignments and injection well locations. The Area of Potential Effects (APE) was expanded to accommodate the updated potential alignments and injection well locations. A Draft Supplemental Biological Resources Report for the Recycled Water Facilities component of the Water Reclamation Facility Project was completed in October 2024 as part of the CEQA EIR Addendum #2 (not yet released at the time of publishing this report). The supplemental biological report was completed to incorporate an expanded area of potential affects.

While no project construction occurred during the 2024 period, ground disturbances were required for exploratory investigations. During the 2024 period, the project team selected potential sites for the project's injection wells and conveyance pipelines. Constraints on selecting the injection well sites and pipeline configuration included: biological resources, archeological resources, hydrogeological constraints, underground utilities, property lines, etc. The project biologist aided in selecting locations not likely to impact biological resources. Ground disturbances were necessary from June 12th-21st, 2024 for archeological and hydrogeological investigations. Prior to these ground disturbances, the project biologist completed a clearance survey and provided environmental awareness training to help the

drilling contractor implement avoidance and minimization measures developed to protect biological resources. Areas with ice plant were investigated for Morro Shoulderband snails prior to disturbances. While no Morro Shoulderband snails were found, the City hand augured instead of bringing in a drill rig for areas that were more biologically sensitive. Ground disturbances were monitored by the project biologist.

No California Red-Legged Frogs, Tidewater Goby, or Morro Shoulderband Snails were found during the 2024 survey. During the 2024 period, no special status species were observed, captured, or relocated from the site. See project quarterly reports prepared for the funding and regulatory agencies for detail of project progress and construction completed in 2024 (See Attachment 1). The project team adhered to the preparation and monitoring efforts outlined in the BO such as clearance surveys conducted a by USFWS-approved biologist, environmental awareness training, planning of project activities, and biological monitoring, which resulted in no observations/impacts to federally listed species during the exploratory investigations. The project biologist continues to work with the construction team to conduct pre-activity surveys, inspect the exclusion fencing at the WRF, provide environmental awareness training, and help them adhere to all avoidance and minimization measures detailed in the BO and project EIR.

2. *Revegetation Action:* The 19.5-acre on-site conservation area is a post construction component of the project that has been established, maintained and monitored by the City now that construction of the facility and conveyance components are complete. The City has obtained a Conservation Covenant for an easement that protects Red-Legged Frog Habitat (see Attachment 2). The implementation of the Riparian Enhancement Report (REP) has occurred with the installation of a temporary irrigation system, application of the native erosion control seed mix below the facility in the Temporary Construction Easement, and installation of appropriate plantings. Maintenance and monitoring of the planted and seeded material has commenced, consistent with methods and techniques established in the REP. The annually required monitoring report (Year Two Riparian Enhancement Area Monitoring Report, see Attachment 3) documented successful implementation of the REP.

3. *Federal Listed Species Take Status:*
California Red-Legged Frog Take Status:
a. Captured and relocated: 0 (zero)
b. Found injured or dead: 0 (zero)

Morro Shoulderband Snail Take Status:
a. Captured and relocated: 0 (zero)
b. Found injured or dead: 0 (zero)

Tidewater Goby Take Status:
a. Captured and relocated: 0 (zero)
b. Found injured or dead: 0 (zero)

4. *Perimeter Chain Link Fence Status:* The WRF site permanent perimeter chain link fence with slats has been erected and completed. The temporary wildlife exclusion fencing that includes a combination silt fence barrier, has been removed from the 27 acre WRF site, as

the project grading work is completed and permanent exclusion fence is in place and functional. The entire property is also surrounded by a five-strand barbwire fence, and the temporary construction perimeter fencing has been removed.

Biological Training: While the Recycled Water Facilities (pipeline, injection wells, etc.) are in the design phase and construction has not yet started, field work has commenced. The City staff and technical consultants responsible for field work for the Recycled Water Facilities (engineers, hydrogeologists, archeologist, drilling contractors, Native American monitors, etc.) have attended an Environmental Awareness Training developed and presented by the City's Service Approved Biologist. If you have any questions on the above report or attachments, please do not hesitate to contact me at danheimel@ConfluenceES.com.

Sincerely,

Dan Heimel
Recycled Water Program Project Manager

Attachments

Attachment 1: Quarterly Progress Status Reports for Funding/Regulatory Agencies

Attachment 2: Conservation Covenant

Attachment 3: Year Two Riparian Enhancement Area Monitoring Report

Attachment 1

Quarterly Progress Status Report to Funding/Regulatory Agencies for CY 2024

City of Morro Bay
Water Reclamation Facility Project

QUARTERLY PROGRESS STATUS REPORT TO FUNDING / REGULATORY AGENCIES (COMBINED REPORT)

REPORTING PERIOD
January 1, 2024 through March 31, 2024

MORRO BAY
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City of Morro Bay
Water Reclamation Facility Project

QUARTERLY PROGRESS STATUS REPORT TO FUNDING / REGULATORY AGENCIES (COMBINED REPORT)

REPORTING PERIOD
JANUARY 1, 2024 THROUGH MARCH 31, 2024

Clean Water State Revolving Fund (CWSRF) Planning Loan Agreement No. D16-01016

Water Infrastructure Finance and Innovation Act (WIFIA)
Funding Agreement No. N17150CA (Water) / No. N17108CA (Wastewater)

CWSRF Funding Agreement No. (SWRCB0000000000D2001033)

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Abbreviations

AOP	advanced oxidation process
APCD	Air Pollution Control District
BNR	biological nutrient removal
BR	brine
CA-SLO	California-San Luis Obispo
Carollo	Carollo Engineers, Inc.
CDFW	California Department of Fish and Wildlife
City	City of Morro Bay
COVID-19	Coronavirus Disease 2019
CWSRF	Clean Water State Revolving Fund
DDW	Division of Drinking Water
FO	fiber optic
GMP	guaranteed maximum price
H_2O	water
HDPE	high-density polyethylene
IPR	indirect potable reuse
LF	linear foot
LOTO	lockout tagout
LS	lift station
MBR	membrane bioreactor
mgd	million gallons per day
MH	manhole
Misc.	miscellaneous
MTBM	Microtunnel Boring Machine
NEMA	National Electrical Manufacturers Association
NPDES	National Pollutant Discharge Elimination System
NTP	notice to proceed
PG&E	Pacific Gas & Electric
PCO	potential change order
PLC	programmable logic controller
PS	pump station
RFP	request for proposals
RO	reverse osmosis
ROWD	Report of Wastewater Discharge
R/W	right-of-way
RWQCB	Regional Water Quality Control Board

SAFE	stormwater auxiliary filtration equipment
SCADA	supervisory control and data acquisition
SD	storm drain
SLO	San Luis Obispo
SHPO	state historical preservation officer
SHT	sludge holding tank
SLO	San Luis Obispo
SRF	State Revolving Fund
SWRCB	State Water Resources Control Board
TCP	traffic control plan
TSO	time schedule order
USEPA	United States Environmental Protection Agency
UV	ultraviolet
Vdc	volts, direct current
WIFIA	Water Infrastructure Finance and Innovation Act
WRC	Water Resource Center
WRF	Water Reclamation Facility
WWTP	wastewater treatment plant

Section 1

PROJECT OVERVIEW

1.1 General Project Status Update

Since 2013, the City of Morro Bay (City) has been developing a Water Reclamation Facility (WRF) project through the completion of several key planning milestones including completion of the Draft Water Reclamation Facility Master Plan and Draft Master Water Reclamation Plan. These planning documents along with City Council-adopted goals for the project have outlined a project that includes the following major components:

- Onsite tertiary treatment facility with a capacity of approximately 1 million gallons per day (mgd). This facility was previously known as the WRF and the City recently renamed the facility the Water Resource Center (WRC). For the remainder of this document, the treatment facility will be referred to WRC.
- Onsite full advanced treatment facilities capable of meeting the State Division of Drinking Water (DDW) requirements for potable reuse via groundwater augmentation.
- Offsite raw wastewater conveyance facilities including pipelines and two pump stations to convey raw wastewater, tertiary-treated wastewater, and brine between the existing wastewater treatment plant (WWTP) site and the City's WRC located at Highway 1 and South Bay Boulevard (Conveyance Facilities).
- Offsite recycled potable reuse facilities including pipelines and injection wells necessary for groundwater augmentation in the Morro groundwater basin (Recycled Water Facilities).

"Our Water" is the City's program to plan and build water and wastewater infrastructure for a sustainable future for the environment, economy, and the community. This report summarizes key accomplishments and challenges during the reporting period of January 1, 2024, through March 31, 2024.

1.2 Current Project Schedule

In June 2018, the City received a Time Schedule Order (TSO) from the Regional Water Quality Control Board (RWQCB) that requires the City to achieve full operation of new wastewater treatment facilities by February 28, 2023, encompassing the WRC project (by Design-Build) and the Conveyance Facilities project (by conventional design-bid-build) including all off-site pipelines and pump stations. The overall program schedule is shown in the figure below. The current construction schedule progress percent complete to-date per contract is 118 percent for the WRC and 150 percent for Conveyance. The current final completion dates for the projects are August 31, 2023 (past) for the WRC project (extension part of FBV Amendment No. 9), and December 1, 2022 (past) for the Conveyance Project. As described in the specific sections below, the final completion for both the WRC and the Conveyance is subject to final contract closeout negotiations.

While both WRC and Conveyance Projects' Final Completion Dates are to occur after the TSO deadline, the City has already achieved the milestone requirement of full operation of the wastewater treatment facilities in compliance with permits and regulatory requirements. The milestone goal was achieved during a phased start-up of the various facilities during October and November 2022.

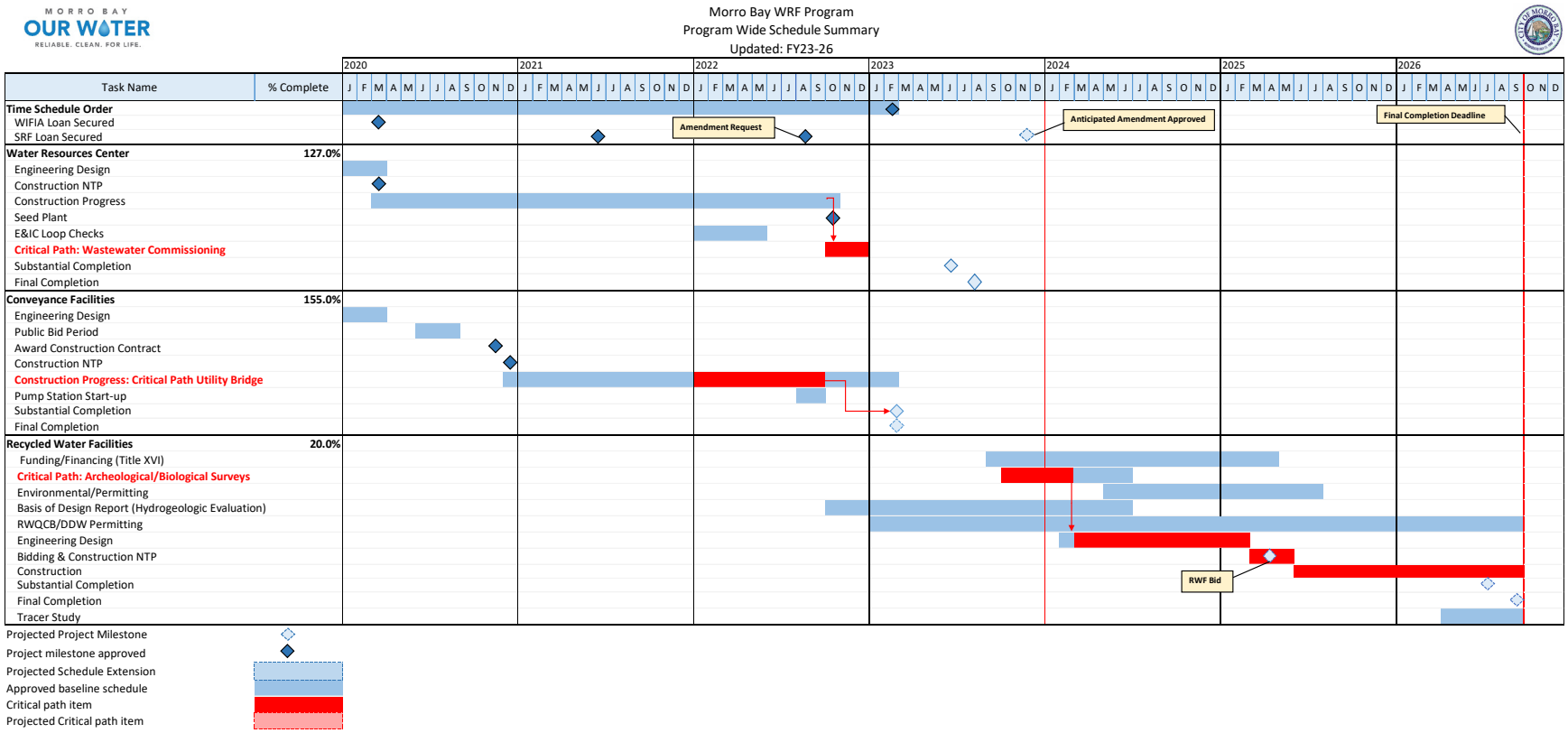

Figure 1 Program Schedule

The Recycled Water Facilities component of the WRF Program, which includes construction of injection wells and recycled water pipelines is not tied to the TSO compliance date and is currently proceeding through the permitting and design process. The current estimated date for substantial completion of the Recycled Water Facilities is July 2026.

Section 2

WATER RESOURCES CENTER

2.1 Project Summary – Reporting Period January 1 to March 31, 2024

This quarterly progress report summarizes the project construction and addresses contract time, change orders, progress, key construction accomplishments, safety and security issues, construction activities, environmental and cultural monitoring, and Davis-Bacon labor compliance issues.

Table 1 WRC Project Summary

Item	Description
Public Agency Owner	City of Morro Bay
Design-Build Joint Venture Entity	Overland Contracting, Inc.
Design-Build General Contractor	J.R. Filanc Construction Company, Inc.
Design-Build Engineer of Record	Black & Veatch Corporation
City's Program Management	Carollo Engineers, Inc. (Carollo)
City's Construction Manager	Carollo – Mimiaga Engineering Group Inc.
Design-Build Contract Award	October 23 2018
Design Phase Notice to Proceed (NTP)	November 5, 2018
Original Anticipated Construction NTP	April 29, 2019
Original Substantial Completion Date	August 5, 2021
Original Final Completion Date	October 1, 2021
Actual Executed Construction NTP	March 20, 2020
Original Construction Phase Duration	886 Calendar Days (Constr. NTP to Final Completion)
Construction Phase Time Extensions Approved	374 Calendar Days (through Amendment No. 9)
Revised Construction Phase Duration	1,449 Calendar Days (Constr. NTP to Final Completion)
Original / Current Substantial Completion	June 27, 2022 / February 6, 2023
Original / Current Final Completion Date	August 23, 2022 / March 8, 2024
Original Guaranteed Maximum Price (GMP)	$67,234,512.00
Current Approved Amendments to Date	$11,189,814.00 (through Amendment No. 9)
Current Approved GMP	$78,424,326.00 (through Amendment No. 9)
Approved Progress Payments to Date	$77,764,652.21 (thru 06/30/2023, Payments 1 – 61)
Percent Complete – Cost (Contractor Invoiced)	99.1% ($77,633,949 / $78,424,326.00)
Construction Calendar Days Elapsed	1,471 Calendar Days (3/20/2020 to –3/31/2024)
Percent Complete - Time (Schedule Elapsed)	135% (1471 days / 1,088 days)
Percent Construction Complete (Overall)	117% (average of cost and time percent complete)

2.2 Project Scope of Work

- 0.85/0.97 mgd WRC Average Annual.
- Influent Course Screens.
- Vortex Grit Removal Basins.
- Stormwater Auxiliary Filtration Equipment (SAFE) System (for high flow Equalization and Filtration).
- Fine Screens.
- Odor Control.
- Biological Nutrient Removal (BNR).
- Membrane Bioreactor (MBR).
- Sludge Holding Tank (SHT).
- Sludge Dewatering.
- Reverse Osmosis (RO) Filtration.
- Ultraviolet (UV)-Advanced Oxidation Process (AOP).
- Outfall Pump Station.
- Product Water Storage Tank.
- Indirect Potable Reuse (IPR) Pump Station.
- Operations Building.
- Maintenance Building.
- RO/UV-AOP Building.
- Electrical Building.
- City Vehicle Parking Canopy.
- Covered Outdoor Storage Aisles.
- Water/Collections Storage Shed.
- Water/Collections Equip. Canopy.
- Access Road and Site Improvements.
- Yard Piping and Site Work.
- Electrical Distribution Facilities.
- Emergency Standby Generator.
- Instrumentation and Controls.
- Utility Extensions into Site.

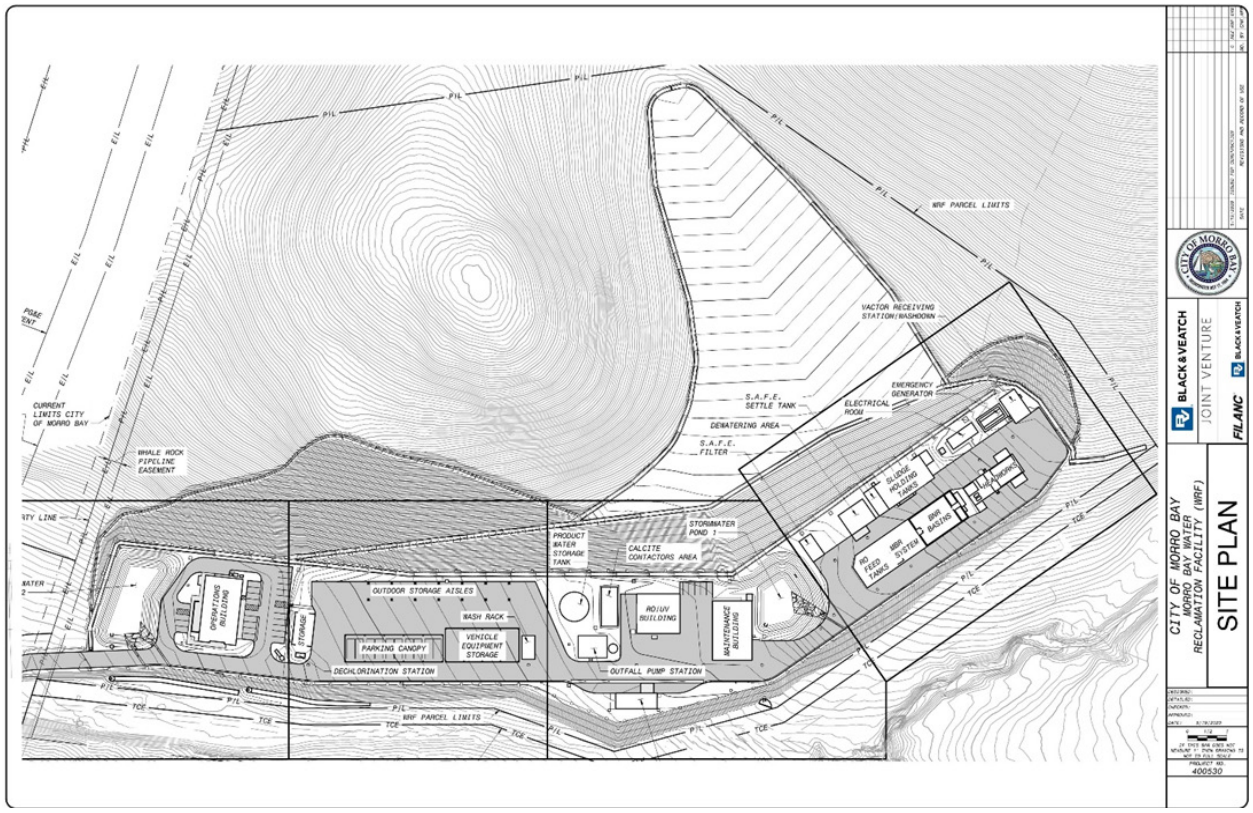

Figure 2 Morro Bay WRF Site Plan

2.3 Construction Progress: January 1 to March 31, 2024

2.3.1 General and Administrative

- The City has completed the TSO milestone requirement of full operation of wastewater treatment facilities in compliance with the State National Pollutant Discharge Elimination System (NPDES) permit and other regulatory requirements.
- Contractor has completed all non-disputed and disputed punch list and warranty items.
- Contract and the City continue to discuss the final contract close out negotiations and the City issued notice of Final Completion to the Contractor on March 8, 2024.
- The final contract closeout negotiation resulted in a final GMP amount of $79,000,000. This is the anticipated Amendment No. 10 amount which will go to City Council for approval in April 2024 (FY23/24 Q4).

2.3.2 Area –10 - Sitework

- Completed.

2.3.3 Area 20 - Headworks

- Completed.

2.3.4 Area 30 - BNR/MBR Treatment

- Completed.

2.3.5 Area 50 - RO/UV-AOP

- Completed.

2.3.6 Area 60 - Product Water Facilities

- Completed.

2.3.7 Area 70 - Residuals/Sludge Processing

- Completed.

2.3.8 Area 80 - Electrical and Controls

- Completed.

2.3.9 Area 90 - Chemical Storage and Feed

- Completed.

2.3.10 Area 95 - Operations Building

- Building is completed and occupied by City staff.

2.3.11 Area 96 - Maintenance Building

- Building is completed and occupied by City staff.

2.3.12 Areas 14, 15, 16, 17 - City Yard Facilities (Canopies, Shed, Storage, etc.)

- Buildings are completed and occupied by City staff.

2.4 Project Photographs

There are no construction photographs to include since the plant construction is complete and operational.

2.5 Change Order Summary

Table 2 WRC Guaranteed Maximum Price - Change Tracking Log

No.	Item	Approved Amount ($)	Calendar Days	Status
1	New Sodium Hypochlorite Feed for Plant Water	78,576	0	Amendment 1 Executed
2	Change Architecture of Operations Building	(21,623)	0	Amendment 1 Executed
4	Headworks Odor Control	18,422	0	Amendment 1 Executed
5	Remove Canopy and Monorail at MBR	(185,434)	0	Amendment 1 Executed
9	Consolidate Chemical Facilities	218,978	0	Amendment 1 Executed
10	Modify Chemical Piping	(15,856)	0	Amendment 1 Executed
15	Remove Solids Dumpster Lid	14,543	0	Amendment 1 Executed
16	Modify Outfall Pump Station	367,632	0	Amendment 3 Executed
17	Add SAFE Equalization Tank	504,116	0	Amendment 1 Executed
18	Instrumentation and Control Changes	75,266	0	Amendment 1 Executed
19	Reduce Size of the Product Water Tank	(129,681)	0	Amendment 3 Executed
21	Revise Maintenance Building Layout and Size	516,583	0	Amendment 1 Executed
22	Influent Piping and Metering	411,766	0	Amendment 1 Executed
23	Outdoor-Rated Blowers (BNR)	(58,210)	0	Amendment 1 Executed
24	Remove Bypass of Coarse Screens	(37,137)	0	Amendment 1 Executed
26	SAFE Diversion Box Additions	58,304	0	Amendment 1 Executed
28	Size Dewatering as a Building in the Future	30,983	0	Amendment 1 Executed
30	Match Blowers at SHT, BNR, and MBR System	17,426	0	Amendment 4 Executed
31	Coarse Screens and Grit Basins Stairs	52,870	0	Amendment 1 Executed
32	Sulfuric Acid System	315,652	0	Amendment 3 Executed
37	PLC/SCADA Software Uniformity	201,577	0	Amendment 3 Executed
38	IPR Product Water Tank Bypass	(26,087)	0	Amendment 1 Executed
39	NTP Delay	1,220,532	0	Amendment 3 Executed
40	Headworks Valve Automation	249,946	0	Amendment 3 Executed
41	Perimeter Barbed Wire Fence	79,935	8	Amendments 3&4 Executed
42	UV/AOP System Modifications	(33,481)	0	Amendment 3 Executed
44	Tank Access Improvements	210,327	0	Amendment 3 Executed
45	Maintenance Building Ceiling and Auto Roll-Up Door	21,009	0	Amendment 3 Executed
46	Curbed Washdown Areas	76,250	0	Amendment 3 Executed
47	Changes to Building Furnishings and Equipment	85,194	0	Amendment 3 Executed
50	Water/Sewer Supply Shed Revisions	13,142	0	Amendment 3 Executed
52	Analyzer Relocation and Enclosures	76,555	0	Amendment 3 Executed
55	Notice of Dispute - PG&E Temporary Power	13,163	0	Amendment 3 Executed

No.	Item	Approved Amount ($)	Calendar Days	Status
56	Impacts of Water Quality Changes	282,420	0	Amendment 3 Executed
57	Soil Lateral Earth Pressure	116,329	0	Amendment 3 Executed
58	Permanent Exclusion Fencing	855,991	0	Amendment 3 Executed
59	Increased Escalation Costs	1,232,677	0	Amendment 3 Executed
60	Weather Delay Impacts	0.00	0	Amendment 6 Negotiation
61	PCO Design Impacts	158,172	0	Amendment 3 Executed
62	Conduit Alternative Design	(268,400)	0	Amendment 3 Executed
64	Reduce Performance Period	(35,450)	0	Amendment 3 Executed
65	Davis Bacon Wage Increases	63,937	0	Amendment 2 Executed
66	Caltrans Intersection Improvements	(21,893)	0	Amendment 3 Executed
67	BNR System Modifications	742,405	0	Amendment 3 Executed
68	SAFE Equalization Settle Tank Drain Piping	62,215	0	Amendment 3 Executed
69	Third Party Testing and Inspection	100,000	0	Amendment 3 Executed
71	CDFW Restrictions (Direct Costs & Inefficiencies)	254,443	0	Amendment 4 Executed
72	Owner Trailer Utility Hook Ups	19,593	0	Amendment 4 Executed
73	Main Gates in Perimeter Fence	27,031	0	Amendment 4 Executed
74	Parking Canopy Electrical Receptacles	42,346	0	Amendment 4 Executed
75	Security Windows at Admin Building	11,079	0	Amendment 4 Executed
76	Additional Sodium Bisulfite Pump	58,243	0	Amendment 4 Executed
77	COVID-19 Impacts	125,000	0	Amendment 6 Executed
78	Soil Slip Differing Site Conditions	280,013	0	Amendment 4 Executed
79	Water/Sewer Shed Revisions (Ref. PCO 50)	10,847	0	Amendment 4 Executed
82	PLC/SCADA Uniformity Complete (Ref. PCO 37)	108,887	0	Amendment 4 Executed
84	Alternate Red Legged Frog Barrier (Ref. PCO 58)	(468,768)	0	Amendment 5 Executed
86	Pothole Existing Water Valve in Teresa Road	5,189	0	Amendment 4 Executed
87	Modify Conduit Design Scope (Ref. PCO 62)	272,822	0	Amendment 5 Executed
88	Dead-Front Control Panels	37,774	0	Amendment 6 Executed
89	Add SCADA Managed IPR Off-Spec Diversion	0.00	0	Amendment 6 Negotiation
90	24Vdc Digital Output Circuits	25,689	0	Amendment 6 Executed
91	Equipment Color (Tnemec 32GR Light Gray)	12,500	0	Amendment 6 Executed
92	West Cut-Slope Soil Slip Reactivation (2021)	825,300	0	Amendment 6 Executed
93	NEMA 4X Electrical Enclosures	40,000	0	Amendment 6 Executed
94	Security System Revisions	25,659	0	Amendment 6 Executed
96	January 2021 Storm Event (1-26 thru 1-29)	40,195	7	Amendment 6 Executed
97	Hydroseeding Soil Amendment & Coverage	25,932	0	Amendment 8 Approved
98	Materials Testing & Inspection (3rd Party)	143,120	0	Amendment 7 Executed
100	Add Thin-Client Licenses and Work Station	17,229	0	Amendment 7 Executed
101	COVID-19 Related Material Cost Escalation	48,744	0	Amendment 7 Executed

No.	Item	Approved Amount ($)	Calendar Days	Status
102	City Requested SCADA Screen Revisions	60,000	0	Amendment 7 Executed
103	SRF Reimbursement Request Requirements	119,319	0	Amendment 8 Approved
105	WRF Monument Entry Sign Modifications	23,738	0	Amendment 7 Executed
106	Add Wash Rack Grease and Sand Interceptor	35,287	0	Amendment 8 Approved
107	Vactor Unloading Facility Revisions	38,880	0	Amendment 8 Approved
108	Defer SEED PLANT Milestone and Commission	750,000	187	Amendment 8 Approved
109	Procurement of Teletruck for City Staff	74,562	0	Amendment 7 Executed
110	Chem Facility Fencing Revisions	24,767	0	Amendment 7 Executed
113	Modify H_2O SCADA Screen for RO System	13,264	0	Amendment 7 Executed
114	RO/UV Building Insulation (Disputed)	32,025	0	Amendment 7 Executed
117	Water Main Connection on Teresa Road	37,503	0	Amendment 7 Executed
118	Fine Screen LOTO Capability (Disputed)	26,905	0	Amendment 7 Executed
119	Credit for Chemicals Supplied by City	(141,972)	0	Amendment 7 Executed
120	Seed Sludge Maintenance Period	$133,784	0	Amendment 9 Approved
121	Credit for Alternate Frog Barrier (Alum. Top Lip)	(12,000)	0	Amendment 8 Executed
125	Total Chlorine Analyzer at Dechlor Facility	46,146	0	Amendment 9 Approved
128	Granite Material Escalation	63,432	0	Amendment 9 Approved
132.2	Additional Paving at WRC Entrance	53,929	0	Amendment 9 Approved
133	Rancher Gate	2,825	0	Amendment 9 Approved
134	UV Sample Line and UVT Analyzer	37,345	0	Amendment 9 Approved
	TOTAL	**$11,189,814**	**202**	

Abbreviations:
CDFW – California Department of Fish and Wildlife; COVID-19 – Coronavirus Disease 2019; H_2O – water; LOTO – lockout tagout; NEMA – National Electrical Manufacturers Association; PCO – potential change order; PG&E – Pacific Gas and Electric; PLC – programmable logic controller; SCADA – supervisory control and data acquisition; SRF – State Revolving Fund; Vdc – volts, direct current.

Table 3 WRC Change Order Summary and Current Status

Amendment No. (Status)	Amount ($)
Amendment No. 1 (Executed)	1,636,060
Amendment No. 2 (Executed)	63,937
Amendment No. 3 (Executed)	5,992,218
Amendment No. 4 (Executed)	835,097
Amendment No. 5 (Executed)	(195,945)
Amendment No. 6 (Executed)	1,132,117
Amendment No. 7 (Executed)	359,885
Amendment No. 8 (Executed)	957,418
Amendment No. 9 (Approved)	$409,028
Total (City Council Approved)	**$11,189,814**

Section 3

CONVEYANCE FACILITIES

3.1 Construction Progress Report – Reporting Period: January 1 to March 31, 2024

This quarterly progress report summarizes the project construction and addresses contract time, change orders, progress, key construction accomplishments, safety and security issues, construction activities, environmental and cultural monitoring, and Davis-Bacon labor compliance issues.

3.2 Project Summary

Table 4 Conveyance Facilities Project Summary

Item	Description
Public Agency Owner	City of Morro Bay
General Contractor	Anvil Builders Inc.
Design Engineer of Record	Waterworks Engineers, LLC.
City's Program Management	Carollo
City's Construction Management	Carollo Engineers / Mimiaga Engineering Group Inc.
Advertisement for Bids Date	June 16, 2020
Prebid Conference Date	July 7, 2020
Number of Bidding Amendments Issued	5 Amendments (Issued between 6/18/20 and 8/5/20)
Bid Opening Date	August 12, 2020
Contract Award by City Council	November 10, 2020
Executed Construction NTP	December 14, 2020
Orig. Construction Phase Duration	390 Calendar Days (to Substantial Completion)
Orig. Construction and Closeout Duration	435 Calendar Days (to Final Acceptance)
Construction Phase Time Extensions Approved	282 Calendar Days (through Amendment No. 6)
Revised Construction Phase Durations	672 Days to Sub. Compl. - 717 Days to Final Accept.
Orig. Substantial Completion Date	January 8, 2022 (NTP+390 Cal. Days)
Current Substantial Completion Date	October 17, 2022 (NTP+672 Cal. Days)
Orig. Final Acceptance Date	February 22, 2022 (NTP+435 Cal. Days)
Current Final Acceptance Date	December 1, 2022 (NTP+717 Cal. Days)
Orig. Contract Amount	$31,493,675.00
Current Approved Change Orders	$4,890,931.00 (through Amendment No. 8)
Current Approved Contract Amount	$36,384,606.00 (through Amendment No. 8)
Approved Progress Payments to Date	$36,388,406 (thru 6/30/2023 – Pay Estimate #27)
Percent Complete – Cost (Contractor Invoiced)	100 % ($36,388,406 / $36,388,406)
Construction Calendar Days Elapsed	1202 Calendar Days (12/14/2020 to 3/31/2024)
Percent Complete - Time (Schedule Elapsed)	167% (1112 days / 717 days)
Percent Construction Complete (Overall)	134% +/- (average of cost & time percent completes)

3.3 Project Scope of Work

- New Sewer Pump Station A.
- New Sewer Pump Station B.
- Connection to Existing Lift Station 2.
- Connection to Existing Lift Station 3.
- Dual Sewer Force Main (< 3 miles).
- Brine (Outfall) Pipeline (< 3 miles).
- Indirect Potable Reuse Pipeline (> 2 miles).
- Fiber Optic Conduit and Cable (> 3 miles).
- 60-inch Microtunnel Trenchless Crossing (310-linear feet [LF]).
- 60-inch Auger Bore and Jack Trenchless Crossing (145-LF).
- Utility Pipe Bridge and Abutments (115-LF).
- Electrical Distribution Facilities.
- Emergency Standby Generators.
- Instrumentation and Controls.

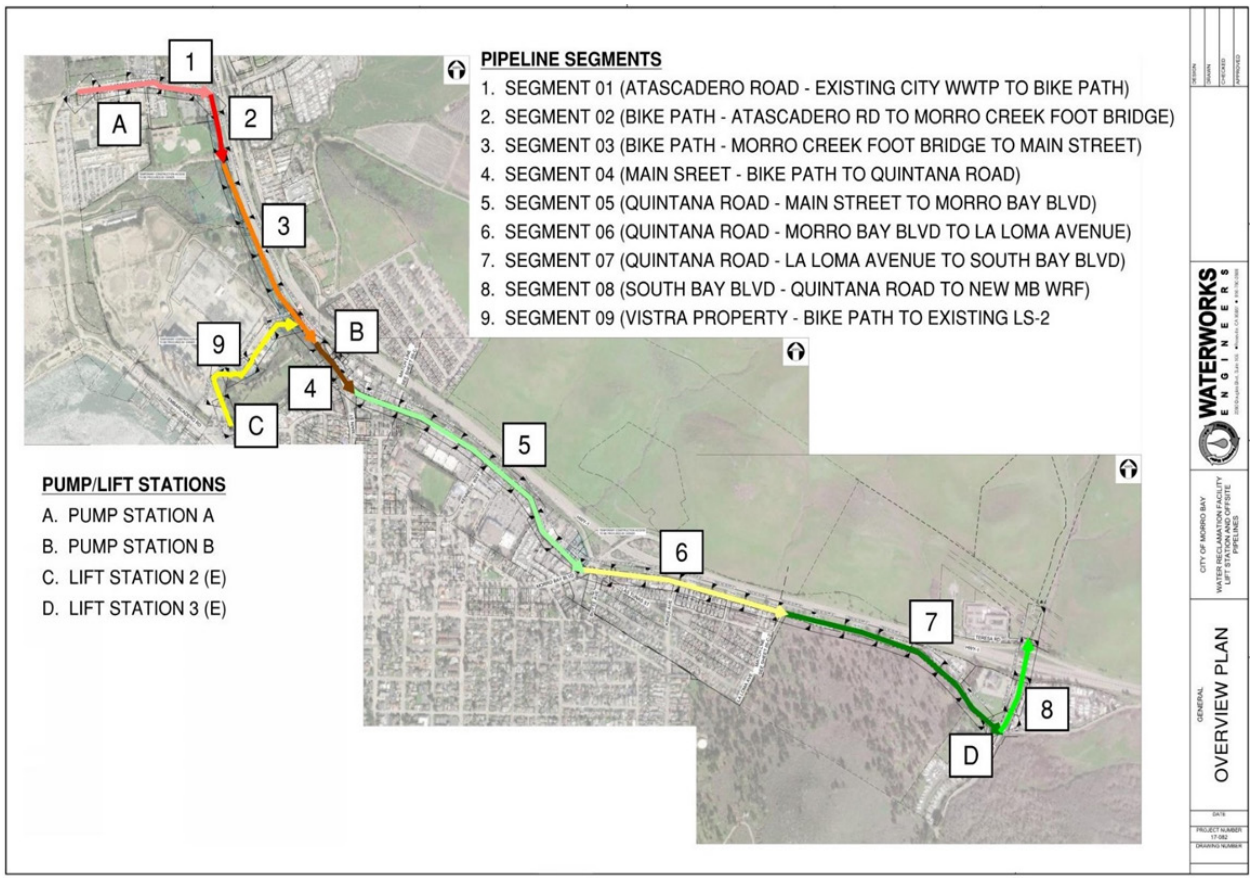

Figure 3 Morro Bay Conveyance Facilities Overview Plan

3.4 Construction Progress: January 1 to March 31, 2024

3.4.1 General and Administrative

- The City has completed the TSO milestone requirement of full operation of the wastewater treatment facilities in compliance with the State NPDES permit and other regulatory requirements.
- Contractor and design engineer are currently working together to resolve the outfall pipeline capacity deficiency issue and are expected to present a path forward to determine a resolution to the Program Team and City in Q4.
- The Program Management Team and the City reached a negotiation with the Conveyance Facilities Contractor to close out the final contract outstanding change orders for a total amount of $880,000 for the final Amendment No. 9. This is expected to go to City Council for approval in April (FY23/24 Q4).

3.4.2 Segment 1 – Atascadero Road (Existing City Wastewater Treatment Plant to Bike Path)

- Pipelines and other facilities in this segment are completed and in service.

3.4.3 Segment 2 – Bike Path (Atascadero Road to Morro Creek Foot Bridge)

- Pipelines and other facilities in this segment are completed and in service.

3.4.4 Segment 3 – Bike Path (Morro Creek Foot Bridge to Main Street)

- Pipelines and other facilities in this segment are completed and in service.

3.4.5 Segment 4 – Main Street (Bike Path to Quintana Road)

- Pipelines and other facilities in this segment are completed and in service.

3.4.6 Segment 5 – Quintana Road (Main Street to Morro Bay Blvd)

- Pipelines and other facilities in this segment are completed and in service.

3.4.7 Segment 6 – Quintana Road (Morro Bay Blvd to La Loma Avenue)

- Pipelines and other facilities in this segment are completed and in service.

3.4.8 Segment 7 – Quintana Road (La Loma Avenue to South Bay Blvd)

- Pipelines and other facilities in this segment are completed and in service.

3.4.9 Segment 8 – South Bay Blvd (Quintana Road to New MB WRC)

- Pipelines and other facilities in this segment are completed and in service.

3.4.10 Segment 9 – Vistra Property (Bike Path to Existing Lift Station 2)

- Pipelines and other facilities in this segment are completed and in service.

3.4.11 New Pump Station A

- Pump Station facility is completed and in service.

3.4.12 New Pump Station B

- Pump Station facility is completed and in service.

3.4.13 Existing Lift Station 2

- Pump Station connection is completed and in service.

3.4.14 Existing Lift Station 3

- Connection to existing Lift Station 3 was completed.

3.5 Project Photographs

There are no construction photographs to include since the plant construction is complete and operational.

3.6 Change Order Summary

Table 5 Conveyance Facilities Pending Change Orders

No.	Item	Approved Amount ($)	Calendar Days	Status
1	SHPO Work Suspension	443,000	40	Amendment 1 Executed
2	Add 2 Each 10-inch Valves and 10-inch Tee	23,498	0	Amendment 1 Executed
3	PS-B MAS-Relay Module per DC-01	13,477	0	Amendment 1 Executed
4	PS-A and PS-B Conduit Changes per DC-02	6,436	0	Amendment 1 Executed
5	Pump Station A Excavation NPDES Dewatering Permit	55,856	0	Amendment 7 Approved
6	Add Atascadero Gravity Sewer Pipeline			Withdrawn / Resolved
7	Water Relocation Conflict at Sta 71+00	131,096	0	Amendment 1 Executed
8.1	Additional Project Signage Costs	9,196	0	Amendment 3 Executed
8.2	Additional Project Signage Costs	3,856	0	Amendment 7 Approved
9.1	SoCal Gas Delays and Disruptions	43,017	0	Amendment 2 Executed
9.2	SoCal Gas Delays and Disruptions	20,750	0	Amendment 3 Executed
10	Reroute Joint Trench for DDW Clearance			Withdrawn / Resolved
11	Reroute IPR and Water at Sta. 144 Culvert	103,893		Amendment 4 Executed
12	CA-SLO-2232H Work Interruptions	56,978	0	Amendment 1 Executed
13	Utility Bridge Abutment Changes	500,000	60	Amendment 5 Executed
13.1	CA-SLO-16 Work Revisions	0.00	153	Amendment 3 Executed
14	Notice of Microtunneling Obstructions			Withdrawn / Resolved
15	Fiber Optic Conduit at Sta 88 Not Found			Withdrawn / Resolved
16	Reroute Joint Trench at State Water Line	144,616	0	Amendment 3 Executed
17	Add Tracer Wire to IPR Lines	108,521	0	Amendment 5 Executed
18	Add and Delete Pipe Joint Fittings			Withdrawn / Resolved
19	Remove City's Existing Desal Media Tank	54,189		Amendment 4 Executed
20	Pothole Utilities for Pilot Well Layout	15,291	0	Amendment 3 Executed
21	Assist City with Sewer Line Repair			Withdrawn / Resolved
22	6-Inch Waterline Relocation at PS-A	20,147	0	Amendment 2 Executed
23.1	Misc. Unforeseen Utility Work – Part 1	27,198	0	Amendment 2 Executed
23.2	Misc. Unforeseen Utility Work – Part 1	17,949	0	Amendment 7 Approved
24	PS-A and PS-B Generators Storage Cost			Withdrawn / Resolved

No.	Item	Approved Amount ($)	Calendar Days	Status
25	Material Cost Escalation – Part 1	292,000	0	Amendment 5 Executed
26	Relocate 12-inch RO Waterline at Sta 87+00	130,452	6	Amendment 6 Approved
27	Undisputed MTBM Delays and Disruptions	111,161	0	Amendment 2 Executed
28	SLO APCD Generator Mandates	301,703	0	Amendment 2 Executed
28.1	SLO APCD Generator Mandates (Rescind)	(301,703)	0	Amendment 4 Executed
29	Alternate TCP at Kings and Las Tunas			Withdrawn / Resolved
30.1	Bike Path Joint Trench and Waterline Re-Design	5,635	0	Amendment 8 Executed
31	Existing SD Collapse at Sta 63+97	7,389	2	Amendment 6 Executed
32	Broken Waterline at Quintana & Kings	6,198	0	Amendment 3 Executed
33	Drainage Revisions Near Todd's Garage	6,895		Amendment 4 Executed
33.1.1	Paving Limit Revisions	537,118	0	Amendment 8 Executed
34	Bike Path Jack and Bore Obstruction	84,276	0	Amendment 2 Executed
35	RO Brine Line Discharge to WRF Outfall	200,000	12	Amendment 6 Executed
36	DDW Initiated Realignments Sta 99 - 116	82,892	2	Amendment 6 Executed
37	Restoration of Quintana due to Weather	13,000	0	Amendment 6 Executed
38	Cultural Monitor "No Shows"			Withdrawn / Resolved
39	Cultural Extra Work at MTBM Launch Pit	45,266	0	Amendment 3 Executed
40	Weather Days (non-compensable)			Tracking rain days in excess of 20
41	Unknown Cement Subgrade at S. Bay	26,600	0	Amendment 4 Executed
42	Unknown Conduits at S. Bay and Quintana	7,788	0	Amendment 4 Executed
43	City Back-Charge Expenses			Withdrawn / Resolved
44	LS-2 Alignment ESA Fence Installation			Withdrawn / Resolved
45	Atascadero BR Realignment	34,023	0	Amendment 6 Approved
46	Unknown Utilities at South Bay and Caltrans			Withdrawn / Resolved
47	Utility Bridge Casing/Piping Issues	99,587		$99K Submitted / City Rejected
48	Bedrock Below Paving at Teresa Rd			Withdrawn / Resolved
49	LS-2 Alignment Revisions	48,273		Amendment 4 Executed
50	Relocate Water and Sewer on Teresa Rd	210,000	0	Amendment 5 Executed
51	Add Backflow Devices at RO Discharge			Withdrawn / Resolved
52	High Level Switch Alarm at Utility Bridge	8,743	0	Amendment 5 Executed
52.2	High Level Switch Alarm at Utility Bridge	28,627	0	Amendment 8 Executed
53	PS-B Grading and Drainage Revisions	65,102	5	Amendment 6 Executed
54	Extend Spare FO Conduits to Grade			Withdrawn / Resolved
55	HDPE for City Emergency Leak Response	1,338	0	Amendment 6 Executed
56	Fiber Optic Design Revisions and Upgrades	134,605	0	Amendment 8 Resolved
57	FCA Restraint Rods and Lugs at PS	47,647	0	Amendment 6 Executed
58	Wet Well Piping Fit-up Bolts to 316SS	9,963	0	Amendment 6 Executed
59	PS-A Retaining Wall Revision	20,837	0	Amendment 6 Executed

No.	Item	Approved Amount ($)	Calendar Days	Status
61	City Sale Tax Increase	134,403	0	Amendment 5 Executed
63	Wet Well Pump Concrete Pedestal			Withdrawn / Resolved
64	Existing LS 3 Connection and Utility Conflicts	71,000	0	Amendment 8 Executed
65	Relocate New Diversion MH and replace exist MH	296,404	0	Amendment 8 Executed
66	Repair Leaking City Waterline at North Abutment	10,958	0	Amendment 7 Executed
67	Waterline Replacement Conflicts near Mortuary	86,171	0	Amendment 8 Executed
68	Waterline Breaks on Atascadero Rd	34,120	2	Amendment 6 Executed
69	Tie-in HDPE Lines at WRC	18,705	0	Amendment 8 Executed
70	Install Existing WWTP Temp Flush Line			Withdrawn / Resolved
71	Reroute Sewage back to the Old Plant on 10/11	59,642	0	Amendment 8 Executed
73	Guide Rail Modifications at Wet Wells	32,756		Amendment 8 Executed
75	Additional Bollards required by PG&E at Pump Stations	15,013	0	Amendment 7 Executed
78	Change in 1-inch AIR-DR piping to Stainless Stees (DC#35)	16,839	0	Amendment 7 Executed
80	Repair existing leaking RO line at PS-A (Pre-Existing Leak)	4,499	0	Amendment 7 Executed
82.2	Additional Flatwork Concrete	62,920	0	Amendment 8 Executed
83	Existing Waterline Replacement at PSA	117,664	0	Amendment 8 Executed
84	Disputed Caltrans R/W Restoration Costs	10,885	0	Amendment 8 Executed
86	Transport FPVC Pipe to WRC Site	1,770	0	Amendment 8 Executed
89.1	Fencing Modifications	33,980	0	Amendment 8 Executed
90	PSA and PSB VFD Auto-Reset due to Voltage Drops	12,3920	0	Amendment 8 Executed
94	Standby Excavator at Morro Creek for Rain Event	8,402	0	Amendment 8 Executed
96	Raise FO Box at FBV Paving Error	5,089	0	Amendment 8 Executed
98	Credit for Deleting 36-inch storm drain	(207,000)	0	Amendment 8 Executed
	Total	**$4,890,931**	**282**	**Through Amendment No. 8**

Abbreviations:
APCD – Air Pollution Control District; BR – brine; CA-SLO – California-San Luis Obispo; FO – fiber optic; HDPE – high-density polyethylene; LS – lift station; MH – manhole; Misc. – miscellaneous; MTBM – microtunnel boring machine; PS – pump station; R/W – right-of-way; SD – storm drain; SHPO – state historical preservation officer; SLO - San Luis Obispo; TCP – traffic control plan.

Table 6 Conveyance Facilities Executed Change Orders

Change Order No. (Status)	Amount ($)
Amendment No. 1 (Executed)	674,485
Amendment No. 2 (Executed)	587,502
Amendment No. 3 (Executed)	241,317
Amendment No. 4 (Executed)	(54,065)
Amendment No. 5 (Executed)	1,253,667
Amendment No. 6 (Executed)	646,763
Amendment No. 7 (Executed)	$124,970
Amendment No. 8 (Executed)	$1,416,292
Total (City Council Approved)	**$4,890,931**

Section 4

RECYCLED WATER FACILITIES PROJECT

4.1 Pre-Construction Progress Report – Reporting Period: January 1 to March 31, 2024

This quarterly progress report summarizes the project planning and construction and addresses contract time, change orders, progress, key construction accomplishments, safety and security issues, construction activities, environmental and cultural monitoring, and Davis-Bacon labor compliance issues.

4.2 Pre-Construction Project Summary

Table 7 Recycled Water Facilities Project Summary

Item	Description
Public Agency Owner	City of Morro Bay
General Contractor	Not known
Pre-Design Hydrogeological Consultant	GSI Water Solution, Inc.
Design Engineer of Record	TBD
City's Program Management	Confluence Engineering Solutions
City's Construction Management	TBD
Design Percent Complete	10%
Pilot Injection Well Construction Bid Date	March 22, 2022
Pilot Injection Well Construction Contract Amount	$356,625
Pilot Injection Well Construction Final Contract Amount	$356,585
Pilot Injection Well Construction Completion Date	January 3,2023
Advertisement for Bids Date	Estimated March 2025
Prebid Conference Date	Estimated April 2025
Number of Amendments Issued	3

Item	Description
Bid Opening Date	Estimated April 2025
Engineer's Estimate of Cost	Estimated February 2025
Executed Construction NTP	Estimated May 2025
Original Substantial Completion Date	November 1, 2023
Original Final Completion Date	NA
Original Construction Phase Duration	14 months, June 2025 – August 2026
Construction Phase Time Extensions	TBD
Revised Construction Phase Duration	TBD
Current Substantial Completion Date	July 2026
Current Final Completion Date	TBD
Original Contract Amount	$4,400,000
Current Executed Change Orders	-$40
Current Contract Amount	$6,395,524
Approved Progress Payment to Date	$366,975
Percent Complete – Cost (Contractor Invoiced)	5.7%
Construction Calendar Days Elapsed	0 Calendar Days
Percent Complete - Time (Schedule Elapsed)	0%
Percent Construction Complete (Overall)	5.7%

4.3 Planned Project Scope of Work

- Offsite recycled potable reuse facilities including pipelines, injection wells, monitoring well, etc.
- Implementation of groundwater augmentation in the Morro Groundwater Basin.

4.4 Pre-Construction Progress: January 1 to March 31, 2024

- On January 25, 2024, the City and the Recycled Water Program Team submitted the remaining requested documents required to begin development of the Bureau of Reclamation (Reclamation) Title XVI Grant Agreement.
  - During Q1 2024, the City and the Recycled Water Program Team coordinated with Reclamation to modify submitted materials and begin preparation of the Title XVI Grant Agreement.
- On January 26, 2024, City Staff and the Recycled Water Program Team participated in a tour of the Pure Water Monterey treatment facility and injection wellfield.
- On February 27, 2024, the City received a response to the letter submitted to the Clean Water State Revolving Fund (CWSRF) representatives requesting formal documentation of the minimum recycled water program implementation requirements.
  - On March 12, 2024, City Staff and the Recycled Water Program Team presented the response letter from the State Water Resources Control Board (SWRCB) regarding the request for formal documentation of the minimum recycled water program implementation requirements to City Council.
  - On March 15, 2024, City Staff and the Recycled Water Program Team released the request for proposals (RFP) for the procurement of engineering design services for the injection wells and recycled water pipelines.

  - During Q1 2024, City Staff and the Recycled Water Program Team continued preparation of the RFP for the procurement of hydrogeologic design services for the injection wells and recycled water pipelines.
- On February 29, 2024, City Staff and the Recycled Water Program Team held a Risk Assessment Workshop to identify and develop mitigation strategies for potential risks to the implementation of the Recycled Water Program.
- On March 18, 2024, City Staff and the Recycled Water Program Team submitted a letter to the United States Environmental Protection Agency (USEPA) requesting to expand the Area of Potential Effect for the USEPA's Programmatic Agreement with the SHPO for Phase 3 of the WRF Project.
- During Q1 2024, City Staff and the Recycled Water Program Team continued preparation of the Report of Wastewater Discharge (ROWD) Application and Engineers Report for the IPR Recycled Water Program.
- On March 8, 2024, City Staff and the Recycled Water Program Team met with representatives from the Regional Water Quality Control Board and the Division of Drinking Water to provide a status update on and ask questions regarding the ROWD Application and Engineers Report.

4.5 Project Photographs

There were no construction progress or project photographs taken during this reporting period.

4.6 Change Order Summary

- N/A (main project work has not commenced).

4.7 Problems Encountered/Solutions/Status

- N/A (main project work has not commenced).

Section 5

ENVIRONMENTAL/REGULATORY COMPLIANCE

This quarterly progress report section summarizes the City's environmental and regulatory compliance pursuant to oversight by the following regulatory agencies: SWRCB, CDFW, United States Fish and Wildlife Service, USEPA, California Coastal Commission, SLO County APCD, SHPO, Central Coast RWQCB, and the City. Specific activities are summarized in Appendix A. Copies of supporting compliance documentation is available upon request.

Appendix A

ENVIRONMENTAL/REGULATORY COMPLIANCE SUMMARY

MORRO BAY
OUR WATER
RELIABLE. CLEAN. FOR LIFE.

WATER RECLAMATION FACILITY
ENVIRONMENTAL/REGULATORY COMPLIANCE SUMMARY

UPDATED: March 31, 2024

KMA KEVIN MERK ASSOCIATES | MIMIAGA engineering group | carollo Engineers...Working Wonders With Water®

Agency	Reference Document	Document Reference	Measure Focus	Measure	Phase 1 Water Reclamation Facility (WRF) Compliance Activities (1/1/2024 through 3/31/2024)	Phase 2 Conveyance Facilities Compliance Activities (1/1/2024 through 3/31/2024)	Phase 3 Recycled Water Facilities Compliance Activities (1/1/2024 through 3/31/2024)
NOTE THAT BOTH WRF AND CONVEYANCE PROJECTS ARE COMMISSIONED AND THE CITY'S ISSUANCE OF SUBSTANTIAL COMPLETION DOCUMENTS IS PENDING. AS SUCH IT IS ANTICIPATED THAT MANY OF THE BELOW STIPULATIONS AND CONSTRUCTION DURATION REQUIREMENTS WILL BE RESOLVED IN THE NEXT QUARTERLY REPORT UPDATE.							
United States Fish and Wildlife Service	Biological Opinion	Biological Opinion	Tidewater Goby Item 1	The applicant will implement erosion and sedimentation control measures (e.g., silt fences, straw bales or wattles) in all areas where disturbed substrate may potentially wash into waters via rainfall or runoff, particularly around stockpiled material and at the downstream end of each project reach. Such measures should remain in place and be inspected periodically until the project is complete and exposed soils are stabilized. Diversion structures, sediment traps/basins and associated equipment (e.g., pumps, lines) will be maintained in optimal working condition for the entire duration of the preparation and construction periods.	No change in status. Project Biologist (KMA) has clarified that the Tidewater Goby requirement is only applicable to work near Morro Creek. Not applicable to the WRF project. See Submittal #007 (Revisions 0 thru 3): Stormwater Pollution Prevention Plan. SWPPP BMP measures are installed and being maintained throughout the site perimeter and laydown area. (MEASURE ACHIEVED)	Project Biologist (KMA) has clarified that the Tidewater Goby requirement is only applicable to work near Morro Creek (i.e. Utility Bridge and abutment structures). Work on the Utility Bridge abutments has commenced and applicable SWPPP measures are installed. No work within the creek channel or banks has or will occur. These areas are delineated to restrict worker access. There has been no rain or visible water in the creek during the reporting period. The work is regularly monitored by the Project Biologist.	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 2	Prior to the start of work, the contractor will prepare a spill prevention plan to ensure prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur. All project-related hazardous materials spills within the project site will be cleaned up immediately. Spill prevention and cleanup materials will be on-site at all times during the course of the project.	No change in status. No construction related spills recorded during the reporting period. (MEASURE ACHIEVED) See Submittal #076: Spill Prevention, Control and Countermeasures (SPCC) Plan. Spill prevention kits and other associated supplies are being maintained on site. (MEASURE ACHIEVED)	Project Biologist (KMA) has clarified that the Tidewater Goby requirement is only applicable to work near Morro Creek (i.e. Utility Bridge and abutment structures). Work on the Utility Bridge abutments has commenced and applicable SWPPP Spill Containment measures are being implemented. The creek area is delineated to restrict worker access. There has been no rain or visible water in the creek during the reporting period. The work is regularly monitored by the Project Biologist.	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 3	All refueling, maintenance, and washing of equipment and vehicles will occur on paved areas in a location where a spill would not travel into a drainage feature or storm drain inlet. This fueling/staging area will conform to Best Management Practices applicable to attaining zero discharge of stormwater runoff into waters of the U.S. and State of California. At a minimum, all equipment and vehicles must be checked and maintained on a daily basis to ensure proper operation and avoid potential leaks or spills. Washing of equipment will occur only in a location where polluted water and materials can be contained for subsequent removal from the site.	No change in status. General compliance with measure is confirmed. (MEASURE ACHIEVED) The paved fueling and maintenance area has been removed as part of project demobilization. (MEASURE ACHIEVED)	Project Biologist (KMA) has clarified that the Tidewater Goby requirement is only applicable to Morro Creek area. Work on the Utility Bridge abutments has commenced and applicable SWPPP Spill Containment measures are being implemented. No vehicle or equipment fueling, maintenance, or washing activities occurred at or near the subject sensitive area.	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 4	A designated concrete washout location will be established onsite, in an area at least 50 feet from any drainage feature or storm drain inlet. The washout will be maintained and inspected weekly, and will be covered prior to and during any rain event. If a container is used, concrete debris will be removed whenever the washout container reaches the half full mark.	Structural concrete work is completed. Filanc provides fully compliant washout areas for each concrete placement event. All temporary washout areas have been removed as part of project demobilization. (MEASURE ACHIEVED) Filanc's SWPPP includes Section 2.6, Section 3.3, and BMP WM-8, with stipulations for Concrete Waste Management. (MEASURE ACHIEVED)	Project Biologist (KMA) has clarified that the Tidewater Goby requirement is only applicable to Morro Creek area. Work on the Utility Bridge abutments has commenced and applicable SWPPP Spill Containment measures are being implemented. No concrete washout activities have occurred at or near the subject sensitive area.	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 5	Best Management Practices for dust abatement will be a component of the project's construction documents. Dust control requirements will be carefully implemented to prevent water used for dust abatement from transporting pollutants to storm drains leading to the creek channel.	No change in status. Dust control by watering of work areas is implemented on an on-going as needed basis. The Contractor has been instructed by the City to use water from an existing City well due to drought water-use restrictions. Design-Build Agreement Section 5.10.1 includes stipulations for the Fugitive Dust Control Plan (FDCP) in accordance with the SLOC APCD Regulations. The approved SWPPP includes applicable dust control measures. (MEASURE ACHIEVED)	Project Biologist (KMA) has clarified that the Tidewater Goby requirement is only applicable to Morro Creek area. Work on the Utility Bridge abutments has commenced and applicable dust control measures are being implemented. Dust control activities have occurred whenever necessary.	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 6	The applicant will prepare a frac-out contingency plan prior to initiation of construction activities that involve horizontal direction drilling activities. The applicant will implement the frac-out contingency plan during horizontal directional drilling construction activities. At a minimum, the plan will include the following: (a) Measures to minimize the potential for a frac-out associated with horizontal directional drilling activities; (b) Provide for the timely detection of frac-outs; (c) Protect areas that are considered environmentally sensitive (streams, wetlands, other biological resources, cultural resources); (d) Ensure an organized, timely, and "minimum-impact" response in the event a frac-out and the release of drilling mud occurs; and (e) Ensure that all appropriate notifications are made to the appropriate environmental specialists immediately (e.g., qualified biological monitor), and to appropriate regulatory agencies within 24 hours and that documentation is completed.	No change in status. There is no horizontal directional drilling (HDD) on the project. As such, no frac-out plan is required. (MEASURE NOT APPLICABLE)	No change in status. As stated above, the Tidewater Goby requirement is only applicable to work near Morro Creek. Work on the Utility Bridge abutments has been completed.. However, no horizontal directional drilling (HDD) is required near Morro Creek. As such, no frac-out plan is required. (MEASURE NOT APPLICABLE)	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Morro Shoulderband Snail Item 1	A Service-approved biologist will survey for Morro Bay Shoulderband snails no more than 48 hours before initial ground-disturbing and vegetation-clearing activities that occur on dune land or Baywood fine sand. The Service-approved biologist will monitor all construction activities occurring on dune land or Baywood fine sand. If the species is located during any of these pre-activity surveys or during subsequent project activities, the Service will be contacted immediately and activities will halt in that particular area until it is determined what actions may be necessary to avoid take of the snail.	NA -Not applicable to WRF Project. The Morro Bay Shoulderband Snail are not present at the WRF Site.	No change in status. There was no activity in dune sands or Baywood fine sand during the reporting period. KMA has performed all necessary pre-construction inspections and on-going monitoring. To date only orange construction fencing has been necessary for area delineation, not silt fencing. KMA will also continue to perform all required post rain or dense fog inspections as required.	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Morro Shoulderband Snail Item 2	Any equipment use, materials stockpiling, lift station construction, or any other uses proposed on the north side of Atascadero Road opposite the existing treatment plant will be setback from any potentially suitable habitat. If construction adjacent to potentially suitable Morro Shoulderband snail habitat occurs during the winter rain season, a Service-approved biologist will survey the work area immediately following rain events or dense fog conditions to ensure that no Morro Shoulderband snails have entered the site.	NA -Not applicable to WRF Project. The Morro Bay Shoulderband Snail are not present at the WRF Site.	No change in status. Contractor has removed staging materials and equipment on the north side of Atascadero Road across from the City's existing wastewater plant. All equipment, materials, and other staging area amenities on the north side of Atascadero Road are setback from any potentially suitable habitat. The set back has been reviewed and is being monitored by the project Service-Approved Biologist. (MEASURE ACHIEVED)	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Morro Shoulderband Snail Item 3	Silt fence will not be used to exclude Morro Shoulderband snails from work areas where suitable sandy soils and habitat may be present. Work areas in sandy soils near potential Morro Shoulderband snail habitat will be clearly delineated with flagging and/or stakes to limit the boundaries of work areas and confine them to developed and paved areas. If silt fencing must be used for other reasons in areas near potential Morro Shoulderband snail habitat, additional measured developed by a Service-approved biologist will be implemented to avoid harm to the Morro Shoulderband snail.	NA -Not applicable to WRF Project. The Morro Bay Shoulderband Snail are not present at the WRF Site.	No change in status. Applicable sandy soil habitat has been noted in areas adjacent to work zones. Off-set distances have been reviewed and deemed suitable by the Service-Approved Biologist (KMA). KMA has performed all necessary pre-construction inspections and on-going monitoring. To date only orange construction fencing has been necessary for area delineation, not silt fencing.	NA - Not applicable to Recycled Water Facilities Project.

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United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog DESCRIPTION OF THE PROPOSED ACTION Biological Opinion p. 6	The permanent fencing will include a concrete exclusion barrier along the eastern boundary of the site that extends 24 inches above grade. The top of the concrete exclusion barrier will include a six-inch lip that will serve as a climbing barrier for the California red-legged frog (CRLF). Affixed to the top of the concrete exclusion barrier will be a six-foot chain link fence with privacy slats. The remaining perimeter of the site will include a six-foot chain link fence with privacy slats.	See Biological Opinion Amendment below. City proposed and USEPA/USFWS accepted an alternate HDPE wildlife barrier (i.e. 2 mm thick HDPE, 24" above grade, 36" below grade, 4" FRP top lip, affixed to 6 ft chain link fence with slats). The barrier design includes 1660 LF of HDPE barrier and 490 LF of concrete wall barrier. The DB Team has completed installing CRLF barriers during the report period.	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Biological Opinion Amendment	California Red Legged Frog Biological Opinion Amendment dated 1/6/2021	The proposed changes include using a high density polyethylene (HDPE) exclusion barrier along the facility's eastern edge as it interfaces with the Drainage 3 corridor, in place of the concrete barrier described in the biological opinion. The concrete barrier would still be used in the southeastern part of the site along the access road. The HDPE exclusion barrier would be installed 36 inches below grade and extend 24 inches above grade. It has a 15 to 30 year life expectancy, compared to the 50 to 100 year life expectancy of the concrete barrier. The HDPE barrier would have a 4-inch overhanging lip at the top of the fence to deter climbing California red-legged frogs, while the concrete barrier would have a 6-inch lip. The City of Morro Bay (applicant) will conduct quarterly inspections of the barrier for signs of wear or damage and provide immediate repairs as needed. The applicant expects that only the above-ground portion of the barrier will need to be replaced in the future, because the below-ground barrier will be protected from sunlight, weather, and other potential damage. In the event that a complete barrier replacement is required, the applicant will contact the U.S. Fish and Wildlife Service (Service) for guidance prior to completing replacement. The applicant will document instructions to contact the Service in the event of a complete barrier replacement in their written protocols for fence maintenance.	The DB Team completed the 490 LF concrete barrier during the reporting period. The DB Team also completed installation of the 1660 LF of the alternate HDPE wildlife barrier (i.e. 2 mm thick HDPE, 24" above grade, 36" below grade, 4" FRP top lip, affixed to 6 ft chain link fence with slats). Both barriers remain incomplete as of the end of the reporting period.	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Biological Opinion Amendment	California Red Legged Frog Biological Opinion Amendment (issue dated pending)	This second amendment covers the additional surface disturbance to grassland areas associated with the west cut-slope landslide and subsequent remediation. The coordination and correspondence between the City and USEPA/USFWS documents the extent of area disturbed by the landslide, field investigations and repair design, major earthwork remediation activities, and grasslands restoration.	Contractor has completed all earthwork associated with the landslide remediation and has hydroseeded the area. Grassland re-growth is progressing. The Service-Approved Biologist (KMA) has confirmed that no wetland habitat, riparian habitat, or drainage feature was impacted from the eroded soils or repair work. The repair area will be restored to its natural condition in accordance with the BO to preserve suitable upland movement habitat for the California red-legged frog.	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog DESCRIPTION OF THE PROPOSED ACTION Biological Opinion p. 6	Permanent night lighting will be minimal with low intensity and will follow current City of Morro Bay and County of San Luis Obispo policies to prevent spillover into open space areas.	No change in status. Low intensity night lighting design elements are included in the Design-Build Team's "Issued For Construction" Plans/Specifications. (MEASURE ACHIEVED)	No change in status. Low intensity night lighting design elements are included in the Conveyance Facility Plans/Specifications. (MEASURE ACHIEVED)	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog DESCRIPTION OF THE PROPOSED ACTION Biological Opinion p. 7	The applicant proposes to mitigate for the loss of California red-legged frog critical habitat through the on-site conservation of 19.5 acres of dispersal habitat, on the same parcel where the Water Reclamation Facility would be located. The applicant will achieve protection through a conservation easement or another appropriate and feasible mechanism. The applicant will develop the protection in coordination with the Service and complete protection within 12 months of initiating project activities. The construction process will disturb nine acres of the proposed mitigation area by grading and installing fourteen drainage swales. The drainage swales would be concrete-lined with sides at a 1:1 slope. The applicant will revegetate the disturbed areas and return them to grassland.	In 2021, the City provided USEPA draft Conservation Covenant language for review in advance of the City Council taking action to establish the 19.5-Acre Dispersal Habitat Conservation Easement. On September 28, 2021, the Morro Bay City Council voted to approved the Conservation Covenant. Upon final completion of WRF Construction, the City will then finalize the conservation covenation	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog DESCRIPTION OF THE PROPOSED ACTION Biological Opinion p. 7	The applicant's Coastal Development Permit, issued by the Coastal Commission of California, obligates the applicant to restore and enhance 1.5 acres of riparian zone. These acres are located between the Water Reclamation Facility's eastern fence line and the property boundary parallel to Drainage 3. The applicant will plant native trees, shrubs, and grasses to enhance the riparian area. A restoration ecologist will monitor the riparian restoration zone for five years or until restored areas have met success criteria. The proposed riparian restoration zone connects with the proposed compensatory mitigation acres at the north end of the facility.	The City submitted its Riparian Enhancement Plan (REP) to the Coastal Commission and CDFW. CDFW has not responded to the City's request for review. The City has received authorization to proceed from the Coastal Commission without CDFW comments. The City has added the REP scope to the DB contractor's scope of work and the work will start in the next reporting period.	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 1	Only Service-approved biologists will participate in activities associated with the capture, handling, and relocation of California red-legged frogs.	No change in status. The project Biologist, Kevin Merk (KMA) has been approved in writing by USFWS. (MEASURE ACHIEVED)	No change in status. The project Biologist, Kevin Merk (KMA) has been approved in writing by USFWS. (MEASURE ACHIEVED)	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 2	The applicant will submit the names and resumes of a qualified biologist and qualified biological monitor for approval by the Service at least 14 days prior to the start of work. Ground disturbance will not begin until written approval is received from the Service that project biologist(s) are qualified to conduct the work.	No change in status. The project Biologist, Kevin Merk (KMA), and other project monitors employed by KMA, have been approved in writing by USFWS. (MEASURE ACHIEVED)	No change in status. The project Biologist, Kevin Merk (KMA), and other project monitors employed by KMA, have been approved in writing by USFWS. (MEASURE ACHIEVED)	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 3	A Service-approved biologist will survey the project site no more than 48 hours before the onset of work activities. The Service-approved biologist will survey a 500-foot buffer zone upstream and downstream of the construction area for California red-legged frogs, as feasible, in consideration of the private property in the area. The Pre-Construction Survey will include a description of any standing or flowing water present in the drainage feature in proximity to the WRF construction area. If any life stage of the California red-legged frog is found and these individuals are likely to be killed or injured by work activities, the approved biologist will be allowed sufficient time to move them from the site before work begins. The Service-approved biologist will relocate the California red-legged frogs the shortest distance possible to a location that contains suitable habitat and that will not be affected by activities associated with the project. The relocation site will be in the same drainage to the extent practicable. The Service-approved biologist will coordinate with the Service on the relocation site prior to the capture of any California red-legged frogs.	No change in status. The Service-Approved Biologist conducted the required Pre-Construction Survey and provided the City documentation of results. There were no California red-legged frog relocations necessary during the Pre-Construction Survey. (MEASURE ACHIEVED)	No change in status. The Service-Approved Biologist continues to conduct all required Pre-Construction Surveys as pipeline installation activities advance along the project alignment. KMA documents such surveys as required. There were no California red-legged frog relocations necessary during the Pre-Construction Survey. (MEASURE ACHIEVED)	NA - Not applicable to Recycled Water Facilities Project.

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United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 4	A Service-approved biologist will be present at the work site until all California red-legged frogs have been relocated out of harm's way, workers have been instructed, and disturbance of habitat has been completed. After this time, the Service-approved biological monitor will ensure and document on-site compliance with all minimization measures. Biological monitoring will occur for all initial disturbance activities, and then will be scaled back to an as-needed basis once all habitat was removed for any activity occurring near a drainage feature or other environmentally sensitive habitat area. Biological monitoring will occur on a daily basis during the rainy season for any construction related activities at the WRF site. The Service-approved biologist will ensure that this monitor receives training on the minimization measures. If the Service-approved biological monitor or the Service-approved biologist recommends that work be stopped because California red-legged frogs would be affected in a manner not anticipated by the EPA and the Service during review of the proposed action, they will notify the project manager (the manager that is directly overseeing and in command of construction activities) immediately. The project manager will either resolve the situation by eliminating the adverse effect immediately or require that all actions causing these effects be halted. At this time, the Service-approved biologist may be called to relocate the California red-legged frog(s) out of harm's way.	No change in status. The Service-Approved Biologist provided all required field monitoring and oversight as stipulated in the measure during initial ground disturbance activities, during the monitoring scale back phase, and through the remainder of the reporting period on an as-needed basis. The biologist continues to document compliance with this measure in Biologist field notes. (MEASURE ACHIEVED).	No change in status. There were no California red-legged frog relocations necessary during the Pre-Construction Survey or during the reporting period. The Service-approved biologist has provided all required field monitoring and oversight as stipulated in the measure. The biologist has and continues to document compliance with this measure in Biologist field notes. (MEASURE ACHIEVED)	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 5	Before the start of any construction activities at the Water Reclamation Facility, the applicant will erect a combination silt, safety, and wildlife exclusion fence around the entire site. The entire site will include all disturbed areas and areas utilized by the applicant and its contractors for temporary construction laydown and stockpiling. The fence will have a minimum height of 36 inches above ground, a trench depth of at least six inches, and a minimum five-inch overhang that will serve as a climbing barrier for California red-legged frogs. To allow for site access, a temporary chain link fence gate will be erected at the head of the access road at Teresa Road. The exclusion fencing material will be affixed to the chain link fence gate and will be equipped with ground sweeps. The temporary construction fence will be monitored on a daily basis during the winter rain season (October 15 through April 15) and will remain in place until after substantial completion of the Water Reclamation Facility following the completion of the permanent exclusion fencing system.	No change in status. A temporary combination silt, safety, and wildlife exclusion fence was installed around the entire site prior to the start of field work. The perimeter barriers continue to be monitored and maintained by FBV. The barriers are also inspected by the Service-Approved Biologist on an on-going basis. Compliance with this measure is denoted in Biologist field notes. (MEASURE ACHIEVED)	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 6	Prior to the commencement of construction-related activities, and for the duration of proposed construction activities, all construction workers will attend an Environmental Awareness Training and Education Program, developed and presented by the Service-approved biologist. The program will include information such as identification, habitat description, and protection under the Federal Endangered Species Act. The training will include detailed information about California red-legged frog and its habitat, the specific measures that are being implemented to conserve the California red-legged frog for the project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session as determined by the Service-approved biologist. Workers will be required to sign an acknowledgement form and will receive a hard hat sticker documenting their completion of the environmental awareness training.	No change in status. General compliance with measure is confirmed. All construction workers and administrative staff on site have attended Environmental Awareness Training developed by the Service-approved biologist. This includes all new employees on site. Sign-in sheets are being collected and retained for each training session. Project hardhat stickers are issued once training is completed to denote compliance. (MEASURE ACHIEVED)	No change in status. General compliance with measure is confirmed. All construction workers and administrative staff on site have attended Environmental Awareness Training developed by the Service-approved biologist. Sign-in sheets are being collected and retained for each training session. (MEASURE ACHIEVED)	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 7	Before ground disturbing work activities begin each day, the Service-approved biological monitor will conduct a pre-construction survey and inspect under construction equipment and materials to look for California red-legged frogs. If a California red-legged frog is found during these checks or during construction, the Service-approved biological monitor will halt work that may affect the animal until the Service-approved biologist can move it out of harm's way.	No change in status. The Service-approved biologist continues to conduct surveys / inspections of the project site on an as needed basis. Compliance with this measure is denoted in Biologist field notes. There were no California Red-Legged Frog relocations or takes during the reporting period. (MEASURE ACHIEVED)	No change in status. The Service-approved biologist has performed all inspections as required before ground disturbance. (MEASURE ACHIEVED)	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 8	The Service-approved biologist will be present at the work site during initial site disturbance activities, including installation of exclusion fencing, erosion and sediment controls, and until the applicant has completed all surface disturbance. For work during the rainy season when California red-legged frogs may be moving through the project area, the biological monitor will conduct daily clearance surveys each morning prior to the start of work to ensure California red-legged frogs have not moved into the area and the wildlife exclusion fence is in good condition. If a California red-legged frog is observed within the biological monitoring area, the biological monitor will immediately contact the construction superintendent and evaluate the location of the frog in relation to ongoing work. If the frog is located within the work area, all work within 200 feet of the individual will be halted, and the individual will be allowed to leave the area under its own volition, or the Service-approved biologist may be called to capture and relocate the individual. The biological monitor will also provide additional training to the project's key construction management personnel on all environmental requirements associated with the project, so they can ensure all avoidance and minimization measures for biological resources are followed when the biological monitor is not present.	The Service-approved biologist was present during initial site disturbance activities, including installation of exclusion fencing, erosion and sediment controls. The Service-approved Biologist continues to monitor the disturbance of any previously undisturbed areas. Compliance with this measure is denoted in Biologist field notes. No Red-Legged Frog relocations were necessary during the reporting period. (MEASURE ACHIEVED)	The Service-approved biologist was present during initial site disturbance activities, including installation of exclusion fencing, erosion and sediment controls. The Service-approved Biologist continues to monitor the disturbance of any previously undisturbed areas. Compliance with this measure is denoted in Biologist field notes. No Red-Legged Frog relocations were necessary during the reporting period. (MEASURE ACHIEVED)	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 9	Prior to the start of work, the contractor will prepare a Spill Prevention Plan to ensure prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur. All project-related hazardous materials spills within the project site will be cleaned up immediately. Spill prevention and cleanup materials will be on-site at all times during the course of the project. During construction/ground disturbing activities, all refueling, maintenance, and staging of equipment and vehicles will be located at least 100 feet from a drainage feature in a protected location where any potential spill would be contained and not drain directly toward aquatic habitat. The construction superintendent with support from the biological monitor will ensure contamination of habitat does not occur during such operations.	No change in status. General compliance with measure is confirmed. See Submittal #076: Spill Prevention, Control and Countermeasures (SPCC) Plan. Workers have received training and information pursuant to the SPCC and emergency response procedures. Spill prevention kits and other associated supplies are being maintained on site. There were no recorded spill incidents during the reporting period. (MEASURE ACHIEVED)	No change in status. See Submittal #37. Spill prevention measures and countermeasures are include in the approved project SWPPP. Workers have received training and information pursuant to the SPCC and emergency response procedures. Spill prevention kits and other associated supplies are being maintained on site. There were no recorded spill incidents during the reporting period. (MEASURE ACHIEVED).	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 9a	All refueling, maintenance, and washing of equipment and vehicles will be located on paved areas in a location where a spill will not travel into a drainage feature or storm drain inlet. This fueling/staging area will conform to Best Management Practices (BMPs) applicable to attaining zero discharge of stormwater runoff into waters of the U.S. and State of California. At a minimum, all equipment and vehicles must be checked and maintained on a daily basis to ensure proper operation and avoid potential leaks or spills. Washing of equipment will occur only in a location where polluted water and materials can be contained for subsequent removal from the site.	No change in status. General compliance with measure is confirmed. The paved fueling and maintenance area was completed and in use by 4/29/20. The completion of the paved areas was reported to Coastal Commission with photo via email on 4/29/20. The paved fueling and maintenance area has been removed as part of project demobilization. (MEASURE ACHIEVED)	No change in status. The project work sites are mainly within paved City streets and the public right-of-way. Contractor has been reminded to only refuel equipment on pavement in locations where a spill would not travel into a drainage feature or storm drain inlet.	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 9b	A designated concrete washout location will be established onsite, in an area at least 50 feet from any drainage feature or storm drain inlet. The washout will be maintained and inspected weekly, and will be covered prior to and during any rain event. If a container is used, concrete debris will be removed whenever the washout container reaches the 1/2 full mark.	Structural concrete work is completed. Filanc provides a fully compliant washout area for each concrete placement event. Filanc has now removed all washout areas as part of project demobilization. Filanc's SWPPP includes Section 2.6, Section 3.3, and BMP WM-8, with stipulations for Concrete Waste Management. (MEASURE ACHIEVED)	Structural concrete work is on-going. Anvil provides a fully compliant washout area for each concrete placement event. Anvil's SWPPP includes the necessary BMPs and stipulations for Concrete Waste Management. (MEASURE ACHIEVED)	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 9c	BMPs for dust abatement will be a component of the project's construction documents. Dust control requirements will be carefully implemented to prevent water used for dust abatement from transporting pollutants to storm drains leading to the creek channel.	No change in status. General compliance with measure is confirmed. Dust control water is not permitted to enter storm drains or adjacent creek channel. Design-Build Agreement Section 5.10.1 includes stipulations for a Fugitive Dust Control Plan (FDCP) in accordance with the San Luis Obispo County Air Pollution Control District Regulations. Dust control measures are being implemented during construction activities.	Dust control measures are being implemented during construction activities as required. Regular street sweeping is occurring on an on-going basis as required. Contract documents include appropriate stipulations for dust control measures, and the Contract work is bound by San Luis Obispo County Air Pollution Control District fugitive duct regulations. (MEASURE ACHIEVED).	NA - Not applicable to Recycled Water Facilities Project.

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United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 10	To prevent inadvertent entrapment during construction, all excavated, steep-walled holes or trenches will be covered with plywood or similar materials at the close of each work day, or provided with one or more escape ramps constructed of earth fill or wooden planks. If trapped California red-legged frogs are observed, the Service-approved biologist will relocate the California red-legged frog.	No change in status. General compliance with measure is confirmed. All excavations on site are configured to prevent entrapment of wildlife during nonworking hours. (MEASURE ACHIEVED)	No change in status. General compliance with measure is confirmed. All excavations on site are configured to prevent entrapment of wildlife during non-working hours (exclusionary fencing or escape ramps are provided). (MEASURE ACHIEVED)	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 11	During project activities, all trash that may attract predators will be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris will be removed from work areas.	No change in status. Contractor continues to provide exemplary site housekeeping. (MEASURE ACHIEVED)	No change in status. Contractor has provided good site housekeeping to date, and there is no food waste being discarded at work sites or staging areas. (MEASURE ACHIEVED)	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 12	Spoils will be stockpiled in disturbed areas that lack native vegetation. BMPs will be employed to prevent erosion in accordance with the project's approved Stormwater Pollution Prevention Plan.	Currently all stockpiles have been in disturbed areas. (MEASURE ACHIEVED).	No change in status. To date all stockpiles have been in previously disturbed areas, designated stockpile areas, or on paved areas with appropriate SWPPP measures deployed. (MEASURE ACHIEVED)	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 13	Vehicular traffic to and from the WRF construction site will use existing routes of travel. Cross-country vehicle and equipment use outside designated work areas will be prohibited.	No change in status. General compliance with measure is confirmed. Vehicle access corridors around the site, and mass excavation haul routes on site are established. Cross-country vehicle and equipment use is not necessary. (MEASURE ACHIEVED)	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 14	Areas of disturbance will be minimized to the maximum extent practicable. Parking areas, new roads, staging, storage, excavation access routes, and disposal or temporary placement of spoils will be confined to the smallest areas possible. These areas will be flagged and disturbance activities, vehicles, and equipment will be confined to these flagged areas. Construction-related activities outside of the impact zone will be avoided.	General compliance with measure is confirmed. Vehicle access corridors around the site, and mass excavation haul routes on site are established.	No change in status. The project work sites are mainly within paved City streets and the public right-of-way. As such there is limited potential to impact undisturbed adjacent areas. New areas of disturbance will be avoided to extent possible, and are currently not anticipated.	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 15	Nighttime lighting during construction of the WRF will be minimized to the maximum extent practicable. While regular nighttime work is not anticipated, nighttime lighting may be required during construction, but mitigation measures are required to ensure the lighting is shielded and pointed away from sensitive receptors such as the surrounding open space areas.	No change in status. Night work and/or nighttime lighting has been extremely minimal during the reporting period (only for time dependent work). (MEASURE ACHIEVED)	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 16	Workers will be prohibited from bringing pets and firearms to the project site and from feeding wildlife.	No change in status. Pets and firearms are restricted from site. (MEASURE ACHIEVED)	No change in status. Pets and firearms are restricted from site. (MEASURE ACHIEVED)	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 17	To ensure that diseases are not conveyed between work sites by the Service-approved biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force will be followed at all times.	No change in status. Compliance with this measure is documented in Biologist field notes. (MEASURE ACHIEVED)	No change in status. Compliance with this measure is documented in Biologist field notes. (MEASURE ACHIEVED)	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 18	The project proponent will conduct regular inspections and maintenance of the slatted chain link fence in order to ensure slats are in good condition to prevent entry of California red-legged frogs. This will occur at least twice yearly, with one inspection occurring within one month of the onset of the rainy season. The rainy season is defined as between October 15 and April 15.	The new slatted chain link fence has been installed at the perimeter of the developed WRF site. (MEASURE ACHIEVED)	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Recycled Water Facilities Project.

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United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 19	The applicant will develop and implement a revegetation plan that includes: location of the restoration, plant species to be used, restoration techniques, time of year the work will be done, identifiable success criteria for completion, and remedial actions if the success criteria are not achieved. All areas of temporary disturbance will be revegetated with an assemblage of native species, and locally collected plant materials will be used to the extent practical. All areas revegetated due to temporary disturbance will be monitored by a qualified biologist/restoration ecologist for five years following seeding and planting activities or until the final success criteria have been met.	During the reporting period, the contractor continued working to restore grasslands throughout the site including on cut and fill slope embankments, and in un-graded areas that were otherwise disturbed by construction. The required revegetation plan is a post construction consideration.	No change in status. The required revegetation plan is a post construction consideration - no applicable activities occurred this reporting period.	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 20	Any use of herbicides during the routine maintenance landscaping and revegetated areas which occurs outside Water Reclamation Facility fence will be minimized.	No herbicides were used during the reporting period. (MEASURE ACHIEVED)	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Reporting Requirements	California Red Legged Frog REPORTING REQUIREMENTS Biological Opinion p. 31	Pursuant to 50 CFR 402.14(i)(3), EPA must report the progress of the action and its impact on the species to the Service as specified in this incidental take statement. The applicant, through a qualified botanist, will monitor the success of revegetation actions on areas of temporary disturbance for a period of 5 years after revegetation takes place. The EPA or applicant will provide yearly reports to the Service by January 31 of each year during the construction phase of the project. These reports will include the number and age class of California red-legged frogs that have been captured and relocated, and that have been found injured or dead. These reports will also include the dates and results of inspections of the chain link fence, as well as any repairs that were made to the fence, an analysis of whether the chain link fence is successful in excluding California red-legged frogs, and any suggestions for improvement.	The City has provided the Year 2022 Annual Report. (MEASURE ACHIEVED) During the entire project duration, including the current reporting period, zero (0 each) California Red-Legged Frogs have been captured, relocated, and/or found injured or dead. The WRF site permanent perimeter fencing has not been installed yet.	The City has provided the Year 2022 Annual Report. (MEASURE ACHIEVED) During the entire project duration, including the current reporting period, zero (0 each) California Red-Legged Frogs have been captured, relocated, and/or found injured or dead.	NA - Not applicable to Recycled Water Facilities Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	WRF Development Envelope Special Condition 1(a)	All WRF development shall be located within the development envelope as shown in CDP Exhibit 1.	The WRF is located within the development envelope as shown in the CDP. (MEASURE ACHIEVED)	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Recycled Water Facilities Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Rural Agricultural Theme Special Condition 1(b)	The design and appearance of all WRF development shall reflect a rural agricultural theme (i.e., simple and utilitarian lines and materials, including use of board-and-batten siding, corrugated metal, muted earth tone colors, etc.).	The design and appearance of the WRF development has been approved by the Coastal Commission and applicable design elements are encompassed in Issued For Construction documents. (MEASURE ACHIEVED)	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Recycled Water Facilities Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Pump Stations and Related Development Design Special Condition 1(c)	All pump stations and related development design shall be sited and designed to limit impacts on public views as much as possible, including landscaping.	The design and appearance of the WRF development has been approved by the Coastal Commission and applicable design elements are encompassed in Issued For Construction documents. (MEASURE ACHIEVED)	Pump Stations A and B were sited and designed to limit impacts on public views, to the extent possible while facilitating project technical requirements. (MEASURE ACHIEVED)	NA - Not applicable to Recycled Water Facilities Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Landscaping Special Condition 1(d)	Landscaping shall consist of native, non-invasive, and drought tolerant species that provide appropriate screening and softening of development features in public views as much as possible.	The DB Team engaged Firma Consultants (SLO CA) as the project Landscape Architects. Firma provided 100% plans and specs. The DB Team received competitive bids and selected KCI Environmental for the landscaping subcontractor. The City provided a cursory review of landscaping plans and found them to be in general compliance with CDP approval documents. Landscaping work is currently in progress at the WRF site.	NA - Not applicable to Conveyance Facilities Project.	NA - Project is in pre-design phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Lighting Minimization Special Condition 1(e)	Exterior lighting shall be wildlife-friendly, shall use lamps that minimize the blue end of the spectrum, and shall be limited to the minimum lighting necessary for pedestrian and vehicular safety purposes. All lighting (exterior and interior) shall be sited and designed so that it limits the amount of light or glare visible from Highway 1 to the maximum extent feasible ()including through uses of lowest luminosity possible, directing lighting downward, etc.).	No change in status. Low intensity night lighting design elements are included in the Design-Build Team's "Issued For Construction" Plans/Specifications. (MEASURE ACHIEVED)	No change in status. Low intensity night lighting design elements are included in the Design-Build Team's "Issued For Construction" Plans/Specifications. (MEASURE ACHIEVED)	NA - Project is in pre-design phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Windows and Other Surfaces Special Condition 1(f)	All windows shall be non-glare glass, and all other surfaces shall be similarly treated to avoid reflecting light, and all windows shall be bird-safe (i.e., windows shall be frosted, partially frosted, or otherwise treated with visually permeable barriers that are designed to prevent bird strikes).	No change in status. Non-glare, non-reflective, and bird-safe exterior finishes and design elements are included in the Design-Build Team's "Issued For Construction" Plans/Specifications. (MEASURE ACHIEVED)	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Recycled Water Facilities Project.

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California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Utilities Special Condition 1(g)	Revised Final Plans shall clearly identify all utilities.	No change in status. All WRF site underground pipelines, conduits, and other utilities, are shown on the DB Team's Issued for Construction (IFC) plans. (MEASURE ACHIEVED). Any utility modifications to the IFC Plans are required to be posted on project Record Drawings.	No change in status. All Conveyance Facilities project underground pipelines, conduits, and other utilities (new and existing) are shown on the conformed construction drawings. (MEASURE ACHIEVED). Any utility modifications will be posted on project Record Drawings.	NA - Project is in pre-design phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Stormwater and Drainage Special Condition 1(h)	...all project area stormwater and drainage is filtered and treated to remove expected pollutants prior to discharge and directed to existing stormwater inlets/outfalls as much as possible. Infrastructure and water quality measures shall retain runoff from the project onsite to the maximum extent feasible, including through the use of pervious areas, percolation pits and engineered storm drain systems. Infrastructure and water quality measures shall be sized and designed to accommodate runoff from the site produced from each and every storm event up to and including the 85th percentile 24-hour runoff event. In extreme storm situations (i.e., greater than the 85th percentile 24-hour runoff event storm) where such runoff cannot be adequately accommodated onsite through the project's stormwater and drainage infrastructure, any excess runoff shall be conveyed inland offsite in a non-erosive manner.	No change in status. A Stormwater Design Report (Hydrology Report) has been prepared and issued by Ashley Vance Engineering. The findings and recommendation in the report have been implemented in the Design-Build Team's "Issued For Construction" Plans/Specifications. (MEASURE ACHIEVED)	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Recycled Water Facilities Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plan	Construction Plans Special Condition 2 (a, b, c, d, e, f, and j)	The Construction Plan shall, at a minimum, include the following: (a) Grading, (b) Construction Areas, (c) Construction Methods and Timing, (d) Traffic Control Plans, (e) Property Owner Consent, (f) Best Management Practices, and (j) Construction Specifications.	No change in status. The City's WRF Project Construction Plan, per Special Condition 2, includes all of the listed elements, and has been approved by the Coastal Commission. The approved and stamped "Construction Plan" is available for public review at the City's Field Office trailer. (MEASURE ACHIEVED)	No change in status. The City's Conveyance Facilities Project Construction Plan, per Special Condition 2, includes all of the listed elements, and has been approved by the Coastal Commission. The approved and stamped "Construction Plan" is available for public review at the City's Field Office trailer. (MEASURE ACHIEVED)	NA - Project is in pre-design phase.
California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plans	Post Construction Special Condition 2(g)	All construction areas shall be restored to their pre-construction state or better upon completion of work. Where appropriate and feasible, roads/sidewalks impacted by construction shall employ stormwater management infrastructure BMPs, including bioswales, pervious pavers, garbage traps, and vegetative strips.	During the reporting period, the contractor continued working to restore grasslands throughout the site including on cut and fill slope embankments, and in un-graded areas that were otherwise disturbed by construction. The required revegetation plan is a post construction consideration. No streets or sidewalks are being impacted by the project.	No change in status. Required construction restoration stipulations are encompassed in the Contract documents. All public and private improvements damaged or disturbed by construction will be restored to pre-existing conditions. No applicable activities occurred this reporting period	NA - Project is in pre-design phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plans	Construction Site Documents Special Condition 2(h)	The Construction Plan shall provide that a copy of the signed CDP and the approved Construction Plan be maintained in a conspicuous location at each construction job site at all times, and that such copies shall be available for public review on request.	No change in status. General compliance with measure is confirmed. The approved Construction Plan and signed/stamped CDP approval documents are maintained in the Construction Management field office at the construction site for review by the public. (MEASURE ACHIEVED)	No change in status. General compliance with measure is confirmed. The approved Construction Plan and signed/stamped CDP approval documents are maintained in the Construction Management field office at 555 South Bay Blvd for review by the public. (MEASURE ACHIEVED)	NA - Project is in pre-design phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plans	Construction Manager Special Condition 2(i)	The Construction Plan shall provide that a construction manager be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and that his/her contact information (i.e., address, phone numbers, email address, etc.) including, at a minimum, a telephone number (with message capabilities) and an email that will be made available 24 hours a day for the duration of construction, is conspicuously posted at the job site where such contact information is readily visible from public viewing areas while still protecting public views as much as possible, along with indication that the construction manager should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction manager shall record the contact information (name, phone number, email, etc.) and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. Any critical and/or significant complaints and related responses shall be reported to the Executive Director as soon as possible, and all complaints and all actions taken in response shall be summarized and provided to the Executive Director on a weekly basis.	No change in status. General compliance with measure is confirmed. A project Construction Manager has been designated by the City and is present at the site during working hours. Contact information is provided on the City's website and on project signs at the site. A Public Contacts Log is being maintained for all public inquiries and complaints. All complaints and inquiries to date have been addressed and/or responded to as necessary. (MEASURE ACHIEVED)	No change in status. General compliance with measure is confirmed. A project Construction Manager has been designated by the City and is present at the site during working hours. Contact information is provided on the City's website and on project signs at various work sites. A Public Contacts Log is being maintained for all public inquiries and complaints. All complaints and inquiries to date have been addressed and/or responded to as necessary. (MEASURE ACHIEVED)	NA - Project is in pre-design phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plans	Notification Special Condition 2(k)	The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office at least 3 working days in advance of commencement of construction, and immediately upon completion of construction.	No change in status. The 3 working day notification was provided. (MEASURE ACHIEVED)	No change in status. The 3 working day notification was provided. (MEASURE ACHIEVED)	NA - Project is in pre-design phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Riparian Enhancement Plan	Riparian Enhancement Plan Special Condition 3	Prior to the operation of the WRF, the Permittee shall submit two copies of a Riparian Enhancement Plan (REP) to the Executive Director for review and approval. The REP shall provide for riparian enhancement within the unnamed creek and riparian area adjacent to the water reclamation facility site...	Project Biologist (KMA) completed the Riparian Enhancement Plan (REP). The City submitted REP to Coastal Commission and CDFW. The City has received authorization to proceed from the Coastal Commission.	NA - Not applicable to Conveyance Facilities Project.	NA - Project is in pre-design phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Archeological Protection	Archeological Monitoring Special Condition 4	An archaeological monitor qualified by the Native American Heritage Commission shall be present during all ground disturbance (including grading activities), and shall be consulted to provide recommendations for subsequent measures for the protection and disposition of artifacts of historical or cultural significance in the event such artifacts are discovered.	No change in status. General compliance with measure is confirmed. Archaeological and Native American monitors were present during all applicable ground disturbance activities and daily logs were created and retained. No future monitoring is anticipated. (MEASURE ACHIEVED)	No change in status. The City has engaged Cogstone Resource Management Inc. for both Archaeological and Native American monitors on the project. (MEASURE ACHIEVED). The City has also retained Far Western Anthropological Research Group for the Phase 2 Monitoring Plan.	NA - Project is in pre-design phase.

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California Coastal Commission	Coastal Development Permit 3-19-0463	Agricultural Mitigation Program	Agricultural Mitigation Program Special Condition 5	Prior to the operation of the WRF, the Permittee shall submit an Agricultural Mitigation Program to the Executive Director for review and approval. The Program shall specify the measures to be taken to mitigate for project agricultural impacts by providing an agricultural conservation easement over agricultural property of a similar quality as the project site, and of a type that is potentially threatened by urban development, at a ratio of at least 2:1 for the loss of agricultural land associated with the approved project (i.e., the easement must cover at least 30 acres of such agricultural land).	No change in status. The required Agricultural Mitigation Program is a future end of project consideration - no applicable activities occurred this reporting period.	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Recycled Water Facilities Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Recycled Water Management Plan	Recycled Water Management Plan Special Condition 6	Permittee shall submit Recycled Water Management Plan (RWMP). The objective of the RWMP shall be to ensure that the maximum amount of tertiary-treated recycled water is produced, and the maximum amount of such water is used for beneficial reuse purposes, including injected underground in locations that will maximize its ability for groundwater replenishment....	NA -Not applicable to WRF Construction.	NA - Not applicable to Conveyance Facilities Project.	NA - Project is in pre-design phase.
California Coastal Commission	Coastal Development Permit 3-19-0463	Wastewater Treatment Plant Removal and Restoration Plan	Wastewater Treatment Plant Removal/Restoration Plan Special Condition 7	Prior to operation of the WRF, the Permittee shall submit two copies of a Wastewater Treatment Plant Removal and Restoration Plan to the Executive Director for review and approval. The Plan shall indicate how the existing wastewater treatment plant located at 160 Atascadero Road will be decommissioned and demolished, including through removal of all plant components (e.g., buildings, fences, storage tanks, etc.), and the site restored to a safe and level configuration roughly matching the surrounding areas. The WWTP site shall be restored within one year of WRF and Cayucos CSD operation.	No change in status. The required Existing Wastewater Treatment Plant Removal and Restoration Plan is a future end of project consideration - no applicable activities occurred this reporting period.	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Recycled Water Facilities Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Outfall Assessment Plan	Outfall Assessment Plan Special Condition 8	Prior to the commencement of any marine development, including off-shore development on the Ocean Outfall, the permittee shall submit ..... NOT APPLICABLE TO ANY CURRENT PROJECTS	NA -Not applicable to WRF Project.	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Wastewater Service Boundary	Wastewater Service Boundary Special Condition 9	Wastewater service to properties outside of the City's current wastewater service area, per Exhibit 3, shall be prohibited without an amendment to this CDP.	NA -Not applicable to WRF Project.	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Coastal Hazard Risk	Coastal Hazard Risk Special Condition 10	The Permittee acknowledges coastal hazards including pump stations and pipelines in low-lying elevations. The Permittee assumes said risks such that the Coastal Commission is indemnified.	NA -Not applicable to WRF Project.	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Coastal Hazard Response	Coastal Hazard Response Special Condition 11	The Permittee acknowledges and agrees that the project will be constructed and used consistent with the terms and conditions of the CDP for only as long as the project components remain safe for use without additional measures beyond ordinary repair and maintenance as that term is defined in Section 30610(d) of the Coastal Act.	NA -Not applicable to WRF Project.	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Public Rights	Public Rights Special Condition 12	The Permittee acknowledges and agrees that the Coastal Commission's approval of this CDP shall not constitute a waiver of any public rights that may exist on the properties involved.	NA -Not applicable to WRF Project.	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Other Authorizations	Other Authorizations Special Condition 13	The Permittee shall provide documentation of authorizations from the RWQCB, SWRCB, CDFW, CSLC, NMFS, USACE, or provide documentation that such authorization is not required.	No change in status. The City provided documentation of all necessary agency authorizations prior to the start of construction. (MEASURE ACHIEVED)	The City provided documentation of necessary agency authorizations prior to the start of construction, except as noted below. Based on a miscommunication, the City's SHPO notification and formal authorization to proceed was delayed resulting in a 35-day calendar work stoppage between Tuesday, 2/16/2021, and Monday, 3/22/2021. The item has been resolved.	NA - Project is in pre-design phase.

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California Coastal Commission	Coastal Development Permit 3-19-0463	Minor Changes	Minor Changes Special Condition 14	The Permittee shall undertake development in conformance with the terms and conditions of this CDP, including with respect to all Executive Director-approved plans and other materials, which shall also be enforceable components of this CDP. Any proposed project changes, including in terms of changes to identified requirements in each condition, shall either (a) require a CDP amendment, or (b) if the Executive Director determines that no amendment is legally required, then such changes may be allowed by the Executive Director if such changes: (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources.	To date the Coastal Commission has been made aware of several project changes, related to a twice-occurring soil slip (landslide) on site, and changes to the CRLF barrier. The City continues to monitor the soil slip and the resulting potential visual impacts. The City has and will continue to adhere with the terms and conditions of the CDP.	To date the Coastal Commission (Coastal) has been made aware of several project changes including proposed design changes to mitigate impacts at CA-SLO-16, and requests for additional tree removals along the Bike Path portion of the Joint Trench alignment. The added tree removals were necessary to facilitate construction. The City has and will continue to adhere with the terms and conditions of the CDP.	NA - Project is in pre-design phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Future Permitting	Future Permitting Special Condition 15	All future proposed development related to this CDP shall require a new CDP or a CDP amendment.	NA -Not applicable to WRF Project.	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Indemnification	Indemnification Special Condition 16	The Permittee agrees to indemnify the Coastal Commission, including reimbursement of attorney fees.	NA -Not applicable to WRF Project.	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Project.
City of Morro Bay	Design-Build Agreement	Section 3.2.4.3 – Construction Phase Responsibilities	Archeological Discovery	If a discovery is made of items of archaeological interest on site during excavation activities, the Design/Build Entity shall immediately cease excavation in the area of discovery and shall not continue until ordered by the Construction Manager. Design/Build Entity shall cooperate with and provide access to the City's Archaeologist and other monitoring services.	No change in status. There have been no discoveries of archaeological interest on site to date or during the reporting period. Daily logs by the Arch/Paleo monitor are being maintained in the project file.	In August 2021 an archeological artifact (bowl) was found at Pump Station A. Cogstone visited site and reviewed the find. Cogstone took possession of the find, prepared the requisite report, and have complied with SLOCAS (San Luis Obispo County Archaeological Society) curation plan for artifacts. Daily logs by the Arch/Paleo monitor are being maintained in the project file.	NA - Project is in pre-design phase
City of Morro Bay	Design-Build Agreement	Section 5.2 - Disadvantaged Business Enterprise Requirements	Disadvantaged Business Enterprise Requirements	The WRF Project is partially funded through the California State Revolving Fund (CASRF) Program for Clean Water. Part of the requirements of CASRF funding is compliance with Disadvantaged Business Enterprise (DBE) Requirements. The requirements and applicable forms are described below and in Exhibit G.	No change in status. DBE requirements are being adhered to, including the submission of Good Faith Effort documentation, DBE Utilization Report, etc. The Annual DBE Utilization Report was submitted as required. (MEASURE ACHIEVED).	No change in status. DBE requirements are being adhered to, including the submission of Good Faith Effort documentation, DBE Utilization Report, etc. The Annual DBE Utilization Report was submitted as required. (MEASURE ACHIEVED).	NA - Project is in pre-design phase
City of Morro Bay	Design-Build Agreement	Section 5.12.2 – Wages and Records	Davis-Bacon Wage Requirements	The Design/Build Entity and each subcontractor shall comply with the Davis-Bacon payrolls and basic records requirements as found in Exhibit H.	No change in status. During the reporting period, Certified Payrolls were submitted by the Design-Build Team and reviewed by the Construction Management consultant. Any irregularities have been, or are being, resolved. (MEASURE ACHIEVED)	No change in status. During the reporting period, Certified Payrolls were submitted by the Contractor and reviewed by the Construction Management consultant. Any irregularities have been, or are being, resolved. (MEASURE ACHIEVED)	NA - Project is in pre-design phase
City of Morro Bay	Design-Build Agreement	Section 5.14 – American Iron and Steel	American Iron and Steel	The Design/Build Entity and all of its subcontractors acknowledge to and for the benefit of the City and the State of California (the "State") it understands the goods and services under this Agreement are being funded with monies made available by the Clean Water State Revolving Fund and/or Drinking Water State Revolving Fund that have statutory requirements commonly known as "American Iron and Steel;" that requires all of the iron and steel products used in the Project to be produced in the United States ("American Iron and Steel Requirement"), including iron and steel products provided by the Design/Build Entity and its subcontractors pursuant to this Agreement.	No change in status. During the reporting period, AIS requirements were adhered to, including the submission of required documentation from applicable equipment and material suppliers. (MEASURE ACHIEVED)	During the previous reporting period, the City notified the contractor of several missing or omitted AIS substantiating documents. The Contractor has now provided all missing AIS documents. (MEASURE ACHIEVED)	NA - Project is in pre-design phase
City of Morro Bay	Design-Build Agreement	Section 3.2.4.2 – Construction Phase Responsibilities	Competitive Bidding (Work)	Competitively bid all work not performed by the Design/Build Entity or its members or the Designated Subcontractors for packages that exceed $200,000 in anticipated value.	No change in status. The Design-Build Team continues to adhere to the competitive bid requirement for all subcontracted work in excess of $200K. (MEASURE ACHIEVED). The Construction Manager is monitoring this effort and reviewing documentation provided by the Design-Build Team.	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Recycled Water Facilities Project.
City of Morro Bay	Design-Build Agreement	Section 3.2.4.5 – Construction Phase Responsibilities	Competitive Bidding (Equipment)	Competitively procure all process equipment packages from the preapproved vendors as identified in, and in accordance with the Scope of Work (Exhibit B).	No change in status. All applicable process equipment vendors have been selected. The Construction Manager monitored this effort and reviewed documentation provided by the Design-Build Team.	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to Recycled Water Facilities Project.

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WATER RECLAMATION FACILITY
ENVIRONMENTAL/REGULATORY COMPLIANCE SUMMARY

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Agency	Reference Document	Document Reference	Measure Focus	Measure	Phase 1 Water Reclamation Facility (WRF) Compliance Activities (1/1/2024 through 3/31/2024)	Phase 2 Conveyance Facilities Compliance Activities (1/1/2024 through 3/31/2024)	Phase 3 Recycled Water Facilities Compliance Activities (1/1/2024 through 3/31/2024)
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AES-1: Nighttime Construction Lighting.	Lighting used during nighttime construction, including any associated 24-hour well drilling, shall be shielded and pointed away from surrounding light-sensitive land uses.	No change in status. Night work and/or nighttime lighting has been extremely minimal during the reporting period. There have been a few activities completed after sunset. These events required temporary lighting for approximately 2 to 3 hours each.	Night work and/or nighttime lighting has been minimal during the reporting period. There have been several time critical activities completed after sunset for various reasons including to mitigate daytime traffic handling concerns. These events required temporary lighting for approximately 2 to 5 hours each.	NA - Project is in pre-design phase.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AQ-1a: Fugitive Dust Control Measures.	Construction projects shall implement dust control measures so as to reduce PM10 emissions in accordance with SLOAPCD requirements.	No change in status. Design-Build Agreement Section 5.10.1 includes stipulations for Fugitive Dust Control Plan (FDCP) in accordance with the SLO County APCD Regulations. The approved SWPPP includes applicable dust control measures. Dust control is being implemented during construction activities. (MEASURE ACHIEVED)	Dust control measures are being implemented during construction activities as required. Regular street sweeping is occurring on an on-going basis also as required. (MEASURE ACHIEVED). Contract documents include appropriate stipulations for duct control measures, and the Contract work is bound by San Luis Obispo County Air Pollution Control District fugitive duct regulations. (MEASURE ACHIEVED)	NA - Project is in pre-design phase.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AQ-1b: Standard Control Measures for Construction Equipment.	Standard mitigation measures for reducing NOx, ROG, and DPM emissions from construction equipment are required.	Standard measures for reducing NOx, ROG, and DPM emissions are being implemented as required. The facility's generator has been submitted and approved by SLOC APCD. (MEASURE ACHIEVED)	The two pump station generators were submitted to SLOC APCD. In Sept 2021, the City received a Notice of Incomplete Application from APCD. Health Risk Assessments (HRAs) have since been undertaken and submitted to APCD. While APCD had previously indicated that generator modifications would be required (DPF, SCR, DOC), the District has now issued Authority To Construct (ATC) permits for both pump station generators without emissions modifications.	NA - Project is in pre-design phase.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AQ-1c: BACT for Construction Equipment.	BACT for diesel-fueled construction equipment shall be implemented during construction activities at the project site, where feasible.	No change in status. BACT guidelines are being implemented where feasible. (MEASURE ACHIEVED)	The two pump station generators were submitted to SLOC APCD. In Sept 2021, the City received a Notice of Incomplete Application from APCD. Health Risk Assessments (HRAs) have since been undertaken and submitted to APCD. While APCD had previously indicated that generator modifications would be required (DPF, SCR, DOC), the District has now (this reporting period) issued Authority To Construct (ATC) permits for both pump station generators without emissions modifications.	NA - Project is in pre-design phase.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AQ-1d: Architectural Coatings.	To reduce ROG and NOx emissions during the architectural coating phase, low or no VOC emission paints and finishes shall be used with levels of 50 g/L or less.	No change in status. No architectural coating work occurred during the reporting period. No change in status.	No change in status. No architectural coating work occurred during the reporting period	NA - Project is in pre-design phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-1: Construction Worker Environmental Awareness Training and Education Program.	Prior to the commencement, and for the duration of proposed construction activities, all construction workers shall attend an Environmental Awareness Training and Education Program, developed and presented by the Lead Biologist.	No change in status. All construction workers and administrative staff on site have attended Environmental Awareness Training developed by the project biologist. All new employees on site undergo training upon arrival. Sign-in sheets are being collected and retained for each training session. (MEASURE ACHIEVED)	No change in status. All construction workers and administrative staff on site have attended Environmental Awareness Training developed by the project biologist. All new employees on site undergo training upon arrival. Sign-in sheets are being collected and retained for each training session. (MEASURE ACHIEVED)	NA - Not applicable to Reyclced Water Facilites. No construction in Q1
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-2: Avoidance and Protection of Biological Resources.	During proposed construction, operations and maintenance, and decommissioning the City and/or contractor shall implement general avoidance and protective measures.	No change in status. Contractor is implementing environmental avoidance and protective measures encompassed in these Mitigation Measures.	No change in status. Contractor is implementing environmental avoidance and protective measures encompassed in the Conveyance Facilities Contract documents and these Mitigation Measures.	NA - Project is in pre-design phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-3: Morro Shoulderband Snail	The following mitigation measures shall be implemented to avoid or minimize impacts to Morro Shoulderband snail (MSS): (1) During project design, if project components would be located in areas with soils and vegetation that could support MSS, then a qualified biologist shall conduct a survey to delineate the extent of potential habitat. The following project components have either been mapped as Baywood fine sands or dunes, or are in areas adjacent to known populations (see Figure 3.4.7): Option 5A lift station; pipeline alignment adjacent to WWTP; portion of the pipeline at Drainage 1A; and the northwest corner of the IPR-West wellfield. (2) At areas adjacent to vegetated areas to support MSS, silt fencing shall be installed, to restrict project activities into these areas and to deter MSS movement. (3) If avoidance of MSS habitat is not feasible, then protocol levels surveys for MSS shall be conducted to determine presence/absence and distribution of MSS. (4) If survey results are negative and a concurrence authorization is granted, then vegetation shall be removed under supervision of the permitted biologist, and the site(s) shall be graded/grubbed down to bare mineral soil, and bordered with silt fence to preclude MSS from subsequently entering the area(s). (5) If live MSS are found within areas proposed for impact, then consultation with USFWS will be necessary. (6) If equipment use, materials stockpiling, lift station construction, or any other uses are proposed on the north side of Atascadero Road opposite the existing WWTP, then all such areas shall have silt fencing to create a barrier between potential MSS habitat. (7) Work crews will undergo an environmental training session conducted by a qualified biologist prior to start of construction activities in or adjacent to MSS habitat areas.	NA -Not applicable to WRF Project. Morro Bay Shoulderband snails are not present at the WRF Site	No change in status. There was no activity in dune sands or Baywood fine sand during the reporting period. KMA has performed all necessary pre-construction inspections and on-going monitoring. To date only orange construction fencing has been necessary for area delineation, not silt fencing. KMA performed all required post rain or dense fog inspections as required.	NA - Not applicable to the Pilot Injection Well site.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-4: American Badger.	A pre-construction survey for active badger dens will be conducted within the proposed construction impact footprint and surrounding accessible areas of the mapped annual grassland portions of the eastern pipeline alignment (between the WRF and Downing Street on the west; see Figures 3.4-3 through 3.4-5) and the WRF site at least two weeks prior to any ground disturbing activities. The survey will be conducted by a qualified biologist. In order to avoid potential direct impacts to adults and nursing young, no grading should occur within 50 feet of an active badger den as determined by the project biologist.	No change in status. The approved project biologist has conducted the required Pre-Construction Survey for active badger dens and provided the City documentation of results. There were no active badger dens discovered during the pre-construction survey. (MEASURE ACHIEVED)	No change in status. The approved project biologist has conducted the required Pre-Construction Survey for active badger dens and provided the City documentation of results. There were no active badger dens discovered during the pre-construction survey. (MEASURE ACHIEVED)	NA - Not applicable to the Pilot Injection Well site.

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State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-5: Nesting Birds.	Mitigation measures are recommended to avoid or minimize impacts to nesting bird species, including special-status species and species protected by the Migratory Bird Treaty Act.	Not applicable to the WRF site.	No change in status. The approved project biologist has conducted the required Pre-Construction Survey to avoid or minimize impacts to nesting bird species. KMA has provided the City documentation of results. There were no active nests discovered during the pre-construction survey. (MEASURE ACHIEVED).	NA - Not applicable to Reycled Water Facilites. No construction in Q1
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-6: Riparian Habitat Avoidance	During proposed project design, a qualified biologist shall identify the project boundaries adjacent to Morro Creek and the allowable limits of construction activities to avoid direct and indirect impacts to riparian habitat. Those limits shall be used during proposed project design to identify a pipeline alignment that avoids impacts to riparian habitat as well as areas to be avoided for siting injection and monitoring wells. During construction, the riparian boundaries and limits shall be clearly flagged or fenced so that contractors are aware of the limits of allowable site access and disturbance. Areas to be preserved should be clearly flagged as off- limits to avoid unnecessary damage and potential erosion.	Not applicable to the WRF site.	The work near Morro Creek is complete. The Project Biologist (KMA) clearly identified the project boundaries adjacent to Morro Creek, and the contractor clearly delineated the allowable limits of construction, as necessary to avoid direct and indirect impacts to riparian habitat. (MEASURE ACHIEVED)	NA - Not applicable to the Pilot Injection Well site.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-7: Trenching Buffer for Jurisdictional Features	During construction of proposed project pipelines, trenching shall stop at least 50 feet away from jurisdictional features, such as the top of stream banks, riparian habitat and wetlands, and the remaining distance shall be installed using trenchless construction methods, such as horizontal directional drilling.	Not applicable to the WRF site. All work is within site perimeter temporary fencing, and is at least 50 ft from any adjacent creek or drainage channel. (MEASURE ACHIEVED)	The project work is generally buffered from creeks and designated drainage channels by at least 50 ft, except Morro Creek and Willow Camp Creek, where protective measures are installed. Construction at Morro Creek and Willow Camp Creek is on-going this period and is being closely monitored by the Service Approved Biologist (KMA). CDFW has indicated that a Streambed Alteration Agreement is NOT required at the Morro Creek Pipe Utility Bridge crossing.	NA - Not applicable to the Pilot Injection Well site.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-8: Construction BMPs to Protect Jurisdictional Features and Aquatic Habitat.	Mitigation measures should be implemented prior to and during construction near Morro Creek and Little Morro Creek, as well as Drainages 1, 1A, 1B, 2, 2A, 2B, 3, 3A, and 3B, and wetlands.	During a previous reporting period RWQCB issued two Notices of Violation (NOV). NOV dated 11/8/2021 was responded to by DB Team on 12/17/2021. NOV dated 12/20/2021 was responded to by DB Team on 1/7/2022. Both NOVs allege failure to implement soil cover and erosion control BMPs in inactive areas. The DB team has implemented extensive additional BMPs in response to NOVs. In January 2022, the City received confirmation from RWQCB that the NOVs have been adequately resolved.	No change in status. This Mitigation Measure is included in Contract documents, and is currently being implemented, for all construction near Morro Creek and Little Morro Creek, as well as Drainages 1, 1A, 1B, 2, 2A, and 2B. SWPPP BMP measures are always installed at the various work sites and laydown areas prior to the start of work as required . These installations are reviewed by the Project Biologist (KMA) and the project QSP (Anvil) prior to the start of construction activities.	NA - Not applicable to the Pilot Injection Well site.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-9: Preparation of a Frac-Out Contingency Plan	A Frac-Out Contingency Plan shall be prepared prior to initiation of construction activities that involve horizontal direction drilling activities. The Frac-Out Plan shall be implemented during HDD construction activities.	There is no horizontal directional drilling (HDD) on the project. As such, no frac-out plan is required. (MEASURE NOT APPLICABLE)	The project scope includes both Microtunneling, and Jack and Bore installations, but not horizontal directional drilling (HDD). With Microtunneling the "overcut" annulus is continuously lubricated with a low pressure slurry (5 psi). The low pressure clay slurry does not have the threat of frac-out as would be the case with HDD. As such, no frac-out plan is required. (MEASURE NOT APPLICABLE)	NA - Not applicable to the Pilot Injection Well site.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-10: Tree Protection	For public trees, protection will be established at a minimum distance of 1.5 times the dripline (i.e., the distance from the trunk to the outermost limits of leaves and branches). During development, orange construction fencing or sufficient staking to identify the protection area will surround each tree or clusters of trees.	NA -Not applicable to WRF Project.	All feasible efforts are being implemented to protect public trees. The main area of impact is along the Bike Path portion of the project (Sta 29-53). The City is proposing a post construction effort to revitalize the 70-ft wide project easement along the Bike Path. The City has engaged a landscape architect and created a conceptual design and 50% design of the Bike Path revitalization.	NA - Not applicable to the Pilot Injection Well site.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-1: Retention of a Qualified Archaeologist.	Within 30 days after the City's approval of the final design plans and prior to start of any ground-disturbing activities (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the City shall retain a Qualified Archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (U.S. Department of the Interior, 1983) to carry out all mitigation related to archaeological resources.	No change in status. The City retained Far Western Anthropological Research Group for the Phase 1 Monitoring Plan issued April 2020. The Design-Build Team retained Cogstone Resource Management Inc., on behalf of the City, for cultural resources measures. (MEASURE ACHIEVED)	No change in status. The City has engaged Cogstone Resource Management Inc. for both Archaeological and Native American monitors on the project. The City retained Far Western Anthropological Research Group for the Phase 2 Monitoring Plan. (MEASURE ACHIEVED)	NA - Not applicable to the Pilot Injection Well site.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-2: Pre-Construction Phase I Cultural Resources Survey.	Within 30 days after the City's approval of the final design plans and prior to the start of any ground-disturbing activity (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the Qualified Archaeologist shall conduct pre-construction Phase I Cultural Resources Survey of all areas that have not been previously surveyed within the last 5 years.	No change in status. See the Phase 1 Monitoring Plan issued by Far Western Anthropological Research Group. (MEASURE ACHIEVED).	See the Phase 2 Monitoring Plan issued by Far Western Anthropological Research Group. (RESOLUTION PENDING).	NA - Not applicable to the Pilot Injection Well site.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-3: Avoidance and Preservation in Place of Archaeological Resources.	The City shall avoid and preserve in place resources CA-SLO-16, -43, -165, -239, -2222, and -2845, and any other resources that are identified as potentially qualifying as historical resources or unique archaeological resources under CEQA, through proposed project re-design. Avoidance and preservation in place is the preferred manner of mitigating impacts to archaeological resources. Preservation in place maintains the important relationship between artifacts and their archaeological context and also serves to avoid conflict with traditional and religious values of groups who may ascribe meaning to the resource. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that avoidance and preservation in place of a resource is determined by the City to be infeasible in light of factors such as project design, costs, and other considerations, then CUL-4 shall be implemented for that resource. If avoidance and preservation in place of a resource is determined by the City to be feasible, then CUL-5 shall be implemented for that resource.	NA -Not applicable to WRF Project.	Regarding CA-SLO-16: During previous reporting periods Far Western and the City's contractor completed all remaining investigations and excavations for Utility Bridge abutment and all trenches. The City has implement design revisions on trenching north of bridge by adding fill to raise finish grade, then installing pipelines just below added fill to mitigate disturbance of potential lower elevation deposits. Far Western monitoring is completed and the CA-SLO-16 site has been cleared to complete construction. (MEASURE ACHIEVED).	NA - Not applicable to the Pilot Injection Well site.

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State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-4: Development of an Archaeological Resources Data Recovery and Treatment Plan.	The Qualified Archaeologist shall prepare an Archaeological Resources Data Recovery and Treatment Plan for all significant resources that will be impacted by the proposed project.	No change in status. See the Phase 1 Monitoring Plan issued by Far Western Anthropological Research Group. (MEASURE ACHIEVED)	See the Phase 2 Monitoring Plan issued by Far Western Anthropological Research Group. Final approval with USEPA and SHPO is still pending.	NA - Not applicable to the Pilot Injection Well site.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-5: Development of a Cultural Resources Monitoring and Mitigation Program (CRMMP).	Within 60 days of the award of the contractor's bid and prior to the start of any ground-disturbing activity (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the Qualified Archaeologist shall prepare a Cultural Resources Mitigation and Monitoring Program (CRMMP) based on the final City-approved project design plans.	No change in status. See the Phase 1 Monitoring Plan issued by Far Western Anthropological Research Group in April 2020. (MEASURE ACHIEVED)	See the Phase 2 Monitoring Plan issued by Far Western Anthropological Research Group. Cogstone and Far Western are both working on the final reports for the Conveyance Facilities	NA - Not applicable to Reyclced Water Facilites. No construction in Q1
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-6: Construction Worker Cultural Resources Sensitivity Training.	Prior to start of any ground-disturbing activities (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the Qualified Archaeologist, or his/her designee, and a Native American representative shall conduct cultural resources sensitivity training for all construction personnel.	No change in status. All construction workers and administrative staff on site have attended cultural resources sensitivity training. All new employees on site undergo training upon arrival. Sign-in sheets are being collected and retained for each training session. (MEASURE ACHIEVED)	No change in status. All construction workers and administrative staff on site have attended cultural resources sensitivity training. All new employees on site undergo training upon arrival. Sign-in sheets are being collected and retained for each training session. (MEASURE ACHIEVED)	NA - Not applicable to the Pilot Injection Well site.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-7: Archaeological Resources Monitoring.	All project-related ground disturbance (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil) shall be monitored by an archaeological monitor(s) familiar with the types of resources that could be encountered and shall work under the direct supervisor of the Qualified Archaeologist.	No change in status. Archaeological and Native American monitors were present during all ground disturbance activities to date. Daily logs were being created and retained. Project earthwork activities requiring monitors has been completed as of January 2021. (MEASURE ACHIEVED)	No change in status. Archaeological and Native American monitors have been and continue to be present during all ground disturbance activities during the reporting period. Daily logs are being created and retained. (MEASURE ACHIEVED)	NA - Not applicable to the Pilot Injection Well site.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-8: Native American Monitoring.	The City shall retain a Native American monitor(s) from a Tribe that is culturally and geographically affiliated with the project site (according to the California Native American Heritage Commission). The Native American monitor shall monitor all project-related ground disturbance (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil) and all ground disturbance related to subsurface investigation and data recovery efforts for discovered resources that are Native American in origin.	No change in status. Archaeological and Native American monitors have been present during all ground disturbance activities during the reporting period. Daily logs are being created and retained. Project earthwork activities requiring monitors has been completed as of January 2021. (MEASURE ACHIEVED)	No change in status. Archaeological and Native American monitors have been present during all ground disturbance activities during the reporting period. Daily logs are being created and retained.	NA - Not applicable to the Pilot Injection Well site.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-9: Inadvertent Discovery.	In the event archaeological resources are encountered during construction of the proposed project, all activity in the vicinity of the find shall cease (within 100 feet), and the protocols and procedures for discoveries outlined in the CRMMP (see CUL-5) shall be implemented.	No archaeological resources were discovered during the reporting period. (MEASURE ACHIEVED)	No significant archaeological resources were discovered during the reporting period. (MEASURE ACHIEVED)	NA - Not applicable to the Pilot Injection Well site.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-10: Retention of a Qualified Paleontologist.	Within 60 days prior to the start of any ground-disturbing activity (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the City shall retain a paleontologist who meets the (SVP) Standards (SVP, 2010) (Qualified Paleontologist) to carry out all mitigation measures related to paleontological resources.	No change in status. The Design-Build Team retained Cogstone Resource Management Inc. to, on behalf of the City, undertake all mitigation measures related to paleontological resources. (MEASURE ACHIEVED)	No change in status. The City has engaged Cogstone Resource Management Inc. for paleontological monitoring on the project. (MEASURE ACHIEVED). The City retained Far Western Anthropological Research Group for the Phase 2 Monitoring Plan.	NA - Not applicable to the Pilot Injection Well site.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-11: Paleontological Resources Sensitivity Training.	The Qualified Paleontologist, or his/her designee, shall conduct construction worker paleontological resources sensitivity training prior to the start of ground disturbing activities. In the event construction crews are phased, additional trainings shall be conducted for new construction personnel. The training session shall focus on the recognition of the types of paleontological resources that could be encountered within the project site and the procedures to be followed if they are found. The City shall ensure construction personnel are made available for and attend the training and retain documentation demonstrating attendance.	No change in status. All construction workers and administrative staff on site have attended paleontological resources sensitivity training. All new employees on site undergo training upon arrival. Sign-in sheets are being collected and retained for each training session. (MEASURE ACHIEVED)	No change in status. All construction workers and administrative staff on site have attended paleontological resources sensitivity training. All new employees on site undergo training upon arrival. Sign-in sheets are being collected and retained for each training session. (MEASURE ACHIEVED)	NA - Not applicable to the Pilot Injection Well site.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-12: Paleontological Resources Monitoring.	All ground disturbance in excess of 5 feet within areas that are mapped as younger alluvial gravel (Qa) and beach and dune sands (Qs) shall be monitored on a full-time basis during initial ground disturbance.	No change in status. Archaeological and Native American monitors were present during all ground disturbance activities. Daily logs are being created and retained. Project earthwork activities requiring monitors has been completed as of January 2021. (MEASURE ACHIEVED)	No change in status. Archaeological/Paleontological and Native American monitors were present during all ground disturbance activities during the reporting period. Daily logs are being created and retained.	NA - Not applicable to the Pilot Injection Well site.

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State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-13: Inadvertent Discovery of Fossils.	If construction or other proposed project personnel discover any potential fossils during construction, regardless of the depth of work or location, then work at the discovery location shall cease in a 50-foot radius of the discovery until the Qualified Paleontologist has assessed the discovery and made recommendations as to the appropriate treatment.	No potential fossils were discovered during the reporting period. (MEASURE ACHIEVED)	No potential fossils were discovered during the reporting period. (MEASURE ACHIEVED)	NA - Not applicable to the Pilot Injection Well site.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-14: Inadvertent Discovery of Human Remains:	If human remains are encountered, then the City shall halt work in the vicinity (within 100 feet) of the discovery and contact the County Coroner in accordance with PRC section 5097.98 and Health and Safety Code section 7050.5.	No human remains were discovered during the reporting period. (MEASURE ACHIEVED)	No human remains were discovered during the reporting period. (MEASURE ACHIEVED)	NA - Not applicable to the Pilot Injection Well site.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	NOISE-1: Construction Noise Reduction Measures.	The City shall develop and submit a Construction Noise Reduction Plan to the building official prior to initiating construction activities during hours that are not included in the exemption under the Morro Bay Municipal Code. The City or its contractor shall implement the Construction Noise Reduction Plan.	No change in status. The Construction Noise Reduction Plan has not been developed or submitted as it is not anticipated that construction activities will occur during hours outside the MB Municipal Code exemption. (MEASURE ACHIEVED)	No change in status. The Construction Noise Reduction Plan has not been developed or submitted as it is not anticipated that construction activities will occur during hours outside the MB Municipal Code exemption. (MEASURE ACHIEVED)	NA - Not applicable to the Pilot Injection Well site.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	NOISE-2: Operational Noise Reduction Measures	Prior to final design of the proposed injection wells, the City shall prepare an Operational Noise Reduction Plan demonstrating that the proposed injection wells will not expose the nearest sensitive receptor to noise levels that would exceed the City's daytime and nighttime noise standards (see Table 3.11-4). The operational noise reduction plan shall be prepared by a qualified noise consultant. Once all noise reduction measures outlined in the Operational Noise Reduction Plan are implemented, the City shall measure noise at the nearest sensitive receptor property line to validate the effectiveness of the measures and to demonstrate that operational noise levels are below the City's noise standards.	NA -Not applicable to WRF Project.	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to the pre-design phase of the project
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	GEO-1: Geotechnical Investigation.	A geotechnical investigation shall be prepared by a certified engineer for all facilities involving substantial ground disturbance or excavation.	The Design-Build Team's Geotechnical Report was prepared and issued by Earth System Pacific on July 1, 2019. No Change in status. (MEASURE ACHIEVED)	The project Geotechnical Report was prepared and issued by Yeh & Associates on April 29, 2020. No Change in status. (MEASURE ACHIEVED)	The Pilot Injection Well construction and testing is part of the subject Geotechnical Investigation.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	GEO-2: Post-Construction Site Restoration.	After construction of project pipelines, disturbed areas shall be managed to control erosion, including without limitation: repaving areas within roadways, restoring vegetated areas, and regrading surfaces to minimize changes in drainage patterns.	NA -Not applicable to WRF Project.	No change in status. Required construction restoration stipulations are encompassed in the Contract documents. All public and private improvements damaged or disturbed by construction will be restored to pre-existing conditions. No applicable activities occurred this reporting period	NA - Project is in pre-design phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	TRAF-1: Traffic Control Plan.	Prior to the start of construction of project components that would occur within a roadway right-of-way, the City shall require the construction contractor to prepare a Traffic Control Plan. The Traffic Control Plan will show all signage, striping, delineated detours, flagging operations and any other devices that will be used during construction to guide motorists, bicyclists, and pedestrians safely through the construction area and allow for adequate access and circulation to the satisfaction of the City's Public Works Director and Fire and Police Chiefs.	There is very minimal work required by the DB team in the paved area where the WRF access road intersects with Teresa Road (to date only the PG&E and AT&T service connection trenches). Note that Teresa Road is a private road and utility easement (not City or State R/W). To date contractor has proceeded with traffic control in general compliance with MUTCD and WATCH manual.	No change in status. The Contractor is currently, and on an on-going basis, preparing and submitting Traffic Control Plans for the various project work locations in street rights-of way, as needed. The Traffic Control Plans are being reviewed by City Public Works, City Police, and City Fire Department.	NA - Not applicable to the Pilot Injection Well site.
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Dust Control Requirements	Dust Mitigation Plan	Because the project will disturb more than one acre, a project-specific Dust Mitigation Plan is required. Grading operations must follow the dust mitigation requirements contained in the NOA ATCM.	No change in status. See Submittal #016: Asbestos Dust Air Monitoring Plan and the SLO County APCD approval letter. Grading operations to date have been in compliance with the dust mitigation requirements contained in the NOA ATCM. A final report on the project site NOA has been submitted to SLO County APCD. There was no detectable NOA in any air samples taken on site. (MEASURE ACHIEVED)	No change in status. Dust control measures are being implemented during construction as needed. Street sweeping is occurring on an as-needed basis as required. Contract documents include appropriate stipulations for dust control. Contract work is bound by SLOC APCD fugitive duct regulations. (MEASURE ACHIEVED). NOA is not applicable to the Conveyance Facilities project.	NA - Not applicable to the Pilot Injection Well site.
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Section 5.0 – Air Monitoring Program	Asbestos Dust Air Monitoring	Because of the site's proximity to a sensitive receptor (an assisted-living facility on Teresa Drive), the APCD will require that an Asbestos Dust Air Monitoring Plan be submitted for approval prior to issue of a grading permit. The plan will specify procedures to be followed during construction and grading, including sampling locations/methods/frequency, analytical methods, and allowable thresholds.	No change in status. See Submittal #016: Asbestos Dust Air Monitoring Plan and the SLO County APCD approval letter. (MEASURE ACHIEVED)	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to the Pilot Injection Well site.

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San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Section 6.2 – Mitigation Measures	Dust Mitigation Plan	At all times during construction, the CP will be present to ensure that the mitigations measures described in this section are properly carried out. The CP will monitor the implementation of the measures to minimize dust complaints and prevent visible emissions crossing the Project Boundary. Construction will take place during daylight hours between 7:00 AM and 7:00 PM. Mitigation measures were developed to address dust control during construction activities, as well as for post-construction maintenance of disturbed areas. Throughout construction, the amount of area disturbed shall be minimized to the extent practical. Per the Asbestos ATCM, the following sections outline the required dust mitigation practices (CARB, 2015): - Track-Out Prevention and Control Measures - Active Storage Piles - Disturbed Surface Area and Stockpiles that will Remain Inactive for more than Seven Days - Traffic On-Site on Unpaved Roads, Parking Lots, and Staging Areas - Earthmoving Activities - Off-Site Transport - Post-Construction Stabilization of Disturbed Areas	No change in status. The Design-Build Team has assigned a Competent Person. Project work related to NOA exposure was monitored by the project Geotech firm (Earth Systems Pacific) and project NOA consultant (Padre Associates). The risk of NOA exposure is diminished as applicable earthwork has been completed. (MEASURE ACHIEVED)	All construction activities have been completed	NA - Not applicable to the Pilot Injection Well site.
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Decontamination	Dust Mitigation Plan	Equipment and trucks that come into contact with NOA-containing soil will be cleaned before leaving the Project site. Cleaning shall take within the Project boundaries, so that NOA soil remains on-site.	No change in status. All heavy equipment and/or trucks that access areas that may contain NOA are off-road vehicles that do not leave site. (MEASURE ACHIEVED)	NOA is not applicable to the Conveyance Facilities project.	NA - Not applicable to the Pilot Injection Well site.
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Signage/Notifications	Dust Mitigation Plan	Cal-OSHA and CARB regulations require signage and postings at job sites where NOA is, or may be, disturbed. Warning signs will be posted at the main entrances to the project for the duration of soil disturbance activities, and residents within the area will be notified by mail of the soil disturbance.	No change in status. NOA warning signs were posted at the main entrances to the project and remained in place for the duration of soil disturbance activities. Area residents were notified as required. (MEASURE ACHIEVED)	NOA is not applicable to the Conveyance Facilities project.	NA - Not applicable to the Pilot Injection Well site.
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Documentation	Dust Mitigation Plan	Documentation of earthwork activities will be maintained by the Competent Person under the direct supervision of the Geotechnical Engineer of Record. Documentation records will be maintained by the Project Owner/Operator for a minimum of seven (7) years following the completion of the Project, and will be made available for inspection upon request by the SLOAPCD.	No change in status. All applicable work was completed under supervision of assigned Competent Person. The project work related to NOA was monitored by the project Geotechnical Engineering firm (Earth Systems Pacific) and the NOA consultant (Padre Associates). Applicable records are being maintained as required. (MEASURE ACHIEVED).	NOA is not applicable to the Conveyance Facilities project.	NA - Not applicable to the Pilot Injection Well site.
San Luis Obispo County Air Pollution Control District	Emergency Standby Generator(s)	Permit to Construct and Permit to Operate	Permit to Construct and Permit to Operate	The City shall submit SLOAPCD Diesel Engine Permit Application for project Emergency Standby Generator(s). The City shall obtain required SLOAPCD Permit to Construct and Permit to Operate as required.	No change in status. The City has submitted to SLOC APCD, the Diesel Engine Permit Application for project Emergency Standby Generator. The City has obtained the required Permit to Construct. (MEASURE ACHIEVED) The Permit to Operate is pending installation and commissioning of the equipment.	The two pump station generators were submitted to SLOC APCD. In Sept 2021, the City received a Notice of Incomplete Application from APCD. Health Risk Assessments (HRAs) have since been undertaken and submitted to APCD. While APCD had previously indicated that generator modifications would be required (DPF, SCR, DOC), the District has now issued Authority To Construct (ATC) permits for both pump station generators without emissions modifications.	NA - Not applicable to the Pilot Injection Well project.
San Luis Obispo County Air Pollution Control District	General Permit incl. Odor Control Facilities	Permit to Construct and Permit to Operate	Permit to Construct and Permit to Operate	The City shall submit SLOAPCD General Facility Permit Application for project site (et-al) including odor control facilities. The City shall obtain required SLOAPCD Permit to Construct and Permit to Operate as required.	The City submitted the SLOC APCD General Facility Permit Application for the project, which included the project's odor control system. The Permit to Construct has been issued by APCD. The Permit to Operate is pending installation and commissioning of the odor control equipment.	NA - Not applicable to Conveyance Facilities Project.	NA - Not applicable to the Pilot Injection Well project.
California State Historic Preservation Office	Phase 1 Monitoring Plan	Determining Activities Requiring Monitoring	PHASE 1 - WRF PROJECT Extent of Monitoring	..... Only the initial three feet of topsoil removal in these areas will need to be monitored archaeologically. Once grading is complete, all subsequent construction work on site will either be within artificial fill or truncated bedrock and therefore archaeological and Native American monitoring will not be warranted. The archaeological monitor, in consultation with the archaeological Principal Investigator, the City's Project Manager, and the Construction Manager, will determine when monitoring is no longer necessary.	No change in status. Archaeological and Native American monitors have been present during all ground disturbance activities during the reporting period. Daily logs are being created and retained. Project earthwork activities requiring monitors has been completed as of January 2021. (MEASURE ACHIEVED)	No change in status. Archaeological and Native American monitors have been present during all ground disturbance activities during the reporting period. Daily logs are being created and retained.	NA - Not applicable to the Pilot Injection Well site.
California State Historic Preservation Office	Phase 2 Monitoring Plan	Determining Activities Requiring Monitoring	PHASE 2 - PIPELINE AND PUMP STATION PROJECT Extent of Monitoring	- Pipeline Station 27 to 37 .... CA SLO-16 ... HA1–6, C20–21, C45–50 ... Intact site deposit in HA1–3, C21, C47–48 and C50; disturbed site deposit in C46 and C49 ... Eligible for National Register - Pipeline Station 22 to 24 .... CA SLO-16 ... C5-C7 ... Thin layer of dense redeposited shell midden in C5 and C7 ... Not eligible for National Register due to lack of integrity. - Pipeline Station 53 to 61 .... CA SLO-239 ... C26–27, 51-54 ... Disturbed site deposit in C26–27, likely originating from SLO-239 ... Not eligible for National Register due to lack of integrity. - Replacement Portion of LS2 Force Main .... CA SLO-239 ... No, due to existing pipeline ... Archaeological construction monitoring. - New Addition to LS2 Force Main .... CA SLO-239 ... Trenching or coring after property acquired by City ... Likely will require archaeological construction monitoring - Pipeline Station 147 to 150 ... CA SLO-2232H ... HA20–22 Possible sparse intact Native American site deposit in HA20 ... Not eligible for National Register.	NA -Not applicable to WRF Project.	Regarding CA-SLO-16: During previous reporting periods Far Western and the City's contractor completed all remaining investigations and excavations for Utility Bridge abutment and all trenches. The City has implement design revisions on trenching north of bridge by adding fill to raise finish grade, then installing pipelines just below added fill to mitigate disturbance of potential lower elevation deposits. Far Western monitoring is completed and the CA-SLO-16 site has been cleared to complete construction. (MEASURE ACHIEVED).	NA - Not applicable to the Pilot Injection Well site.
California State Historic Preservation Office	Phase 3/4 Monitoring Plan (FUTURE)	Determining Activities Requiring Monitoring	PHASE 3/4 - RECYCLED WATER AND EXISTING TREATMENT PLANT PROJECTS Extent of Monitoring	PHASE 3 - INJECTION WELLS PROJECT: Project is in pre-design Phase PHASE 4 - EXISTING TREATMENT PLANT DEMOLITION: Project is in pre-design Phase	NA -Not applicable to WRF Project.	NA - Not applicable to Conveyance Facilities Project.	NA - Project is in pre-design phase

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California State Historic Preservation Office	October 2019 Programmatic Agreement	Section 1.B City Roles and Responsibilities	Staff Professional Qualifications	City will ensure that all historic preservation and archaeological work is performed by, or under the direct supervision of, a person or persons who meet, at a minimum, the Secretary of the Interior's Professional Qualifications Standards (48 Federal Register 44738–44739) (Appendix A to 36 CFR §61) in the relevant field of study, as described under the Administrative Provisions of this Agreement. Hereinafter, such persons will be referred to as Qualified Professionals.	No change in status. The City retained Far Western Anthropological Research Group for the Phase 1 Monitoring Plan issued April 2020. The Design-Build Team retained Cogstone Resource Management Inc., on behalf of the City, for cultural resources measures. (MEASURE ACHIEVED)	No change in status. The City has engaged Cogstone Resource Management Inc. for paleontological monitoring on the project. The City retained Far Western Anthropological Research Group for the Phase 2 Monitoring Plan. (MEASURE ACHIEVED).	NA - Not applicable to the Pilot Injection Well site and scope of work.
California State Historic Preservation Office	Phase 1 and Phase 2 Monitoring Plans	Construction Crew Archeological Awareness Training	Archeological Awareness Training	Prior to any soil-disturbing construction activities, the archeological monitor will conduct a five- to 10-minute oral archaeological awareness training for the construction crew, including all equipment operators and personnel involved in the mass excavation activities. The Native American monitor will also likely offer comments on their concerns.	No change in status. All construction workers and administrative staff on site have attended archaeological awareness training. All new employees undergo training upon arrival. Sign-in sheets are being collected and retained for each training session.	No change in status. All construction workers and administrative staff on site have attended archaeological awareness training. All new employees undergo training upon arrival. Sign-in sheets are being collected and retained for each training session.	NA - Not applicable to the Pilot Injection Well site and scope of work.
California State Historic Preservation Office	Phase 1 Monitoring Plan WRF	Reporting	Extent of Monitoring	The archaeological Principal Investigator will submit weekly status reports to the City detailing monitoring activities and any discoveries. The weekly status reports will include both archaeological and Native American daily monitoring logs, photos, and maps (as appropriate).	No change in status. Both archaeological and Native American daily monitoring logs were created and are being retained in the project's web based Project Management system. Project earthwork activities requiring monitors were completed as of January 2021. (MEASURE ACHIEVED)	No change in status. Both Archaeological and Native American daily monitoring logs are being created, submitted, and maintained in the City Construction Management project filing system.	NA - Not applicable to the Pilot Injection Well site and scope of work.
California State Historic Preservation Office	Phase 1 Monitoring Plan WRF	Scheduling	Extent of Monitoring	If there are no findings, an Archaeological Resources Monitoring Report for Construction Phase 1 will be prepared and submitted to the City for review within 30 days of completion of monitoring activities.	There were no findings during the reporting period. The required Final Monitoring Report has been prepared and submitted to the City and to Central Coast Information Center, Department of Anthropology, UCSB. See Submittal 257.1. Project earthwork activities requiring monitors were completed as of January 2021. (MEASURE ACHIEVED)	In August 2021 an archeological artifact (bowl) was found at Pump Station A. Cogstone visited site and reviewed the find. Cogstone took possession of the find, prepared the requisite report, and have complied with SLOCAS (San Luis Obispo County Archaeological Society) curation plan for artifacts. The Final Monitoring Report will be prepared and submitted to the City and Central Coast Information Center, Department of Anthropology, UCSB, upon completion of monitoring activities.	NA - Not applicable to the Pilot Injection Well site and scope of work.
California State Historic Preservation Office	Phase 1 Monitoring Plan WRF	Archeological Monitoring Guidelines	Construction Monitoring	The Archaeological and Native American Monitors will observe soil disturbance during construction activities (e.g., manual or machine excavations, grading). The Archaeological monitor will observe consistency or changes in soils or may examine specific materials that may be cultural in origin.	No change in status. Archaeological and Native American monitors were present during all applicable ground disturbance activities on the project. Daily logs are being created and retained. Project earthwork activities requiring monitors were completed as of January 2021. (MEASURE ACHIEVED)	No change in status. Archaeological and Native American monitors have been present during all ground disturbance activities during the reporting period. Daily logs are being created and retained.	NA - Not applicable to the Pilot Injection Well site and scope of work.
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Reporting	Extent of Monitoring	The archaeological Principal Investigator will submit weekly status reports to the City detailing monitoring activities and any discoveries. The weekly status reports will include both archaeological and Native American daily monitoring logs, photos, and maps (as appropriate). If no archaeological materials are identified during construction monitoring, an Archaeological Resources Monitoring Report will be prepared and submitted to the City for review within 30 days of completion of monitoring activities. In accordance with Stipulation VI of the Programmatic Agreement, the City will provide the report to the EPA for review, who will in turn submit it to all Parties of the Agreement. The final Monitoring Report will be submitted to all Parties of the Agreement and to the Central Coast Information Center at the University of California, Santa Barbara. If archaeological remains are identified during monitoring and cannot be avoided, they will be evaluated and mitigated (if warranted) in accordance with the Archaeological Research Design and Treatment Plan (Kaijankoski et al. 2019:Appendix E).	NA -Not applicable to WRF Project.	No change in status. Both Archaeological and Native American daily monitoring logs are being created and retained in the project's cloud-based file management system.	NA - Not applicable to the Pilot Injection Well site and scope of work.
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Scheduling	Extent of Monitoring	An archaeological monitor and Native American monitor shall be present according to a schedule agreed upon by the archaeological Principal Investigator and City Project Manager prior to the beginning of construction. The archaeological Principal Investigator will review all anticipated soil disturbing activities with the construction contractor to determine which could potentially expose archaeological deposits and when these activities will be taking place. A tentative schedule will be prepared for monitoring, with the understanding that it is flexible depending on construction progress and findings.	NA -Not applicable to WRF Project.	No change in status. Archaeological and Native American monitors have been present during all ground disturbance activities during the reporting period. Daily logs are being created and retained.	NA - Not applicable to the Pilot Injection Well site and scope of work.
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Archeological Monitoring Guidelines	Construction Monitoring	1. The archaeological Principal Investigator and archaeological monitor(s) will meet the Secretary of Interior's professional qualification standards for prehistoric archeology. 2. An Archaeological monitor will be present for all ground-disturbing activities in the pipeline segments and components where archaeological monitoring is recommended. 3. Local Native American community will request to monitor all Construction Phase 2 ground disturbance. A local archaeologist will assess discovery made by the Native American monitor. 4. The need for more than one archaeological and Native American monitors may be necessary if work in being conducted in a variety of locations. 5. The City Project Manager will provide the construction schedule (location, day, time, and nature of work) to the archaeological and Native American monitors. 6. The archaeological monitor(s) will have the experience and demonstrated ability to recognize all types of archaeological materials and features. 7. Native American monitors should be from groups listed on the Native American Heritage Commission list of interested individuals. 8. Should the need arise to record or collect samples and artifacts, the archaeological monitor shall immediately consult with the archaeological Principal Investigator. 9. The archaeological and Native American monitors will document monitoring activities in a daily log. ….. 10. Monitors will take periodic digital photographs.	NA -Not applicable to WRF Project.	No change in status. The City has engaged Cogstone Resource Management Inc. for archeological and paleontological monitoring on the project. Cogstone has retained multiple local Tribal groups from the area and is sharing the monitoring duties equally amongst the groups. The City retained Far Western Anthropological Research Group for the Phase 2 Monitoring Plan.	NA - Not applicable to the Pilot Injection Well site and scope of work.
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Section IV. TESTING RESULTS AND RECOMMENDATIONS	CA-SLO-16 MITIGATION PLAN	Mitigation of project impacts to site SLO-16 under both Section 106 of the National Historic Preservation Act and the California Environmental Quality Act will be required as the site can be considered significant and avoidance not feasible. All work will be conducted in accordance with the project's archaeological treatment plan (Kaijankoski et al. 2019) and needs to be approved by Caltrans within their right-of-way. A Native American monitor will be present to observe all archaeological excavations. Methods and extent of excavation will ultimately be determined once the deposits are exposed during construction excavation and initial hand excavations. Mitigation will require extensive support and collaboration from the project construction contractor who will need to secure the area and provide mechanical excavation equipment, operators, and support equipment. A location for deep reburial of human remains that may be encountered should be considered prior to construction, although ultimately the Most Likely Descendent will need to approve of this. Uncollected archaeological deposits will need to be permanently reburied on-site in accordance with the wishes of local Native American groups. Portions of the site not impacted by the project should be designated Environmentally Sensitive Areas with orange fencing. A short mitigation work plan can then be prepared and submitted to all interested parties for review.	NA -Not applicable to WRF Project.	Regarding CA-SLO-16: During previous reporting periods Far Western and the City's contractor completed all remaining investigations and excavations for Utility Bridge abutment and all trenches. The City has implement design revisions on trenching north of bridge by adding fill to raise finish grade, then installing pipelines just below added fill to mitigate disturbance of potential lower elevation deposits. Far Western monitoring is completed and the CA-SLO-16 site has been cleared to complete construction. (MEASURE ACHIEVED).	NA - Not applicable to the Pilot Injection Well site and scope of work.

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California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Section IV. TESTING RESULTS AND RECOMMENDATIONS	CA-SLO-239 (STATION 53 TO 61)	Cores C26 and C27 both contained a small amount of disturbed archaeological deposits. This material almost certainly originated from site SLO-239 located on the higher terrace to the south. Additionally, adjacent Cores 51-54 contained trace amounts of disturbed shellfish. Therefore archaeological construction monitoring is recommended along the boundary of site SLO-239 between stations 53 to 61. Additional Testing Required: A recent addition to the LS-2 force main measures approximately 300 meters near SLO-239. The area also has an elevated buried site sensitivity. This project component could not be tested as it lies on private property with no permission to access. The City is currently acquiring the property through eminent domain. In accordance with the Programmatic Agreement, the component will be tested once access is secured. This would involve approximately 12 trenches or cores spaced at 25-meter intervals over a two day period. If disturbed deposits associated with SLO-239 are identified, monitoring for human remains will be recommended and an addendum to this test report prepared. If intact archaeological deposits are identified, they will be immediately evaluated and mitigated in accordance with the Treatment Plan and documented in the final report.	NA -Not applicable to WRF Project.	Regarding CA-SLO-239: Contractor trenched across zone during a previous reporting period. Work was guided by and monitored by Cogstone and Tribal monitors. Monitors sampled/screened excavated soils. Minimal findings were documented in monitor daily logs.	NA - Not applicable to the Pilot Injection Well site and scope of work.
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Section IV. TESTING RESULTS AND RECOMMENDATIONS	CA-SLO-2022 (STATION 138 TO 143)	Testing was conducted between Stations 138 and 143 due to the presence of site SLO-2022 that is visible in the roadcut immediately northeast of the ADI. Quintana Road is cut into the hillside that this site is situated upon as it descends in elevation to South Bay Blvd. Additionally, this area has the lowest buried site sensitivity due to the ancient age of the surface landform. Thirteen hand augers (HA7–19) were excavated split evenly between each side of the road adjacent to the ADI. Results were all negative despite processing samples from most augers (see Table 3). Therefore, no archaeological construction monitoring or mitigation is recommended for this segment. However, it is recommended that site SLO-2022 be designated an Environmentally Sensitive Area and be protected during construction with orange fencing or other measures.	NA -Not applicable to WRF Project.	Regarding CA-SLO-2022: Contractor trenched across zone during a previous reporting period. Work was guided by and monitored by Cogstone and Tribal monitors. Monitors sampled/screened excavated soils. Minimal findings were documented in monitor daily logs.	NA - Not applicable to the Pilot Injection Well site and scope of work.
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Section IV. TESTING RESULTS AND RECOMMENDATIONS	CA-SLO-2232H (Station 147 TO 150)	Stations 147 to 150 are adjacent to site SLO-2232H, where a prehistoric component was reported to have been recently discovered during construction of a housing complex to the south. After testing for this project was complete, communications with the archaeologist overseeing the housing complex work revealed that the prehistoric deposit (including human remains) encountered is in fact associated with site SLO-1183 and located more than 100 meters (330 feet) south of the ADI. Access constraints (numerous underground utilities) only allowed for three hand augers (HA20–22) to be excavated along the south side of the road. HA21 and HA22 were negative, while a possible sparse prehistoric site deposit was identified in HA20. It is possible that the materials recovered in HA20 originated from site SLO-2022 and were pushed downhill when Quintana Road was cut through the site. This very sparse deposit of uncertain integrity is recommended not eligible for the National Register. However, archaeological construction monitoring for human remains is warranted for this pipeline segment.	NA -Not applicable to WRF Project.	Regarding CA-SLO-2232H: Contractor trenched across zone during a previous reporting period. Work was guided by and monitored by Cogstone and Tribal monitors. Monitors sampled/screened excavated soils. Minimal findings were documented in monitor daily logs.	NA - Not applicable to the Pilot Injection Well site and scope of work.
California State Historic Preservation Office	Programmatic Agreement	Section IX – Annual Reporting	Annual Reporting	In addition to the final reports described within this Stipulation, EPA shall provide the Parties to this Agreement an annual update on the implementation of this Agreement. Such update shall include any scheduling changes proposed, any problems encountered, failures to adopt proposed mitigation measures, and any disputes and objections received in EPA's efforts to carry out the terms of this Agreement. The update will be due no later than December 31 of each year, beginning December 31, 2019 and will continue annually thereafter throughout the duration of this Agreement.	The 2023 Annual Report/Update was issued by EPA to SHPO for the period ending December 31, 2022 as required. The City and City's Program Manager provided data and information for the report. (MEASURE ACHIEVED).	The 2023 Annual Report/Update was issued by EPA to SHPO for the period ending December 31, 2023 as required. The City and City's Program Manager provided data and information for the report. (MEASURE ACHIEVED).	NA - Not applicable to the Pilot Injection Well site and scope of work.
Central Coast Regional Water Quality Control Board	Stormwater Pollution Prevention Plan	Section 1.6 - Required Non-Compliance Reporting	Reporting Requirements	If a discharge violation occurs the QSP shall immediately notify the LRP and the LRP shall file a violation report electronically to the Regional Water Board within 30 days of identification of non-compliance using SMARTS. Corrective measures will be implemented immediately following the discharge or written notice of non-compliance from the Regional Water Board.	During a previous reporting period RWQCB issued two Notices of Violation (NOV). NOV dated 11/8/2021 was responded to by DB Team on 12/17/2021. NOV dated 12/20/2021 was responded to by DB Team on 1/7/2022. Both NOVs allege failure to implement soil cover and erosion control BMPs in inactive areas. The DB team has implemented extensive additional BMPs in response to NOVs. In January 2022, the City received confirmation from RWQCB that the NOVs have been adequately resolved.	No change in status. On April 6, 2021, there were separate incidents involving a ruptured water main and a ruptured sewer force main, at separate locations along Quintana Rd. Both incidents were caused by Contractor errors and resulted in non-stormwater discharges to storm drainage systems or water ways. The City and Contractor immediately implemented emergency spill containment and clean-up measures. The incidents were reported to appropriate regulatory agencies.	NA - Not applicable to the Pilot Injection Well site and scope of work.
Central Coast Regional Water Quality Control Board	Stormwater Pollution Prevention Plan	Section 1.7 – Annual Report	Reporting Requirements	The General Permit requires that permittees prepare, certify, and electronically submit an Annual Report no later than September 1st of each year. Reporting requirements are identified in Section XVI of the General Permit.	The Annual Report was prepared by Contractor's QSP and submitted prior to September 1, 2022, via SMARTs as required. (MEASURE ACHIEVED). The next SWPPP Annual Report will be submitted as required in the forthcoming reporting period, and no later than September 1, 2023.	The Annual Report was prepared by Contractor's QSP and submitted prior to September 1, 2022, via SMARTs as required. (MEASURE ACHIEVED). The next SWPPP Annual Report will be submitted as required in the forthcoming reporting period, and no later than September 1, 2023.	NA - Not applicable to the Pilot Injection Well site and scope of work.
Central Coast Regional Water Quality Control Board	Stormwater Pollution Prevention Plan	Section 3.2 – Erosion and Sediment Control	Control Measures	Erosion and sediment controls are required by the General Permit to provide effective reduction or elimination of sediment related pollutants in stormwater discharges and authorized non-stormwater discharges from the Site.	During a previous reporting period RWQCB issued two Notices of Violation (NOV). NOV dated 11/8/2021 was responded to by DB Team on 12/17/2021. NOV dated 12/20/2021 was responded to by DB Team on 1/7/2022. Both NOVs allege failure to implement soil cover and erosion control BMPs in inactive areas. The DB team has implemented extensive additional BMPs in response to NOVs. In January 2022, the City received confirmation from RWQCB that the NOVs have been adequately resolved.	No change in status. SWPPP BMPs are being installed in active work zones and approved by the Contractor's QSP prior to the start of work. The required BMPs continue to be monitored and maintained during the reporting period.	NA - Not applicable to the Pilot Injection Well site and scope of work.
Central Coast Regional Water Quality Control Board	Stormwater Pollution Prevention Plan	Section 3.3 – Non-Stormwater Controls and Waste and Materials Management	Control Measures	Non-stormwater discharges into storm drainage systems or waterways, which are not authorized under the General Permit, are prohibited.	During a previous reporting period RWQCB issued two Notices of Violation (NOV). NOV dated 11/8/2021 was responded to by DB Team on 12/17/2021. NOV dated 12/20/2021 was responded to by DB Team on 1/7/2022. Both NOVs allege failure to implement soil cover and erosion control BMPs in inactive areas. The DB team has implemented extensive additional BMPs in response to NOVs. In January 2022, the City received confirmation from RWQCB that the NOVs have been adequately resolved.	On April 6, 2021, there were separate incidents involving a ruptured water main and a ruptured sewer force main, at separate locations along Quintana Rd. Both incidents were caused by Contractor errors and resulted in non-stormwater discharges to storm drainage systems or water ways. The City and Contractor immediately implemented emergency spill containment and clean-up measures. The incidents were reported to appropriate regulatory agencies as required.	NA - Not applicable to the Pilot Injection Well site and scope of work.

City of Morro Bay
Water Reclamation Facility Project

QUARTERLY PROGRESS STATUS REPORT TO FUNDING / REGULATORY AGENCIES (COMBINED REPORT)

REPORTING PERIOD
April 1, 2024 through June 30, 2024

MORRO BAY
OUR WATER
RELIABLE. CLEAN. FOR LIFE.

City of Morro Bay
Water Reclamation Facility Project

QUARTERLY PROGRESS STATUS REPORT TO FUNDING / REGULATORY AGENCIES (COMBINED REPORT)

REPORTING PERIOD
APRIL 1, 2024 THROUGH JUNE 30, 2024

Clean Water State Revolving Fund (CWSRF) Planning Loan Agreement No. D16-01016

Water Infrastructure Finance and Innovation Act (WIFIA)
Funding Agreement No. N17150CA (Water) / No. N17108CA (Wastewater)

CWSRF Funding Agreement No. (SWRCB0000000000D2001033)

Contents

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Abbreviations

AOP	advanced oxidation process
APCD	Air Pollution Control District
BNR	biological nutrient removal
BR	brine
Caltrans	California Department of Transportation
Carollo	Carollo Engineers
CA-SLO	California-San Luis Obispo
CDFW	California Department of Fish and Wildlife
City	City of Morro Bay
COVID-19	Coronavirus Disease 2019
CWSRF	Clean Water State Revolving Fund
DDW	Division of Drinking Water
ESA	environmentally sensitive area
FBV	Filanc, Black & Veatch
FCA	flanged coupling adapter
FO	fiber optic
FPVC	fusible polyvinyl chloride
GMP	guaranteed maximum price
H_2O	water
HDPE	high-density polyethylene
IPR	indirect potable reuse
LF	linear feet
LOTO	lockout tagout
LS	lift station
MBR	membrane bioreactor
mgd	million gallons per day
MH	manhole
MTBM	microtunnel boring machine
N/A	not applicable
NEMA	National Electrical Manufacturers Association
NPDES	National Pollutant Discharge Elimination System
NTP	notice to proceed
OMMP	Operations, Maintenance, and Monitoring Plan
PCO	potential change order
PG&E	Pacific Gas and Electric
PLC	programmable logic controller

PS	pump station
R/W	right-of-way
RFP	request for proposals
RO	reverse osmosis
RWQCB	Regional Water Quality Control Board
SAFE	stormwater auxiliary filtration equipment
SCADA	supervisory control and data acquisition
SD	storm drain
SHPO	State Historical Preservation Officer
SHT	sludge holding tank
SLO	San Luis Obispo
SRF	State Revolving Fund
SWPPP	Stormwater Pollution Prevention Plan
TBD	to be determined
TCP	traffic control plan
TSO	Time Schedule Order
USEPA	United States Environmental Protection Agency
UV	ultraviolet
UVT	ultraviolet transmittance
Vdc	volts direct current
VFD	variable frequency drive
WIFIA	Water Infrastructure Finance and Innovation Act
WRC	Water Resource Center
WRF	Water Reclamation Facility
WWTP	wastewater treatment plant

Section 1

PROJECT OVERVIEW

1.1 General Project Status Update

Since 2013, the City of Morro Bay (City) has been developing a Water Reclamation Facility (WRF) project through the completion of several key planning milestones including completion of the Draft Water Reclamation Facility Master Plan and Draft Master Water Reclamation Plan. These planning documents along with City Council-adopted goals for the project have outlined a project that includes the following major components:

- On-site tertiary treatment facility with a capacity of approximately 1 million gallons per day (mgd). This facility was previously known as the WRF and the City recently renamed the facility the Water Resource Center (WRC). For the remainder of this document, the treatment facility will be referred to as the WRC.
- On-site full advanced treatment facilities capable of meeting the State Division of Drinking Water (DDW) requirements for potable reuse via groundwater augmentation.
- Off-site raw wastewater conveyance facilities including pipelines and two pump stations to convey raw wastewater, tertiary-treated wastewater, and brine between the existing wastewater treatment plant (WWTP) site and the City's WRC located at Highway 1 and South Bay Boulevard (Conveyance Facilities).
- Off-site recycled potable reuse facilities including pipelines and injection wells necessary for groundwater augmentation in the Morro groundwater basin (Recycled Water Facilities).

"Our Water" is the City's program to plan and build water and wastewater infrastructure for a sustainable future for the environment, economy, and the community. This report summarizes key accomplishments and challenges during the reporting period of April 1, 2024, through June 30, 2024.

1.2 Current Project Schedule

In June 2018, the City received a Time Schedule Order (TSO) from the Regional Water Quality Control Board (RWQCB) that requires the City to achieve full operation of new wastewater treatment facilities by February 28, 2023, encompassing the WRC project (by Design-Build) and the Conveyance Facilities project (by conventional Design-Bid-Build) including all off-site pipelines and pump stations. The overall program schedule is shown in the figure below. The final completion for both the WRC and the Conveyance were officially closed out in May 2024.

While both the WRC and Conveyance Projects' final completion dates are to occur after the TSO deadline, the City has already achieved the milestone requirement of full operation of the wastewater treatment facilities in compliance with permits and regulatory requirements. The milestone goal was achieved during a phased start-up of the various facilities during October and November 2022.

The Recycled Water Facilities component of the WRF Program, which includes construction of injection wells and recycled water pipelines, is not tied to the TSO compliance date and is currently proceeding through the permitting and design process. The current estimated date for substantial completion of the Recycled Water Facilities is July 2026.

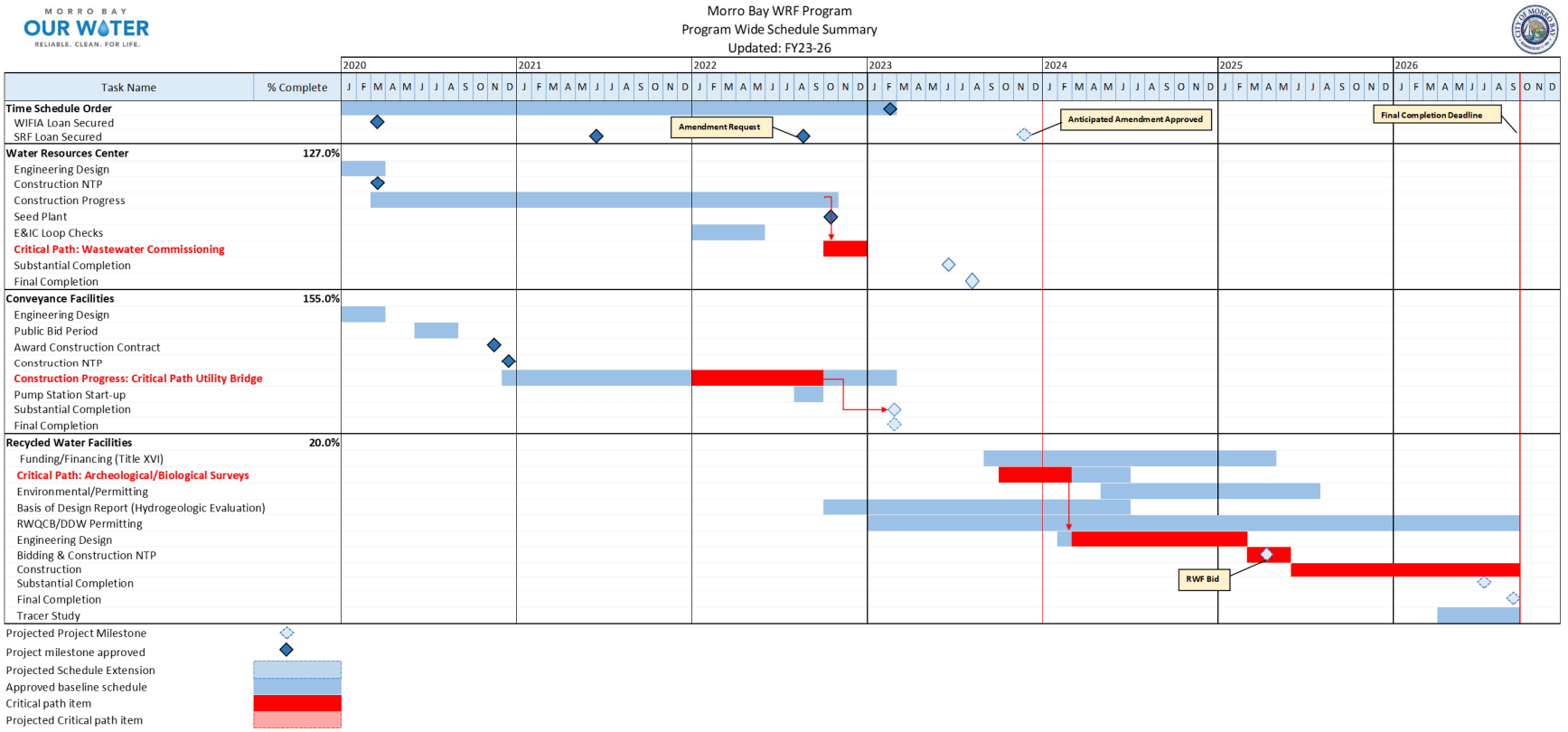

Figure 1 Program Schedule

Section 2

WATER RESOURCES CENTER

2.1 Project Summary – Reporting Period: April 1 to June 30, 2024

This quarterly progress report summarizes the project construction and addresses contract time, change orders, progress, key construction accomplishments, safety and security issues, construction activities, environmental and cultural monitoring, and Davis-Bacon labor compliance issues.

Table 1 WRC Project Summary

Item	Description
Public Agency Owner	City of Morro Bay
Design-Build Joint Venture Entity	Overland Contracting, Inc.
Design-Build General Contractor	J.R. Filanc Construction Company, Inc.
Design-Build Engineer of Record	Black & Veatch Corporation
City's Program Management	Carollo
City's Construction Manager	Carollo – Mimiaga Engineering Group Inc.
Design-Build Contract Award	October 23 2018
Design Phase NTP	November 5, 2018
Original Anticipated Construction NTP	April 29, 2019
Original Substantial Completion Date	August 5, 2021
Original Final Completion Date	October 1, 2021
Actual Executed Construction NTP	March 20, 2020
Original Construction Phase Duration	886 Calendar Days (Construction NTP to Final Completion)
Construction Phase Time Extensions Approved	374 Calendar Days (through Amendment No. 9)
Revised Construction Phase Duration	1,449 Calendar Days (Construction NTP to Final Completion)
Original / Current Substantial Completion	June 27, 2022 / February 6, 2023
Original / Current Final Completion Date	August 23, 2022 / March 8, 2024
Original GMP	$67,234,512.00
Current Approved Amendments to Date	$11,765,488.00 (through Amendment No. 10)
Current Approved GMP	$79,000,000.00 (through Amendment No. 10)
Approved Progress Payments to Date	$79,000,000 (through June 30, 2023, Payments 1 – 62)
Percent Complete – Cost (Contractor Invoiced)	100% ($79,000,000 / 79,000,000)
Construction Calendar Days Elapsed	1,448 Calendar Days (March 20, 2020 to March 8, 2024)
Percent Complete - Time (Schedule Elapsed)	133% (1471 days / 1,088 days)
Percent Construction Complete (Overall)	117% (average of cost and time percent complete)

Abbreviations:
Carollo – Carollo Engineers; GMP – guaranteed maximum price; NTP – Notice to Proceed.

2.2 Project Scope of Work

- 0.85/0.97 mgd WRC Average Annual.
- Influent Course Screens.
- Vortex Grit Removal Basins.
- Stormwater Auxiliary Filtration Equipment (SAFE) System (for high flow Equalization and Filtration).
- Fine Screens.
- Odor Control.
- Biological Nutrient Removal (BNR).
- Membrane Bioreactor (MBR).
- Sludge Holding Tank (SHT).
- Sludge Dewatering.
- Reverse Osmosis (RO) Filtration.
- Ultraviolet (UV)-Advanced Oxidation Process (AOP).
- Outfall Pump Station.
- Product Water Storage Tank.
- Indirect Potable Reuse (IPR) Pump Station.
- Operations Building.
- Maintenance Building.
- RO/UV-AOP Building.
- Electrical Building.
- City Vehicle Parking Canopy.
- Covered Outdoor Storage Aisles.
- Water/Collections Storage Shed.
- Water/Collections Equip. Canopy.
- Access Road and Site Improvements.
- Yard Piping and Site Work.
- Electrical Distribution Facilities.
- Emergency Standby Generator.
- Instrumentation and Controls.
- Utility Extensions into Site.

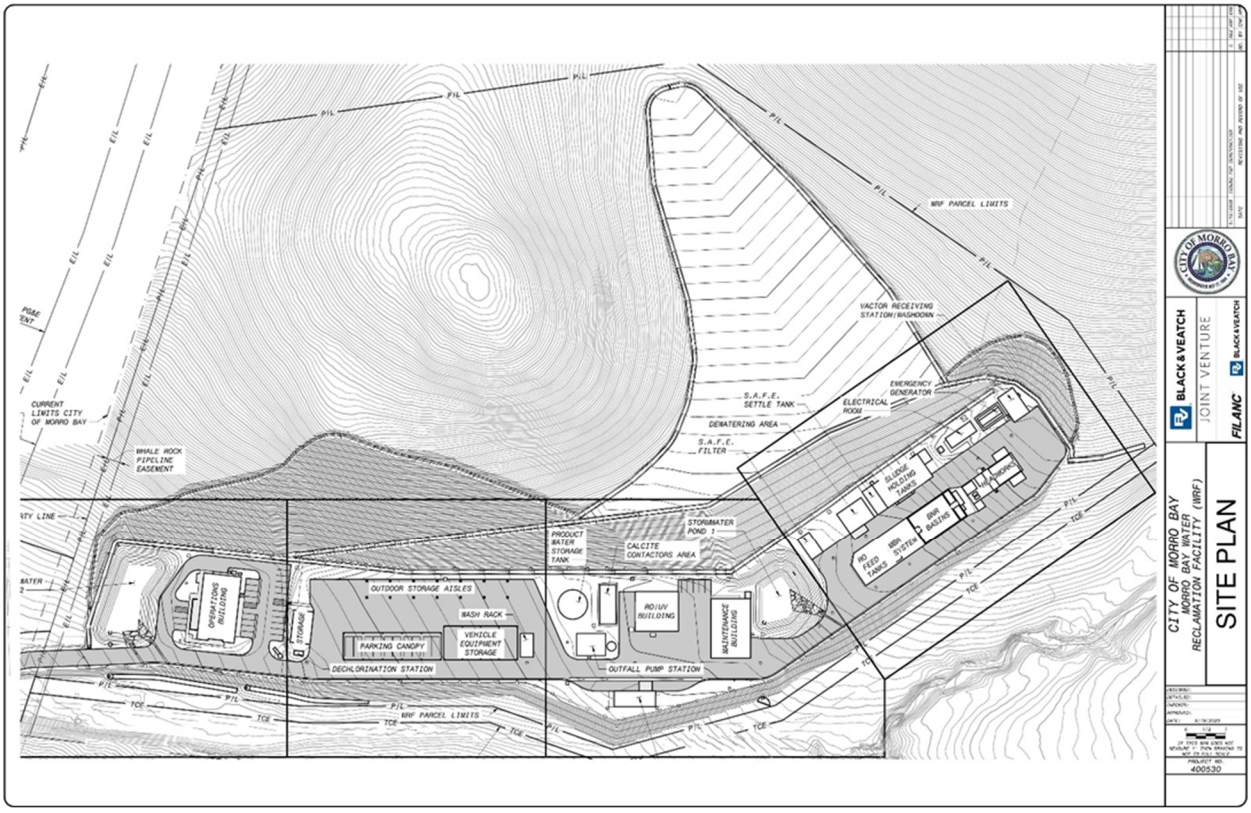

Figure 2 Morro Bay WRF Site Plan

2.3 Construction Progress: April 1 to June 30, 2024

2.3.1 General and Administrative

- The City has completed the TSO milestone requirement of full operation of wastewater treatment facilities in compliance with the State National Pollutant Discharge Elimination System (NPDES) permit and other regulatory requirements.
- Contractor and the City have completed final contract negotiations and have agreed on a global settlement value for potential change orders (PCOs) 122, 123, 126, 131, 138, and 139 for a total value of $575,624.
- The final contract closeout negotiation resulted in a final GMP amount of $79,000,000. This is the Amendment No. 10 amount which was approved by City Council on April 9, 2024.

2.3.2 Area 10 – Sitework

- Completed.

2.3.3 Area 20 – Headworks

- Completed.

2.3.4 Area 30 – Biological Nutrient Removal/Membrane Bioreactor Treatment

- Completed.

2.3.5 Area 50 – Reverse Osmosis/Ultraviolet-Advanced Oxidation Process

- Completed.

2.3.6 Area 60 – Product Water Facilities

- Completed.

2.3.7 Area 70 – Residuals/Sludge Processing

- Completed.

2.3.8 Area 80 – Electrical and Controls

- Completed.

2.3.9 Area 90 – Chemical Storage and Feed

- Completed.

2.3.10 Area 95 – Operations Building

- Building is completed and occupied by City staff.

2.3.11 Area 96 – Maintenance Building

- Building is completed and occupied by City staff.

2.3.12 Areas 14, 15, 16, 17 – City Yard Facilities (Canopies, Shed, Storage, etc.)

- Buildings are completed and occupied by City staff.

2.4 Project Photographs

There are no construction photographs to include since the plant construction is complete and operational.

2.5 Change Order Summary

Table 2 WRC Guaranteed Maximum Price - Change Tracking Log

No.	Item	Approved Amount ($)	Calendar Days	Status
1	New Sodium Hypochlorite Feed for Plant Water	78,576	0	Amendment 1 Executed
2	Change Architecture of Operations Building	(21,623)	0	Amendment 1 Executed
4	Headworks Odor Control	18,422	0	Amendment 1 Executed
5	Remove Canopy and Monorail at MBR	(185,434)	0	Amendment 1 Executed
9	Consolidate Chemical Facilities	218,978	0	Amendment 1 Executed
10	Modify Chemical Piping	(15,856)	0	Amendment 1 Executed
15	Remove Solids Dumpster Lid	14,543	0	Amendment 1 Executed
16	Modify Outfall Pump Station	367,632	0	Amendment 3 Executed
17	Add SAFE Equalization Tank	504,116	0	Amendment 1 Executed
18	Instrumentation and Control Changes	75,266	0	Amendment 1 Executed
19	Reduce Size of the Product Water Tank	(129,681)	0	Amendment 3 Executed
21	Revise Maintenance Building Layout and Size	516,583	0	Amendment 1 Executed
22	Influent Piping and Metering	411,766	0	Amendment 1 Executed
23	Outdoor-Rated Blowers (BNR)	(58,210)	0	Amendment 1 Executed
24	Remove Bypass of Coarse Screens	(37,137)	0	Amendment 1 Executed
26	SAFE Diversion Box Additions	58,304	0	Amendment 1 Executed
28	Size Dewatering as a Building in the Future	30,983	0	Amendment 1 Executed
30	Match Blowers at SHT, BNR, and MBR System	17,426	0	Amendment 4 Executed
31	Coarse Screens and Grit Basins Stairs	52,870	0	Amendment 1 Executed
32	Sulfuric Acid System	315,652	0	Amendment 3 Executed
37	PLC/SCADA Software Uniformity	201,577	0	Amendment 3 Executed
38	IPR Product Water Tank Bypass	(26,087)	0	Amendment 1 Executed
39	NTP Delay	1,220,532	0	Amendment 3 Executed
40	Headworks Valve Automation	249,946	0	Amendment 3 Executed
41	Perimeter Barbed Wire Fence	79,935	8	Amendments 3 & 4 Executed
42	UV/AOP System Modifications	(33,481)	0	Amendment 3 Executed
44	Tank Access Improvements	210,327	0	Amendment 3 Executed
45	Maintenance Building Ceiling and Auto Roll-Up Door	21,009	0	Amendment 3 Executed
46	Curbed Washdown Areas	76,250	0	Amendment 3 Executed
47	Changes to Building Furnishings and Equipment	85,194	0	Amendment 3 Executed
50	Water/Sewer Supply Shed Revisions	13,142	0	Amendment 3 Executed
52	Analyzer Relocation and Enclosures	76,555	0	Amendment 3 Executed
55	Notice of Dispute - PG&E Temporary Power	13,163	0	Amendment 3 Executed
56	Impacts of Water Quality Changes	282,420	0	Amendment 3 Executed

No.	Item	Approved Amount ($)	Calendar Days	Status
57	Soil Lateral Earth Pressure	116,329	0	Amendment 3 Executed
58	Permanent Exclusion Fencing	855,991	0	Amendment 3 Executed
59	Increased Escalation Costs	1,232,677	0	Amendment 3 Executed
60	Weather Delay Impacts	0.00	0	Amendment 6 Negotiation
61	PCO Design Impacts	158,172	0	Amendment 3 Executed
62	Conduit Alternative Design	(268,400)	0	Amendment 3 Executed
64	Reduce Performance Period	(35,450)	0	Amendment 3 Executed
65	Davis Bacon Wage Increases	63,937	0	Amendment 2 Executed
66	Caltrans Intersection Improvements	(21,893)	0	Amendment 3 Executed
67	BNR System Modifications	742,405	0	Amendment 3 Executed
68	SAFE Equalization Settle Tank Drain Piping	62,215	0	Amendment 3 Executed
69	Third Party Testing and Inspection	100,000	0	Amendment 3 Executed
71	CDFW Restrictions (Direct Costs & Inefficiencies)	254,443	0	Amendment 4 Executed
72	Owner Trailer Utility Hook Ups	19,593	0	Amendment 4 Executed
73	Main Gates in Perimeter Fence	27,031	0	Amendment 4 Executed
74	Parking Canopy Electrical Receptacles	42,346	0	Amendment 4 Executed
75	Security Windows at Admin Building	11,079	0	Amendment 4 Executed
76	Additional Sodium Bisulfite Pump	58,243	0	Amendment 4 Executed
77	COVID-19 Impacts	125,000	0	Amendment 6 Executed
78	Soil Slip Differing Site Conditions	280,013	0	Amendment 4 Executed
79	Water/Sewer Shed Revisions (Ref. PCO 50)	10,847	0	Amendment 4 Executed
82	PLC/SCADA Uniformity Complete (Ref. PCO 37)	108,887	0	Amendment 4 Executed
84	Alternate Red Legged Frog Barrier (Ref. PCO 58)	(468,768)	0	Amendment 5 Executed
86	Pothole Existing Water Valve in Teresa Road	5,189	0	Amendment 4 Executed
87	Modify Conduit Design Scope (Ref. PCO 62)	272,822	0	Amendment 5 Executed
88	Dead-Front Control Panels	37,774	0	Amendment 6 Executed
89	Add SCADA Managed IPR Off-Spec Diversion	0.00	0	Amendment 6 Negotiation
90	24 Vdc Digital Output Circuits	25,689	0	Amendment 6 Executed
91	Equipment Color (Tnemec 32GR Light Gray)	12,500	0	Amendment 6 Executed
92	West Cut-Slope Soil Slip Reactivation (2021)	825,300	0	Amendment 6 Executed
93	NEMA 4X Electrical Enclosures	40,000	0	Amendment 6 Executed
94	Security System Revisions	25,659	0	Amendment 6 Executed
96	January 2021 Storm Event (1-26 thru 1-29)	40,195	7	Amendment 6 Executed
97	Hydroseeding Soil Amendment & Coverage	25,932	0	Amendment 8 Approved
98	Materials Testing & Inspection (3rd Party)	143,120	0	Amendment 7 Executed
100	Add Thin-Client Licenses and Work Station	17,229	0	Amendment 7 Executed

No.	Item	Approved Amount ($)	Calendar Days	Status
101	COVID-19 Related Material Cost Escalation	48,744	0	Amendment 7 Executed
102	City Requested SCADA Screen Revisions	60,000	0	Amendment 7 Executed
103	SRF Reimbursement Request Requirements	119,319	0	Amendment 8 Approved
105	WRF Monument Entry Sign Modifications	23,738	0	Amendment 7 Executed
106	Add Wash Rack Grease and Sand Interceptor	35,287	0	Amendment 8 Approved
107	Vactor Unloading Facility Revisions	38,880	0	Amendment 8 Approved
108	Defer SEED PLANT Milestone and Commission	750,000	187	Amendment 8 Approved
109	Procurement of Teletruck for City Staff	74,562	0	Amendment 7 Executed
110	Chem Facility Fencing Revisions	24,767	0	Amendment 7 Executed
113	Modify H_2O SCADA Screen for RO System	13,264	0	Amendment 7 Executed
114	RO/UV Building Insulation (Disputed)	32,025	0	Amendment 7 Executed
117	Water Main Connection on Teresa Road	37,503	0	Amendment 7 Executed
118	Fine Screen LOTO Capability (Disputed)	26,905	0	Amendment 7 Executed
119	Credit for Chemicals Supplied by City	(141,972)	0	Amendment 7 Executed
120	Seed Sludge Maintenance Period	$133,784	0	Amendment 9 Approved
121	Credit for Alternate Frog Barrier (Alum. Top Lip)	(12,000)	0	Amendment 8 Executed
125	Total Chlorine Analyzer at Dechlor Facility	46,146	0	Amendment 9 Approved
128	Granite Material Escalation	63,432	0	Amendment 9 Approved
132.2	Additional Paving at WRC Entrance	53,929	0	Amendment 9 Approved
133	Rancher Gate	2,825	0	Amendment 9 Approved
134	UV Sample Line and UVT Analyzer	37,345	0	Amendment 9 Approved
122	Delay No. 2 (Beyond Seed Sludge Maintenance Period)	575,624	0	Amendment 10 Executed
123	Delay No. 3 (DDW Issues – UVAOP Challenge Test)		0	Amendment 10 Executed
126	V-Ditch Site Security Requirements		0	Amendment 10 Executed
131	SWPPP and Storm Clean-up Costs		0	Amendment 10 Executed
138	V-Ditch Failures, Repairs, Redesign		0	Amendment 10 Executed
139	SRF Billing Administration Effort		0	Amendment 10 Executed
	TOTAL	**$11,765,438**	**202**	Amendment 10 Executed

Abbreviations:
CDFW – California Department of Fish and Wildlife; COVID-19 – Coronavirus Disease 2019; H_2O – water; LOTO – lockout tagout; NEMA – National Electrical Manufacturers Association; PG&E – Pacific Gas and Electric; PLC – programmable logic controller; SCADA – supervisory control and data acquisition; SRF – State Revolving Fund; SWPPP – Stormwater Pollution Prevention Plan; UVT – ultraviolet transmittance; Vdc – volts direct current.

Table 3 WRC Change Order Summary and Current Status

Amendment No. (Status)	Amount ($)
Amendment No. 1 (Executed)	1,636,060
Amendment No. 2 (Executed)	63,937
Amendment No. 3 (Executed)	5,992,218
Amendment No. 4 (Executed)	835,097
Amendment No. 5 (Executed)	(195,945)
Amendment No. 6 (Executed)	1,132,117
Amendment No. 7 (Executed)	359,885
Amendment No. 8 (Executed)	957,418
Amendment No. 9 (Approved)	$409,028
Amendment No. 10 (Approved)	575,624
Total (City Council Approved)	**$11,765,488**

Section 3

CONVEYANCE FACILITIES

3.1 Construction Progress Report – Reporting Period: April 1 to June 30, 2024

This quarterly progress report summarizes the project construction and addresses contract time, change orders, progress, key construction accomplishments, safety and security issues, construction activities, environmental and cultural monitoring, and Davis-Bacon labor compliance issues.

3.2 Project Summary

Table 4 Conveyance Facilities Project Summary

Item	Description
Public Agency Owner	City of Morro Bay
General Contractor	Anvil Builders Inc.
Design Engineer of Record	Waterworks Engineers, LLC.
City's Program Management	Carollo
City's Construction Management	Carollo / Mimiaga Engineering Group Inc.
Advertisement for Bids Date	June 16, 2020
Prebid Conference Date	July 7, 2020
Number of Bidding Amendments Issued	5 Amendments (issued between June 18, 2020, and August 5, 2020)
Bid Opening Date	August 12, 2020
Contract Award by City Council	November 10, 2020
Executed Construction NTP	December 14, 2020
Original Construction Phase Duration	390 Calendar Days (to Substantial Completion)
Original Construction and Closeout Duration	435 Calendar Days (to Final Acceptance)
Construction Phase Time Extensions Approved	282 Calendar Days (through Amendment No. 6)
Revised Construction Phase Durations	672 Days to Substantial Completion - 717 Days to Final Acceptance
Original Substantial Completion Date	January 8, 2022 (NTP+390 Calendar Days)
Current Substantial Completion Date	October 17, 2022 (NTP+672 Calendar Days)
Original Final Acceptance Date	February 22, 2022 (NTP+435 Calendar Days)
Current Final Acceptance Date	December 1, 2022 (NTP+717 Calendar Days)
Original Contract Amount	$31,493,675.00
Current Approved Change Orders	$5,770,931.00 (through Amendment No. 9)
Current Approved Contract Amount	$37,264,606.00 (through Amendment No. 8)
Approved Progress Payments to Date	$37,264,606 (through June 30, 2023 – Pay Estimate No. 27)
Percent Complete – Cost (Contractor Invoiced)	99.4% ($37,064,606 / $37,264,606)
Construction Calendar Days Elapsed	1,294 Calendar Days (12/14/2020 to 3/26/2024)
Percent Complete - Time (Schedule Elapsed)	167% (1,198 days / 717 days)
Percent Construction Complete (Overall)	134% +/- (average of cost & time percent completes)

3.3 Project Scope of Work

- New Sewer Pump Station A.
- New Sewer Pump Station B.
- Connection to Existing Lift Station 2.
- Connection to Existing Lift Station 3.
- Dual Sewer Force Main (< 3 miles).
- Brine (Outfall) Pipeline (< 3 miles).
- IPR Pipeline (> 2 miles).
- Fiber Optic (FO) Conduit and Cable (> 3 miles).
- 60-inch Microtunnel Trenchless Crossing (310 linear feet [LF]).
- 60-inch Auger Bore and Jack Trenchless Crossing (145 LF).
- Utility Pipe Bridge and Abutments (115 LF).
- Electrical Distribution Facilities.
- Emergency Standby Generators.
- Instrumentation and Controls.

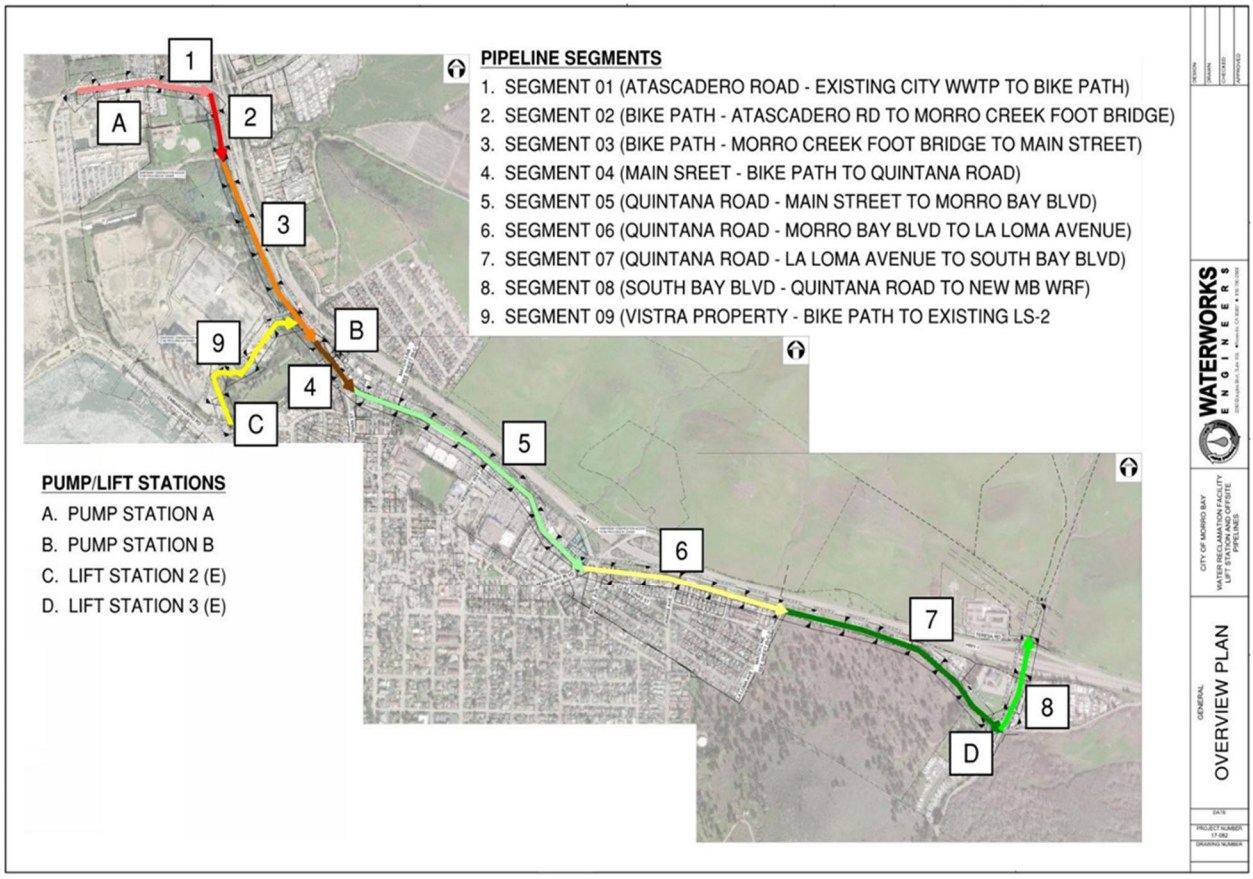

Figure 3 Morro Bay Conveyance Facilities Overview Plan

3.4 Construction Progress: April 1 to June 30, 2024

3.4.1 General and Administrative

- The City has completed the TSO milestone requirement of full operation of the wastewater treatment facilities in compliance with the State NPDES permit and other regulatory requirements.
- Contractor and design engineer are currently working together to resolve the outfall pipeline capacity deficiency issue and are expected to present a path forward to determine a resolution to the Program Team and City later in 2024.
- The Program Management Team and the City reached a negotiation with the Conveyance Facilities Contractor to close out the final contract outstanding change orders for a total amount of $880,000 for the final Amendment No. 9. This was approved by City Council on April 9, 2024.

3.4.2 Segment 1 – Atascadero Road (Existing City Wastewater Treatment Plant to Bike Path)

- Pipelines and other facilities in this segment are completed and in service.

3.4.3 Segment 2 – Bike Path (Atascadero Road to Morro Creek Foot Bridge)

- Pipelines and other facilities in this segment are completed and in service.

3.4.4 Segment 3 – Bike Path (Morro Creek Foot Bridge to Main Street)

- Pipelines and other facilities in this segment are completed and in service.

3.4.5 Segment 4 – Main Street (Bike Path to Quintana Road)

- Pipelines and other facilities in this segment are completed and in service.

3.4.6 Segment 5 – Quintana Road (Main Street to Morro Bay Boulevard)

- Pipelines and other facilities in this segment are completed and in service.

3.4.7 Segment 6 – Quintana Road (Morro Bay Boulevard to La Loma Avenue)

- Pipelines and other facilities in this segment are completed and in service.

3.4.8 Segment 7 – Quintana Road (La Loma Avenue to South Bay Boulevard)

- Pipelines and other facilities in this segment are completed and in service.

3.4.9 Segment 8 – South Bay Boulevard (Quintana Road to New Morro Bay Water Resource Center)

- Pipelines and other facilities in this segment are completed and in service.

3.4.10 Segment 9 – Vistra Property (Bike Path to Existing Lift Station 2)

- Pipelines and other facilities in this segment are completed and in service.

3.4.11 New Pump Station A

- Pump station facility is completed and in service.

3.4.12 New Pump Station B

- Pump station facility is completed and in service.

3.4.13 Existing Lift Station 2

- Pump station connection is completed and in service.

3.4.14 Existing Lift Station 3

- Connection to existing Lift Station 3 was completed.

3.5 Project Photographs

There are no construction photographs to include since the plant construction is complete and operational.

3.6 Change Order Summary

Table 5 Conveyance Facilities Pending Change Orders

No.	Item	Approved Amount ($)	Calendar Days	Status
1	SHPO Work Suspension	443,000	40	Amendment 1 Executed
2	Add 2 Each 10-inch Valves and 10-inch Tee	23,498	0	Amendment 1 Executed
3	PS-B MAS-Relay Module per DC-01	13,477	0	Amendment 1 Executed
4	PS-A and PS-B Conduit Changes per DC-02	6,436	0	Amendment 1 Executed
5	Pump Station A Excavation NPDES Dewatering Permit	55,856	0	Amendment 7 Approved
6	Add Atascadero Gravity Sewer Pipeline			Withdrawn / Resolved
7	Water Relocation Conflict at Station 71+00	131,096	0	Amendment 1 Executed
8.1	Additional Project Signage Costs	9,196	0	Amendment 3 Executed
8.2	Additional Project Signage Costs	3,856	0	Amendment 7 Approved
9.1	Southern California Gas Delays and Disruptions	43,017	0	Amendment 2 Executed
9.2	Southern California Gas Delays and Disruptions	20,750	0	Amendment 3 Executed
10	Reroute Joint Trench for DDW Clearance			Withdrawn / Resolved
11	Reroute IPR and Water at Station 144 Culvert	103,893		Amendment 4 Executed
12	CA-SLO-2232H Work Interruptions	56,978	0	Amendment 1 Executed
13	Utility Bridge Abutment Changes	500,000	60	Amendment 5 Executed
13.1	CA-SLO-16 Work Revisions	0.00	153	Amendment 3 Executed
14	Notice of Microtunneling Obstructions			Withdrawn / Resolved
15	FO Conduit at Station 88 Not Found			Withdrawn / Resolved
16	Reroute Joint Trench at State Water Line	144,616	0	Amendment 3 Executed
17	Add Tracer Wire to IPR Lines	108,521	0	Amendment 5 Executed
18	Add and Delete Pipe Joint Fittings			Withdrawn / Resolved
19	Remove City's Existing Desal Media Tank	54,189		Amendment 4 Executed
20	Pothole Utilities for Pilot Well Layout	15,291	0	Amendment 3 Executed
21	Assist City with Sewer Line Repair			Withdrawn / Resolved
22	6-Inch Waterline Relocation at PS-A	20,147	0	Amendment 2 Executed
23.1	Miscellaneous Unforeseen Utility Work – Part 1	27,198	0	Amendment 2 Executed
23.2	Miscellaneous Unforeseen Utility Work – Part 1	17,949	0	Amendment 7 Approved
24	PS-A and PS-B Generators Storage Cost			Withdrawn / Resolved
25	Material Cost Escalation – Part 1	292,000	0	Amendment 5 Executed
25.1	Material Cost Escalation – Part 2	441,351	0	Amendment 9 Executed
26	Relocate 12-inch RO Waterline at Station 87+00	130,452	6	Amendment 6 Approved

No.	Item	Approved Amount ($)	Calendar Days	Status
27	Undisputed MTBM Delays and Disruptions	111,161	0	Amendment 2 Executed
28	SLO APCD Generator Mandates	301,703	0	Amendment 2 Executed
28.1	SLO APCD Generator Mandates (Rescind)	(301,703)	0	Amendment 4 Executed
29	Alternate TCP at Kings and Las Tunas			Withdrawn / Resolved
30.1	Bike Path Joint Trench and Waterline Re-Design	5,635	0	Amendment 8 Executed
31	Existing SD Collapse at Station 63+97	7,389	2	Amendment 6 Executed
32	Broken Waterline at Quintana & Kings	6,198	0	Amendment 3 Executed
33	Drainage Revisions Near Todd's Garage	6,895		Amendment 4 Executed
33.1.1	Paving Limit Revisions	537,118	0	Amendment 8 Executed
34	Bike Path Jack and Bore Obstruction	84,276	0	Amendment 2 Executed
35	RO Brine Line Discharge to WRF Outfall	200,000	12	Amendment 6 Executed
36	DDW Initiated Realignments Stations 99 - 116	82,892	2	Amendment 6 Executed
37	Restoration of Quintana due to Weather	13,000	0	Amendment 6 Executed
38	Cultural Monitor "No Shows"			Withdrawn / Resolved
39	Cultural Extra Work at MTBM Launch Pit	45,266	0	Amendment 3 Executed
40	Weather Days (non-compensable)			Tracking rain days in excess of 20
41	Unknown Cement Subgrade at South Bay	26,600	0	Amendment 4 Executed
42	Unknown Conduits at South Bay and Quintana	7,788	0	Amendment 4 Executed
43	City Back-Charge Expenses			Withdrawn / Resolved
44	LS-2 Alignment ESA Fence Installation			Withdrawn / Resolved
45	Atascadero BR Realignment	34,023	0	Amendment 6 Approved
46	Unknown Utilities at South Bay and Caltrans			Withdrawn / Resolved
47	Utility Bridge Casing / Piping Issues	99,587		$99K Submitted / City Rejected
48	Bedrock Below Paving at Teresa Road			Withdrawn / Resolved
49	LS-2 Alignment Revisions	48,273		Amendment 4 Executed
50	Relocate Water and Sewer on Teresa Road	210,000	0	Amendment 5 Executed
51	Add Backflow Devices at RO Discharge			Withdrawn / Resolved
52	High Level Switch Alarm at Utility Bridge	8,743	0	Amendment 5 Executed
52.2	High Level Switch Alarm at Utility Bridge	28,627	0	Amendment 8 Executed
53	PS-B Grading and Drainage Revisions	65,102	5	Amendment 6 Executed
54	Extend Spare FO Conduits to Grade			Withdrawn / Resolved
55	HDPE for City Emergency Leak Response	1,338	0	Amendment 6 Executed
56	FO Design Revisions and Upgrades	134,605	0	Amendment 8 Resolved
57	FCA Restraint Rods and Lugs at PS	47,647	0	Amendment 6 Executed
58	Wet Well Piping Fit-up Bolts to 316SS	9,963	0	Amendment 6 Executed
59	PS-A Retaining Wall Revision	20,837	0	Amendment 6 Executed
60	Anvil Acceleration & Extended Overhead Claim	326,793	0	Amendment 9 Executed
61	City Sale Tax Increase	134,403	0	Amendment 5 Executed

No.	Item	Approved Amount ($)	Calendar Days	Status
63	Wet Well Pump Concrete Pedestal			Withdrawn / Resolved
64	Existing LS 3 Connection and Utility Conflicts	71,000	0	Amendment 8 Executed
65	Relocate New Diversion MH and replace exist MH	296,404	0	Amendment 8 Executed
66	Repair Leaking City Waterline at North Abutment	10,958	0	Amendment 7 Executed
67	Waterline Replacement Conflicts near Mortuary	86,171	0	Amendment 8 Executed
68	Waterline Breaks on Atascadero Road	34,120	2	Amendment 6 Executed
69	Tie-in HDPE Lines at WRC	18,705	0	Amendment 8 Executed
70	Install Existing WWTP Temp Flush Line			Withdrawn / Resolved
71	Reroute Sewage Back to the Old Plant on 10/11	59,642	0	Amendment 8 Executed
73	Guide Rail Modifications at Wet Wells	32,756		Amendment 8 Executed
74	Temporary Flood Alarm at Utility Bridge North Abutment	48,620	0	Amendment 9 Executed
75	Additional Bollards Required by PG&E at Pump Stations	15,013	0	Amendment 7 Executed
78	Change in 1-inch AIR-DR piping to Stainless Stees (DC No. 35)	16,839	0	Amendment 7 Executed
80	Repair existing leaking RO line at PS-A (Pre-Existing Leak)	4,499	0	Amendment 7 Executed
81	Additional Striping Costs for Thermoplastic Striping	39,226	0	Amendment 9 Executed
82.2	Additional Flatwork Concrete	62,920	0	Amendment 8 Executed
83	Existing Waterline Replacement at PS-A	117,664	0	Amendment 8 Executed
84	Disputed Caltrans R/W Restoration Costs	10,885	0	Amendment 8 Executed
86	Transport FPVC Pipe to WRC Site	1,770	0	Amendment 8 Executed
87	Relocating Temporary Fence on Bike Path	4,201	0	Amendment 9 Executed
89.1	Fencing Modifications	33,980	0	Amendment 8 Executed
90	PS-A and PS-B VFD Auto-Reset Due to Voltage Drops	12,3920	0	Amendment 8 Executed
91	Additional Grading in Maintenance Yard at PS-A	19,809	0	Amendment 9 Executed
94	Standby Excavator at Morro Creek for Rain Event	8,402	0	Amendment 8 Executed
96	Raise FO Box at FBV Paving Error	5,089	0	Amendment 8 Executed
98	Credit for Deleting 36-inch Storm Drain	(207,000)	0	Amendment 8 Executed
	Total	**$5,770,931**	**282**	**Through Amendment No. 9**

Abbreviations:
APCD – Air Pollution Control District; BR – brine; CA-SLO – California-San Luis Obispo; Caltrans – California Department of Transportation; ESA – environmentally sensitive area; FBV – Filanc, Black & Veatch; FCA – flanged coupling adapter; FPVC – fusible polyvinyl chloride; HDPE – high-density polyethylene; LS – lift station; MH – manhole; MTBM – microtunnel boring machine; PS – pump station; R/W – right-of-way; SD – storm drain; SHPO – State Historical Preservation Officer; SLO - San Luis Obispo; TCP – traffic control plan; VFD – variable frequency drive.

Table 6 Conveyance Facilities Executed Change Orders

Change Order No. (Status)	Amount ($)
Amendment No. 1 (Executed)	674,485
Amendment No. 2 (Executed)	587,502
Amendment No. 3 (Executed)	241,317
Amendment No. 4 (Executed)	(54,065)
Amendment No. 5 (Executed)	1,253,667
Amendment No. 6 (Executed)	646,763
Amendment No. 7 (Executed)	$124,970
Amendment No. 8 (Executed)	$1,416,292
Amendment No. 9 (Executed)	$880,000
Total (City Council Approved)	**$5,770,931**

Section 4

RECYCLED WATER FACILITIES PROJECT

4.1 Pre-Construction Progress Report – Reporting Period: April 1 to June 30, 2024

This quarterly progress report summarizes the project planning and construction and addresses contract time, change orders, progress, key construction accomplishments, safety and security issues, construction activities, environmental and cultural monitoring, and Davis-Bacon labor compliance issues.

4.2 Pre-Construction Project Summary

Table 7 Recycled Water Facilities Project Summary

Item	Description
Public Agency Owner	City of Morro Bay
General Contractor	Not known
Pre-Design Hydrogeological Consultant	GSI Water Solution, Inc.
Design Engineer of Record	TBD
City's Program Management	Confluence Engineering Solutions
City's Construction Management	TBD
Design Percent Complete	10%
Pilot Injection Well Construction Bid Date	March 22, 2022
Pilot Injection Well Construction Contract Amount	$356,625
Pilot Injection Well Construction Final Contract Amount	$356,585
Pilot Injection Well Construction Completion Date	January 3,2023
Advertisement for Bids Date	Estimated March 2025
Prebid Conference Date	Estimated April 2025

Item	Description
Number of Amendments Issued	3
Bid Opening Date	Estimated April 2025
Engineer's Estimate of Cost	Estimated February 2025
Executed Construction NTP	Estimated May 2025
Original Substantial Completion Date	November 1, 2023
Original Final Completion Date	N/A
Original Construction Phase Duration	14 months, June 2025 – August 2026
Construction Phase Time Extensions	TBD
Revised Construction Phase Duration	TBD
Current Substantial Completion Date	July 2026
Current Final Completion Date	TBD
Original Contract Amount	$4,400,000
Current Executed Change Orders	-$40
Current Contract Amount	$6,395,524
Approved Progress Payment to Date	$366,975
Percent Complete – Cost (Contractor Invoiced)	5.7%
Construction Calendar Days Elapsed	0 Calendar Days
Percent Complete – Time (Schedule Elapsed)	0%
Percent Construction Complete (Overall)	5.7%

Abbreviations:
N/A – not applicable; TBD – to be determined.

4.3 Planned Project Scope of Work

- Off-site recycled potable reuse facilities including pipelines, injection wells, monitoring well, etc.
- Implementation of groundwater augmentation in the Morro Groundwater Basin.

4.4 Pre-Construction Progress: April 1 to June 30, 2024

- On April 29, 2024, City staff and the Recycled Water Program Team toured the Goleta Water District's Injection Well Facilities.
- On May 6, 2024, City staff and the Recycled Water Program Team released a request for proposals (RFP) for the procurement of hydrogeologic support services for injection well design and construction support:
  - On May 14, 2024, City staff and the Recycled Water Program Team held a pre-proposal meeting for the hydrogeologic support services for injection well design and construction support RFP.
- On April 11, 2024, City staff and the Recycled Water Program team coordinated with the United States Environmental Protection Agency (USEPA) to request a five-year extension of the Programmatic Agreement between the USEPA and the SHPO.
- On May 1, 2024, City staff and the Recycled Water Program Team received notification from the USEPA that the requested expansion of the Area of Potential Effect for the Programmatic Agreement was approved by the SHPO for Phase 3 of the WRF Project.

- On May 23, 2024, the City submitted a Nitrate Blending Operations, Maintenance, and Monitoring Plan (OMMP) and Drinking Water System permit amendment application to the DDW for approval consideration. The Nitrate Blending OMMP and Drinking Water System permit amendment are needed to allow for the completion of the interim tracer study test:
  - On June 18, 2024, the City received notification from DDW that the Nitrate Blending OMMP and Drinking Water System permit amendment were approved.
- On June 11, 2024, the City Council selected the Cannon Corporation for engineering design services for the injection wells and recycled water pipelines and approved contract amendments for Program Management, Permitting Support, and Hydrogeologic Support Services.
- Between June 12, 2024, and June 21, 2024, City staff and the Recycled Water Program Team oversaw the completion of archeological and hydrogeologic coring/testing at the proposed injection well locations and archeological testing along the proposed pipeline alignments.
- On June 18, 2024, the updated intermediate tracer test plan was completed and submitted to the Central Coast RWQCB as part of the renewal of the City's Pilot Aquifer Storage and Recovery Permit.
- During the second quarter of 2024, City staff and the Recycled Water Program Team coordinated with the Bureau of Reclamation to modify grant agreement materials and continue preparation of the Title XVI Grant Agreement.
- During the second quarter of 2024, City staff and the Recycled Water Program Team continued preparation of the Report of Waste Discharge Application and Engineers Report for the Recycled Water Program permitting.

4.5 Project Photographs

Please see the photographs taken during the archeological/hydrogeological testing for the injection well locations and pipeline alignments:

Well Site Coring – Sonic Boring No. 8 (SB No. 8)

Well Site After Coring and Filling (SB No. 7)

Well Site Cores (Deep Sonic Cores)

Well Site Cores (Deep Sonic Cores)

Pipeline Alignment Cores (Shallow Cores)

Pipeline Alignment Cores (Shallow Cores)

4.6 Change Order Summary

- N/A (main project work has not commenced).

4.7 Problems Encountered/Solutions/Status

- N/A (main project work has not commenced).

Section 5

ENVIRONMENTAL/REGULATORY COMPLIANCE

This quarterly progress report section summarizes the City's environmental and regulatory compliance pursuant to oversight by the following regulatory agencies: State Water Resources Control Board, CDFW, United States Fish and Wildlife Service, USEPA, California Coastal Commission, SLO County APCD, SHPO, Central Coast RWQCB, and the City. Specific activities are summarized in Appendix A. Copies of supporting compliance documentation are available upon request.

Appendix A

ENVIRONMENTAL/REGULATORY COMPLIANCE SUMMARY

MORRO BAY OUR WATER
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WATER RECLAMATION FACILITY
ENVIRONMENTAL/REGULATORY COMPLIANCE SUMMARY

UPDATED: June 30th, 2024

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Agency	Reference Document	Document Reference	Measure Focus	Measure	Phase 1 Water Reclamation Facility (WRF) Compliance Activities (4/1/2024 through 6/30/2024)	Phase 2 Conveyance Facilities Compliance Activities (4/1/2024 through 6/30/2024)	Phase 3 Recycled Water Facilities Compliance Activities (4/1/2024 through 6/30/2024)
NOTE THAT BOTH WRF AND CONVEYANCE PROJECTS ARE COMMISSIONED AND THE CITY'S ISSUANCE OF SUBSTANTIAL COMPLETION DOCUMENTS IS PENDING. AS SUCH IT IS ANTICIPATED THAT MANY OF THE BELOW STIPULATIONS AND CONSTRUCTION DURATION REQUIREMENTS WILL BE RESOLVED IN THE NEXT QUARTERLY REPORT UPDATE.							
United States Fish and Wildlife Service	Biological Opinion	Biological Opinion	Tidewater Goby Item 1	The applicant will implement erosion and sedimentation control measures (e.g., silt fences, straw bales or wattles) in all areas where disturbed substrate may potentially wash into waters via rainfall or runoff, particularly around stockpiled material and at the downstream end of each project reach. Such measures should remain in place and be inspected periodically until the project is complete and exposed soils are stabilized. Diversion structures, sediment traps/basins and associated equipment (e.g., pumps, lines) will be maintained in optimal working condition for the entire duration of the preparation and construction periods.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 2	Prior to the start of work, the contractor will prepare a spill prevention plan to ensure prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur. All project-related hazardous materials spills within the project site will be cleaned up immediately. Spill prevention and cleanup materials will be on-site at all times during the course of the project.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 3	All refueling, maintenance, and washing of equipment and vehicles will occur on paved areas in a location where a spill would not travel into a drainage feature or storm drain inlet. This fueling/staging area will conform to Best Management Practices applicable to attaining zero discharge of stormwater runoff into waters of the U.S. and State of California. At a minimum, all equipment and vehicles must be checked and maintained on a daily basis to ensure proper operation and avoid potential leaks or spills. Washing of equipment will occur only in a location where polluted water and materials can be contained for subsequent removal from the site.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 4	A designated concrete washout location will be established onsite, in an area at least 50 feet from any drainage feature or storm drain inlet. The washout will be maintained and inspected weekly, and will be covered prior to and during any rain event. If a container is used, concrete debris will be removed whenever the washout container reaches the half full mark.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 5	Best Management Practices for dust abatement will be a component of the project's construction documents. Dust control requirements will be carefully implemented to prevent water used for dust abatement from transporting pollutants to storm drains leading to the creek channel.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 6	The applicant will prepare a frac-out contingency plan prior to initiation of construction activities that involve horizontal direction drilling activities. The applicant will implement the frac-out contingency plan during horizontal directional drilling construction activities. At a minimum, the plan will include the following: (a) Measures to minimize the potential for a frac-out associated with horizontal directional drilling activities; (b) Provide for the timely detection of frac-outs; (c) Protect areas that are considered environmentally sensitive (streams, wetlands, other biological resources, cultural resources); (d) Ensure an organized, timely, and "minimum-impact" response in the event a frac-out and the release of drilling mud occurs; and (e) Ensure that all appropriate notifications are made to the appropriate environmental specialists immediately (e.g., qualified biological monitor), and to appropriate regulatory agencies within 24 hours and that documentation is completed.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Morro Shoulderband Snail Item 1	A Service-approved biologist will survey for Morro Bay Shoulderband snails no more than 48 hours before initial ground-disturbing and vegetation-clearing activities that occur on dune land or Baywood fine sand. The Service-approved biologist will monitor all construction activities occurring on dune land or Baywood fine sand. If the species is located during any of these pre-activity surveys or during subsequent project activities, the Service will be contacted immediately and activities will halt in that particular area until it is determined what actions may be necessary to avoid take of the snail.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Morro Shoulderband Snail Item 2	Any equipment use, materials stockpiling, lift station construction, or any other uses proposed on the north side of Atascadero Road opposite the existing treatment plant will be setback from any potentially suitable habitat. If construction adjacent to potentially suitable Morro Shoulderband snail habitat occurs during the winter rain season, a Service-approved biologist will survey the work area immediately following rain events or dense fog conditions to ensure that no Morro Shoulderband snails have entered the site.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Morro Shoulderband Snail Item 3	Silt fence will not be used to exclude Morro Shoulderband snails from work areas where suitable sandy soils and habitat may be present. Work areas in sandy soils near potential Morro Shoulderband snail habitat will be clearly delineated with flagging and/or stakes to limit the boundaries of work areas and confine them to developed and paved areas. If silt fencing must be used for other reasons in areas near potential Morro Shoulderband snail habitat, additional measured developed by a Service-approved biologist will be implemented to avoid harm to the Morro Shoulderband snail.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog DESCRIPTION OF THE PROPOSED ACTION Biological Opinion p. 6	The permanent fencing will include a concrete exclusion barrier along the eastern boundary of the site that extends 24 inches above grade. The top of the concrete exclusion barrier will include a six-inch lip that will serve as a climbing barrier for the California red-legged frog (CRLF). Affixed to the top of the concrete exclusion barrier will be a six-foot chain link fence with privacy slats. The remaining perimeter of the site will include a six-foot chain link fence with privacy slats.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase

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WATER RECLAMATION FACILITY
ENVIRONMENTAL/REGULATORY COMPLIANCE SUMMARY

UPDATED: June 30th, 2024

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Agency	Reference Document	Document Reference	Measure Focus	Measure	Phase 1 Water Reclamation Facility (WRF) Compliance Activities (4/1/2024 through 6/30/2024)	Phase 2 Conveyance Facilities Compliance Activities (4/1/2024 through 6/30/2024)	Phase 3 Recycled Water Facilities Compliance Activities (4/1/2024 through 6/30/2024)
United States Fish and Wildlife Service	Biological Opinion	Biological Opinion Amendment	California Red Legged Frog Biological Opinion Amendment dated 1/6/2021	The proposed changes include using a high density polyethylene (HDPE) exclusion barrier along the facility's eastern edge as it interfaces with the Drainage 3 corridor, in place of the concrete barrier described in the biological opinion. The concrete barrier would still be used in the southeastern part of the site along the access road. The HDPE exclusion barrier would be installed 36 inches below grade and extend 24 inches above grade. It has a 15 to 30 year life expectancy, compared to the 50 to 100 year life expectancy of the concrete barrier. The HDPE barrier would have a 4-inch overhanging lip at the top of the fence to deter climbing California red-legged frogs, while the concrete barrier would have a 6-inch lip. The City of Morro Bay (applicant) will conduct quarterly inspections of the barrier for signs of wear or damage and provide immediate repairs as needed. The applicant expects that only the above-ground portion of the barrier will need to be replaced in the future, because the below-ground barrier will be protected from sunlight, weather, and other potential damage. In the event that a complete barrier replacement is required, the applicant will contact the U.S. Fish and Wildlife Service (Service) for guidance prior to completing replacement. The applicant will document instructions to contact the Service in the event of a complete barrier replacement in their written protocols for fence maintenance.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Biological Opinion Amendment	California Red Legged Frog Biological Opinion Amendment (issue dated pending)	This second amendment covers the additional surface disturbance to grassland areas associated with the west cut-slope landslide and subsequent remediation. The coordination and correspondence between the City and USEPA/USFWS documents the extent of area disturbed by the landslide, field investigations and repair design, major earthwork remediation activities, and grasslands restoration.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog DESCRIPTION OF THE PROPOSED ACTION Biological Opinion p. 6	Permanent night lighting will be minimal with low intensity and will follow current City of Morro Bay and County of San Luis Obispo policies to prevent spillover into open space areas.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog DESCRIPTION OF THE PROPOSED ACTION Biological Opinion p. 7	The applicant proposes to mitigate for the loss of California red-legged frog critical habitat through the on-site conservation of 19.5 acres of dispersal habitat, on the same parcel where the Water Reclamation Facility would be located. The applicant will achieve protection through a conservation easement or another appropriate and feasible mechanism. The applicant will develop the protection in coordination with the Service and complete protection within 12 months of initiating project activities. The construction process will disturb nine acres of the proposed mitigation area by grading and installing fourteen drainage swales. The drainage swales would be concrete-lined with sides at a 1:1 slope. The applicant will revegetate the disturbed areas and return them to grassland.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog DESCRIPTION OF THE PROPOSED ACTION Biological Opinion p. 7	The applicant's Coastal Development Permit, issued by the Coastal Commission of California, obligates the applicant to restore and enhance 1.5 acres of riparian zone. These acres are located between the Water Reclamation Facility's eastern fence line and the property boundary parallel to Drainage 3. The applicant will plant native trees, shrubs, and grasses to enhance the riparian area. A restoration ecologist will monitor the riparian restoration zone for five years or until restored areas have met success criteria. The proposed riparian restoration zone connects with the proposed compensatory mitigation acres at the north end of the facility.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 1	Only Service-approved biologists will participate in activities associated with the capture, handling, and relocation of California red-legged frogs.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 2	The applicant will submit the names and resumes of a qualified biologist and qualified biological monitor for approval by the Service at least 14 days prior to the start of work. Ground disturbance will not begin until written approval is received from the Service that project biologist(s) are qualified to conduct the work.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 3	A Service-approved biologist will survey the project site no more than 48 hours before the onset of work activities. The Service-approved biologist will survey a 500-foot buffer zone upstream and downstream of the construction area for California red-legged frogs, as feasible, in consideration of the private property in the area. The Pre-Construction Survey will include a description of any standing or flowing water present in the drainage feature in proximity to the WRF construction area. If any life stage of the California red-legged frog is found and these individuals are likely to be killed or injured by work activities, the approved biologist will be allowed sufficient time to move them from the site before work begins. The Service-approved biologist will relocate the California red-legged frogs the shortest distance possible to a location that contains suitable habitat and that will not be affected by activities associated with the project. The relocation site will be in the same drainage to the extent practicable. The Service-approved biologist will coordinate with the Service on the relocation site prior to the capture of any California red-legged frogs.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 4	A Service-approved biologist will be present at the work site until all California red-legged frogs have been relocated out of harm's way, workers have been instructed, and disturbance of habitat has been completed. After this time, the Service-approved biological monitor will ensure and document on-site compliance with all minimization measures. Biological monitoring will occur for all initial disturbance activities, and then will be scaled back to an as-needed basis once all habitat was removed for any activity occurring near a drainage feature or other environmentally sensitive habitat area. Biological monitoring will occur on a daily basis during the rainy season for any construction related activities at the WRF site. The Service-approved biologist will ensure that this monitor receives training on the minimization measures. If the Service-approved biological monitor or the Service-approved biologist recommends that work be stopped because California red-legged frogs would be affected in a manner not anticipated by the EPA and the Service during review of the proposed action, they will notify the project manager (the manager that is directly overseeing and in command of construction activities) immediately. The project manager will either resolve the situation by eliminating the adverse effect immediately or require that all actions causing these effects be halted. At this time, the Service-approved biologist may be called to relocate the California red-legged frog(s) out of harm's way.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 5	Before the start of any construction activities at the Water Reclamation Facility, the applicant will erect a combination silt, safety, and wildlife exclusion fence around the entire site. The entire site will include all disturbed areas and areas utilized by the applicant and its contractors for temporary construction laydown and stockpiling. The fence will have a minimum height of 36 inches above ground, a trench depth of at least six inches, and a minimum five-inch overhang that will serve as a climbing barrier for California red-legged frogs. To allow for site access, a temporary chain link fence gate will be erected at the head of the access road at Teresa Road. The exclusion fencing material will be affixed to the chain link fence gate and will be equipped with ground sweeps. The temporary construction fence will be monitored on a daily basis during the winter rain season (October 15 through April 15) and will remain in place until after substantial completion of the Water Reclamation Facility following the completion of the permanent exclusion fencing system.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.

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United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 6	Prior to the commencement of construction-related activities, and for the duration of proposed construction activities, all construction workers will attend an Environmental Awareness Training and Education Program, developed and presented by the Service-approved biologist. The program will include information such as identification, habitat description, and protection under the Federal Endangered Species Act. The training will include detailed information about California red-legged frog and its habitat, the specific measures that are being implemented to conserve the California red-legged frog for the project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session as determined by the Service-approved biologist. Workers will be required to sign an acknowledgement form and will receive a hard hat sticker documenting their completion of the environmental awareness training.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 7	Before ground disturbing work activities begin each day, the Service-approved biological monitor will conduct a pre-construction survey and inspect under construction equipment and materials to look for California red-legged frogs. If a California red-legged frog is found during these checks or during construction, the Service-approved biological monitor will halt work that may affect the animal until the Service-approved biologist can move it out of harm's way.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 8	The Service-approved biologist will be present at the work site during initial site disturbance activities, including installation of exclusion fencing, erosion and sediment controls, and until the applicant has completed all surface disturbance. For work during the rainy season when California red-legged frogs may be moving through the project area, the biological monitor will conduct daily clearance surveys each morning prior to the start of work to ensure California red-legged frogs have not moved into the area and the wildlife exclusion fence is in good condition. If a California red-legged frog is observed within the biological monitoring area, the biological monitor will immediately contact the construction superintendent and evaluate the location of the frog in relation to ongoing work. If the frog is located within the work area, all work within 200 feet of the individual will be halted, and the individual will be allowed to leave the area under its own volition, or the Service-approved biologist may be called to capture and relocate the individual. The biological monitor will also provide additional training to the project's key construction management personnel on all environmental requirements associated with the project, so they can ensure all avoidance and minimization measures for biological resources are followed when the biological monitor is not present.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 9	Prior to the start of work, the contractor will prepare a Spill Prevention Plan to ensure prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur. All project-related hazardous materials spills within the project site will be cleaned up immediately. Spill prevention and cleanup materials will be on-site at all times during the course of the project. During construction/ground disturbing activities, all refueling, maintenance, and staging of equipment and vehicles will be located at least 100 feet from a drainage feature in a protected location where any potential spill would be contained and not drain directly toward aquatic habitat. The construction superintendent with support from the biological monitor will ensure contamination of habitat does not occur during such operations.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 9a	All refueling, maintenance, and washing of equipment and vehicles will be located on paved areas in a location where a spill will not travel into a drainage feature or storm drain inlet. This fueling/staging area will conform to Best Management Practices (BMPs) applicable to attaining zero discharge of stormwater runoff into waters of the U.S. and State of California. At a minimum, all equipment and vehicles must be checked and maintained on a daily basis to ensure proper operation and avoid potential leaks or spills. Washing of equipment will occur only in a location where polluted water and materials can be contained for subsequent removal from the site.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 9b	A designated concrete washout location will be established onsite, in an area at least 50 feet from any drainage feature or storm drain inlet. The washout will be maintained and inspected weekly, and will be covered prior to and during any rain event. If a container is used, concrete debris will be removed whenever the washout container reaches the 1/2 full mark.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 9c	BMPs for dust abatement will be a component of the project's construction documents. Dust control requirements will be carefully implemented to prevent water used for dust abatement from transporting pollutants to storm drains leading to the creek channel.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 10	To prevent inadvertent entrapment during construction, all excavated, steep-walled holes or trenches will be covered with plywood or similar materials at the close of each work day, or provided with one or more escape ramps constructed of earth fill or wooden planks. If trapped California red-legged frogs are observed, the Service-approved biologist will relocate the California red-legged frog.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 11	During project activities, all trash that may attract predators will be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris will be removed from work areas.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 12	Spoils will be stockpiled in disturbed areas that lack native vegetation. BMPs will be employed to prevent erosion in accordance with the project's approved Stormwater Pollution Prevention Plan.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase

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United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 13	Vehicular traffic to and from the WRF construction site will use existing routes of travel. Cross-country vehicle and equipment use outside designated work areas will be prohibited.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 14	Areas of disturbance will be minimized to the maximum extent practicable. Parking areas, new roads, staging, storage, excavation access routes, and disposal or temporary placement of spoils will be confined to the smallest areas possible. These areas will be flagged and disturbance activities, vehicles, and equipment will be confined to these flagged areas. Construction-related activities outside of the impact zone will be avoided.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 15	Nighttime lighting during construction of the WRF will be minimized to the maximum extent practicable. While regular nighttime work is not anticipated, nighttime lighting may be required during construction, but mitigation measures are required to ensure the lighting is shielded and pointed away from sensitive receptors such as the surrounding open space areas.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 16	Workers will be prohibited from bringing pets and firearms to the project site and from feeding wildlife.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 17	To ensure that diseases are not conveyed between work sites by the Service-approved biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force will be followed at all times.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 18	The project proponent will conduct regular inspections and maintenance of the slatted chain link fence in order to ensure slats are in good condition to prevent entry of California red-legged frogs. This will occur at least twice yearly, with one inspection occurring within one month of the onset of the rainy season. The rainy season is defined as between October 15 and April 15.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 19	The applicant will develop and implement a revegetation plan that includes: location of the restoration, plant species to be used, restoration techniques, time of year the work will be done, identifiable success criteria for completion, and remedial actions if the success criteria are not achieved. All areas of temporary disturbance will be revegetated with an assemblage of native species, and locally collected plant materials will be used to the extent practical. All areas revegetated due to temporary disturbance will be monitored by a qualified biologist/restoration ecologist for five years following seeding and planting activities or until the final success criteria have been met.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 20	Any use of herbicides during the routine maintenance landscaping and revegetated areas which occurs outside Water Reclamation Facility fence will be minimized.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
United States Fish and Wildlife Service	Biological Opinion	Reporting Requirements	California Red Legged Frog REPORTING REQUIREMENTS Biological Opinion p. 31	Pursuant to 50 CFR 402.14(i)(3), EPA must report the progress of the action and its impact on the species to the Service as specified in this incidental take statement. The applicant, through a qualified botanist, will monitor the success of revegetation actions on areas of temporary disturbance for a period of 5 years after revegetation takes place. The EPA or applicant will provide yearly reports to the Service by January 31 of each year during the construction phase of the project. These reports will include the number and age class of California red-legged frogs that have been captured and relocated, and that have been found injured or dead. These reports will also include the dates and results of inspections of the chain link fence, as well as any repairs that were made to the fence, an analysis of whether the chain link fence is successful in excluding California red-legged frogs, and any suggestions for improvement.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	WRF Development Envelope Special Condition 1(a)	All WRF development shall be located within the development envelope as shown in CDP Exhibit 1.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.

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California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Rural Agricultural Theme Special Condition 1(b)	The design and appearance of all WRF development shall reflect a rural agricultural theme (i.e., simple and utilitarian lines and materials, including use of board-and-batten siding, corrugated metal, muted earth tone colors, etc.).	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Pump Stations and Related Development Design Special Condition 1(c)	All pump stations and related development design shall be sited and designed to limit impacts on public views as much as possible, including landscaping.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Landscaping Special Condition 1(d)	Landscaping shall consist of native, non-invasive, and drought tolerant species that provide appropriate screening and softening of development features in public views as much as possible.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Lighting Minimization Special Condition 1(e)	Exterior lighting shall be wildlife-friendly, shall use lamps that minimize the blue end of the spectrum, and shall be limited to the minimum lighting necessary for pedestrian and vehicular safety purposes. All lighting (exterior and interior) shall be sited and designed so that it limits the amount of light or glare visible from Highway 1 to the maximum extent feasible (jincluding through uses of lowest luminosity possible, directing lighting downward, etc.).	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Windows and Other Surfaces Special Condition 1(f)	All windows shall be non-glare glass, and all other surfaces shall be similarly treated to avoid reflecting light, and all windows shall be bird-safe (i.e., windows shall be frosted, partially frosted, or otherwise treated with visually permeable barriers that are designed to prevent bird strikes).	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Utilities Special Condition 1(g)	Revised Final Plans shall clearly identify all utilities.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Stormwater and Drainage Special Condition 1(h)	...all project area stormwater and drainage is filtered and treated to remove expected pollutants prior to discharge and directed to existing stormwater inlets/outfalls as much as possible. Infrastructure and water quality measures shall retain runoff from the project onsite to the maximum extent feasible, including through the use of pervious areas, percolation pits and engineered storm drain systems. Infrastructure and water quality measures shall be sized and designed to accommodate runoff from the site produced from each and every storm event up to and including the 85th percentile 24-hour runoff event. In extreme storm situations (i.e., greater than the 85th percentile 24-hour runoff event storm) where such runoff cannot be adequately accommodated onsite through the project's stormwater and drainage infrastructure, any excess runoff shall be conveyed inland offsite in a non-erosive manner.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plan	Construction Plans Special Condition 2 (a, b, c, d, e, f, and j)	The Construction Plan shall, at a minimum, include the following: (a) Grading, (b) Construction Areas, (c) Construction Methods and Timing, (d) Traffic Control Plans, (e) Property Owner Consent, (f) Best Management Practices, and (J) Construction Specifications.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plans	Post Construction Special Condition 2(g)	All construction areas shall be restored to their pre-construction state or better upon completion of work. Where appropriate and feasible, roads/sidewalks impacted by construction shall employ stormwater management infrastructure BMPs, including bioswales, pervious pavers, garbage traps, and vegetative strips.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plans	Construction Site Documents Special Condition 2(h)	The Construction Plan shall provide that a copy of the signed CDP and the approved Construction Plan be maintained in a conspicuous location at each construction job site at all times, and that such copies shall be available for public review on request.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase

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California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plans	Construction Manager Special Condition 2(i)	The Construction Plan shall provide that a construction manager be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and that his/her contact information (i.e., address, phone numbers, email address, etc.) including, at a minimum, a telephone number (with message capabilities) and an email that will be made available 24 hours a day for the duration of construction, is conspicuously posted at the job site where such contact information is readily visible from public viewing areas while still protecting public views as much as possible, along with indication that the construction manager should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction manager shall record the contact information (name, phone number, email, etc.) and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. Any critical and/or significant complaints and related responses shall be reported to the Executive Director as soon as possible, and all complaints and all actions taken in response shall be summarized and provided to the Executive Director on a weekly basis.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plans	Notification Special Condition 2(k)	The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office at least 3 working days in advance of commencement of construction, and immediately upon completion of construction.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Riparian Enhancement Plan	Riparian Enhancement Plan Special Condition 3	Prior to the operation of the WRF, the Permittee shall submit two copies of a Riparian Enhancement Plan (REP) to the Executive Director for review and approval. The REP shall provide for riparian enhancement within the unnamed creek and riparian area adjacent to the water reclamation facility site…	Project Complete	Project Complete	NA - Project is in pre-design phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Archeological Protection	Archeological Monitoring Special Condition 4	An archaeological monitor qualified by the Native American Heritage Commission shall be present during all ground disturbance (including grading activities), and shall be consulted to provide recommendations for subsequent measures for the protection and disposition of artifacts of historical or cultural significance in the event such artifacts are discovered.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California Coastal Commission	Coastal Development Permit 3-19-0463	Agricultural Mitigation Program	Agricultural Mitigation Program Special Condition 5	Prior to the operation of the WRF, the Permittee shall submit an Agricultural Mitigation Program to the Executive Director for review and approval. The Program shall specify the measures to be taken to mitigate for project agricultural impacts by providing an agricultural conservation easement over agricultural property of a similar quality as the project site, and of a type that is potentially threatened by urban development, at a ratio of at least 2:1 for the loss of agricultural land associated with the approved project (i.e., the easement must cover at least 30 acres of such agricultural land).	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Recycled Water Management Plan	Recycled Water Management Plan Special Condition 6	Permittee shall submit Recycled Water Management Plan (RWMP). The objective of the RWMP shall be to ensure that the maximum amount of tertiary-treated recycled water is produced, and the maximum amount of such water is used for beneficial reuse purposes, including injected underground in locations that will maximize its ability for groundwater replenishment.…	Project Complete	Project Complete	Complete
California Coastal Commission	Coastal Development Permit 3-19-0463	Wastewater Treatment Plant Removal and Restoration Plan	Wastewater Treatment Plant Removal/Restoration Plan Special Condition 7	Prior to operation of the WRF, the Permittee shall submit two copies of a Wastewater Treatment Plant Removal and Restoration Plan to the Executive Director for review and approval. The Plan shall indicate how the existing wastewater treatment plant located at 160 Atascadero Road will be decommissioned and demolished, including through removal of all plant components (e.g., buildings, fences, storage tanks, etc.), and the site restored to a safe and level configuration roughly matching the surrounding areas. The WWTP site shall be restored within one year of WRF and Cayucos CSD operation.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Outfall Assessment Plan	Outfall Assessment Plan Special Condition 8	Prior to the commencement of any marine development, including off-shore development on the Ocean Outfall, the permittee shall submit …… NOT APPLICABLE TO ANY CURRENT PROJECTS	Project Complete	Project Complete	NA - Not applicable to Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Wastewater Service Boundary	Wastewater Service Boundary Special Condition 9	Wastewater service to properties outside of the City's current wastewater service area, per Exhibit 3, shall be prohibited without an amendment to this CDP.	Project Complete	Project Complete	NA - Not applicable to Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Coastal Hazard Risk	Coastal Hazard Risk Special Condition 10	The Permittee acknowledges coastal hazards including pump stations and pipelines in low-lying elevations. The Permittee assumes said risks such that the Coastal Commission is indemnified.	Project Complete	Project Complete	NA - Not applicable to Project.

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California Coastal Commission	Coastal Development Permit 3-19-0463	Coastal Hazard Response	Coastal Hazard Response Special Condition 11	The Permittee acknowledges and agrees that the project will be constructed and used consistent with the terms and conditions of the CDP for only as long as the project components remain safe for use without additional measures beyond ordinary repair and maintenance as that term is defined in Section 30610(d) of the Coastal Act.	Project Complete	Project Complete	NA - Not applicable to Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Public Rights	Public Rights Special Condition 12	The Permittee acknowledges and agrees that the Coastal Commission's approval of this CDP shall not constitute a waiver of any public rights that may exist on the properties involved.	Project Complete	Project Complete	NA - Not applicable to Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Other Authorizations	Other Authorizations Special Condition 13	The Permittee shall provide documentation of authorizations from the RWQCB, SWRCB, CDFW, CSLC, NMFS, USACE, or provide documentation that such authorization is not required.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Minor Changes	Minor Changes Special Condition 14	The Permittee shall undertake development in conformance with the terms and conditions of this CDP, including with respect to all Executive Director-approved plans and other materials, which shall also be enforceable components of this CDP. Any proposed project changes, including in terms of changes to identified requirements in each condition, shall either (a) require a CDP amendment, or (b) if the Executive Director determines that no amendment is legally required, then such changes may be allowed by the Executive Director if such changes: (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Future Permitting	Future Permitting Special Condition 15	All future proposed development related to this CDP shall require a new CDP or a CDP amendment.	Project Complete	Project Complete	Acknowledged
California Coastal Commission	Coastal Development Permit 3-19-0463	Indemnification	Indemnification Special Condition 16	The Permittee agrees to indemnify the Coastal Commission, including reimbursement of attorney fees.	Project Complete	Project Complete	Acknowledged
City of Morro Bay	Design-Build Agreement	Section 3.2.4.3 – Construction Phase Responsibilities	Archeological Discovery	If a discovery is made of items of archaeological interest on site during excavation activities, the Design/Build Entity shall immediately cease excavation in the area of discovery and shall not continue until ordered by the Construction Manager. Design/Build Entity shall cooperate with and provide access to the City's Archaeologist and other monitoring services.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
City of Morro Bay	Design-Build Agreement	Section 5.2 - Disadvantaged Business Enterprise Requirements	Disadvantaged Business Enterprise Requirements	The WRF Project is partially funded through the California State Revolving Fund (CASRF) Program for Clean Water. Part of the requirements of CASRF funding is compliance with Disadvantaged Business Enterprise (DBE) Requirements. The requirements and applicable forms are described below and in Exhibit G.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
City of Morro Bay	Design-Build Agreement	Section 5.12.2 – Wages and Records	Davis-Bacon Wage Requirements	The Design/Build Entity and each subcontractor shall comply with the Davis-Bacon payrolls and basic records requirements as found in Exhibit H.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
City of Morro Bay	Design-Build Agreement	Section 5.14 – American Iron and Steel	American Iron and Steel	The Design/Build Entity and all of its subcontractors acknowledge to and for the benefit of the City and the State of California (the "State") it understands the goods and services under this Agreement are being funded with monies made available by the Clean Water State Revolving Fund and/or Drinking Water State Revolving Fund that have statutory requirements commonly known as "American Iron and Steel;" that requires all of the iron and steel products used in the Project to be produced in the United States ("American Iron and Steel Requirement"), including iron and steel products provided by the Design/Build Entity and its subcontractors pursuant to this Agreement.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.

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City of Morro Bay	Design-Build Agreement	Section 3.2.4.2 – Construction Phase Responsibilities	Competitive Bidding (Work)	Competitively bid all work not performed by the Design/Build Entity or its members or the Designated Subcontractors for packages that exceed $200,000 in anticipated value.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
City of Morro Bay	Design-Build Agreement	Section 3.2.4.5 – Construction Phase Responsibilities	Competitive Bidding (Equipment)	Competitively procure all process equipment packages from the preapproved vendors as identified in, and in accordance with the Scope of Work (Exhibit B).	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AES-1: Nighttime Construction Lighting.	Lighting used during nighttime construction, including any associated 24-hour well drilling, shall be shielded and pointed away from surrounding light-sensitive land uses.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AQ-1a: Fugitive Dust Control Measures.	Construction projects shall implement dust control measures so as to reduce PM10 emissions in accordance with SLOAPCD requirements.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AQ-1b: Standard Control Measures for Construction Equipment.	Standard mitigation measures for reducing NOx, ROG, and DPM emissions from construction equipment are required.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AQ-1c: BACT for Construction Equipment.	BACT for diesel-fueled construction equipment shall be implemented during construction activities at the project site, where feasible.	Project Complete	Project Complete	NA - Project is in pre-design phase.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AQ-1d: Architectural Coatings.	To reduce ROG and NOx emissions during the architectural coating phase, low or no VOC emission paints and finishes shall be used with levels of 50 g/L or less.	Project Complete	Project Complete	NA - Project is in pre-design phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-1: Construction Worker Environmental Awareness Training and Education Program.	Prior to the commencement, and for the duration of proposed construction activities, all construction workers shall attend an Environmental Awareness Training and Education Program, developed and presented by the Lead Biologist.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-2: Avoidance and Protection of Biological Resources.	During proposed construction, operations and maintenance, and decommissioning the City and/or contractor shall implement general avoidance and protective measures.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-3: Morro Shoulderband Snail	The following mitigation measures shall be implemented to avoid or minimize impacts to Morro Shoulderband snail (MSS): (1) During project design, if project components would be located in areas with soils and vegetation that could support MSS, then a qualified biologist shall conduct a survey to delineate the extent of potential habitat. The following project components have either been mapped as Baywood fine sands or dunes, or are in areas adjacent to known populations (see Figure 3.4.7): Option 5A lift station; pipeline alignment adjacent to WWTP; portion of the pipeline at Drainage 1A; and the northwest corner of the IPR-West wellfield. (2) At areas adjacent to vegetated areas to support MSS, silt fencing shall be installed, to restrict project activities into these areas and to deter MSS movement. (3) If avoidance of MSS habitat is not feasible, then protocol levels surveys for MSS shall be conducted to determine presence/absence and distribution of MSS. (4) If survey results are negative and a concurrence authorization is granted, then vegetation shall be removed under supervision of the permitted biologist, and the site(s) shall be graded/grubbed down to bare mineral soil, and bordered with silt fence to preclude MSS from subsequently entering the area(s). (5) If live MSS are found within areas proposed for impact, then consultation with USFWS will be necessary. (6) If equipment use, materials stockpiling, lift station construction, or any other uses are proposed on the north side of Atascadero Road opposite the existing WWTP, then all such areas shall have silt fencing to create a barrier between potential MSS habitat. (7) Work crews will undergo an environmental training session conducted by a qualified biologist prior to start of construction activities in or adjacent to MSS habitat areas.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase

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State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-4: American Badger.	A pre-construction survey for active badger dens will be conducted within the proposed construction impact footprint and surrounding accessible areas of the mapped annual grassland portions of the eastern pipeline alignment (between the WRF and Downing Street on the west; see Figures 3.4-3 through 3.4-5) and the WRF site at least two weeks prior to any ground disturbing activities. The survey will be conducted by a qualified biologist. In order to avoid potential direct impacts to adults and nursing young, no grading should occur within 50 feet of an active badger den as determined by the project biologist.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-5: Nesting Birds.	Mitigation measures are recommended to avoid or minimize impacts to nesting bird species, including special-status species and species protected by the Migratory Bird Treaty Act.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-6: Riparian Habitat Avoidance	During proposed project design, a qualified biologist shall identify the project boundaries adjacent to Morro Creek and the allowable limits of construction activities to avoid direct and indirect impacts to riparian habitat. Those limits shall be used during proposed project design to identify a pipeline alignment that avoids impacts to riparian habitat as well as areas to be avoided for siting injection and monitoring wells. During construction, the riparian boundaries and limits shall be clearly flagged or fenced so that contractors are aware of the limits of allowable site access and disturbance. Areas to be preserved should be clearly flagged as off- limits to avoid unnecessary damage and potential erosion.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-7: Trenching Buffer for Jurisdictional Features	During construction of proposed project pipelines, trenching shall stop at least 50 feet away from jurisdictional features, such as the top of stream banks, riparian habitat and wetlands, and the remaining distance shall be installed using trenchless construction methods, such as horizontal directional drilling.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-8: Construction BMPs to Protect Jurisdictional Features and Aquatic Habitat.	Mitigation measures should be implemented prior to and during construction near Morro Creek and Little Morro Creek, as well as Drainages 1, 1A, 1B, 2, 2A, 2B, 3, 3A, and 3B, and wetlands.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-9: Preparation of a Frac-Out Contingency Plan	A Frac-Out Contingency Plan shall be prepared prior to initiation of construction activities that involve horizontal direction drilling activities. The Frac-Out Plan shall be implemented during HDD construction activities.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-10: Tree Protection	For public trees, protection will be established at a minimum distance of 1.5 times the dripline (i.e., the distance from the trunk to the outermost limits of leaves and branches). During development, orange construction fencing or sufficient staking to identify the protection area will surround each tree or clusters of trees.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-1: Retention of a Qualified Archaeologist.	Within 30 days after the City's approval of the final design plans and prior to start of any ground-disturbing activities (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the City shall retain a Qualified Archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (U.S. Department of the Interior, 1983) to carry out all mitigation related to archaeological resources.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-2: Pre-Construction Phase I Cultural Resources Survey.	Within 30 days after the City's approval of the final design plans and prior to the start of any ground-disturbing activity (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the Qualified Archaeologist shall conduct pre-construction Phase I Cultural Resources Survey of all areas that have not been previously surveyed within the last 5 years.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-3: Avoidance and Preservation in Place of Archaeological Resources.	The City shall avoid and preserve in place resources CA-SLO-16, -43, -165, -239, -2222, and -2845, and any other resources that are identified as potentially qualifying as historical resources or unique archaeological resources under CEQA, through proposed project re-design. Avoidance and preservation in place is the preferred manner of mitigating impacts to archaeological resources. Preservation in place maintains the important relationship between artifacts and their archaeological context and also serves to avoid conflict with traditional and religious values of groups who may ascribe meaning to the resource. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that avoidance and preservation in place of a resource is determined by the City to be infeasible in light of factors such as project design, costs, and other considerations, then CUL-4 shall be implemented for that resource. If avoidance and preservation in place of a resource is determined by the City to be feasible, then CUL-5 shall be implemented for that resource.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase

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State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-4: Development of an Archaeological Resources Data Recovery and Treatment Plan.	The Qualified Archaeologist shall prepare an Archaeological Resources Data Recovery and Treatment Plan for all significant resources that will be impacted by the proposed project.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-5: Development of a Cultural Resources Monitoring and Mitigation Program (CRMMP).	Within 60 days of the award of the contractor's bid and prior to the start of any ground-disturbing activity (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the Qualified Archaeologist shall prepare a Cultural Resources Mitigation and Monitoring Program (CRMMP) based on the final City-approved project design plans.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-6: Construction Worker Cultural Resources Sensitivity Training.	Prior to start of any ground-disturbing activities (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the Qualified Archaeologist, or his/her designee, and a Native American representative shall conduct cultural resources sensitivity training for all construction personnel.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-7: Archaeological Resources Monitoring.	All project-related ground disturbance (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil) shall be monitored by an archaeological monitor(s) familiar with the types of resources that could be encountered and shall work under the direct supervisor of the Qualified Archaeologist.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-8: Native American Monitoring.	The City shall retain a Native American monitor(s) from a Tribe that is culturally and geographically affiliated with the project site (according to the California Native American Heritage Commission). The Native American monitor shall monitor all project-related ground disturbance (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil) and all ground disturbance related to subsurface investigation and data recovery efforts for discovered resources that are Native American in origin.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-9: Inadvertent Discovery.	In the event archaeological resources are encountered during construction of the proposed project, all activity in the vicinity of the find shall cease (within 100 feet), and the protocols and procedures for discoveries outlined in the CRMMP (see CUL-5) shall be implemented.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-10: Retention of a Qualified Paleontologist.	Within 60 days prior to the start of any ground-disturbing activity (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the City shall retain a paleontologist who meets the (SVP) Standards (SVP, 2010) (Qualified Paleontologist) to carry out all mitigation measures related to paleontological resources.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-11: Paleontological Resources Sensitivity Training.	The Qualified Paleontologist, or his/her designee, shall conduct construction worker paleontological resources sensitivity training prior to the start of ground disturbing activities. In the event construction crews are phased, additional trainings shall be conducted for new construction personnel. The training session shall focus on the recognition of the types of paleontological resources that could be encountered within the project site and the procedures to be followed if they are found. The City shall ensure construction personnel are made available for and attend the training and retain documentation demonstrating attendance.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-12: Paleontological Resources Monitoring.	All ground disturbance in excess of 5 feet within areas that are mapped as younger alluvial gravel (Qa) and beach and dune sands (Qs) shall be monitored on a full-time basis during initial ground disturbance.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-13: Inadvertent Discovery of Fossils.	If construction or other proposed project personnel discover any potential fossils during construction, regardless of the depth of work or location, then work at the discovery location shall cease in a 50-foot radius of the discovery until the Qualified Paleontologist has assessed the discovery and made recommendations as to the appropriate treatment.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase

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State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-14: Inadvertent Discovery of Human Remains:	If human remains are encountered, then the City shall halt work in the vicinity (within 100 feet) of the discovery and contact the County Coroner in accordance with PRC section 5097.98 and Health and Safety Code section 7050.5.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	NOISE-1: Construction Noise Reduction Measures.	The City shall develop and submit a Construction Noise Reduction Plan to the building official prior to initiating construction activities during hours that are not included in the exemption under the Morro Bay Municipal Code. The City or its contractor shall implement the Construction Noise Reduction Plan.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	NOISE-2: Operational Noise Reduction Measures	Prior to final design of the proposed injection wells, the City shall prepare an Operational Noise Reduction Plan demonstrating that the proposed injection wells will not expose the nearest sensitive receptor to noise levels that would exceed the City's daytime and nighttime noise standards (see Table 3.11-4). The operational noise reduction plan shall be prepared by a qualified noise consultant. Once all noise reduction measures outlined in the Operational Noise Reduction Plan are implemented, the City shall measure noise at the nearest sensitive receptor property line to validate the effectiveness of the measures and to demonstrate that operational noise levels are below the City's noise standards.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	GEO-1: Geotechnical Investigation.	A geotechnical investigation shall be prepared by a certified engineer for all facilities involving substantial ground disturbance or excavation.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	GEO-2: Post-Construction Site Restoration.	After construction of project pipelines, disturbed areas shall be managed to control erosion, including without limitation: repaving areas within roadways, restoring vegetated areas, and regrading surfaces to minimize changes in drainage patterns.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	TRAF-1: Traffic Control Plan.	Prior to the start of construction of project components that would occur within a roadway right-of-way, the City shall require the construction contractor to prepare a Traffic Control Plan. The Traffic Control Plan will show all signage, striping, delineated detours, flagging operations and any other devices that will be used during construction to guide motorists, bicyclists, and pedestrians safely through the construction area and allow for adequate access and circulation to the satisfaction of the City's Public Works Director and Fire and Police Chiefs.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Dust Control Requirements	Dust Mitigation Plan	Because the project will disturb more than one acre, a project-specific Dust Mitigation Plan is required. Grading operations must follow the dust mitigation requirements contained in the NOA ATCM.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Section 5.0 – Air Monitoring Program	Asbestos Dust Air Monitoring	Because of the site's proximity to a sensitive receptor (an assisted-living facility on Teresa Drive), the APCD will require that an Asbestos Dust Air Monitoring Plan be submitted for approval prior to issue of a grading permit. The plan will specify procedures to be followed during construction and grading, including sampling locations/methods/frequency, analytical methods, and allowable thresholds.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Section 6.2 – Mitigation Measures	Dust Mitigation Plan	At all times during construction, the CP will be present to ensure that the mitigations measures described in this section are properly carried out. The CP will monitor the implementation of the measures to minimize dust complaints and prevent visible emissions crossing the Project Boundary. Construction will take place during daylight hours between 7:00 AM and 7:00 PM. Mitigation measures were developed to address dust control during construction activities, as well as for post-construction maintenance of disturbed areas. Throughout construction, the amount of area disturbed shall be minimized to the extent practical. Per the Asbestos ATCM, the following sections outline the required dust mitigation practices (CARB, 2015): - Track-Out Prevention and Control Measures - Active Storage Piles - Disturbed Surface Area and Stockpiles that will Remain Inactive for more than Seven Days - Traffic On-Site on Unpaved Roads, Parking Lots, and Staging Areas - Earthmoving Activities - Off-Site Transport - Post-Construction Stabilization of Disturbed Areas	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Decontamination	Dust Mitigation Plan	Equipment and trucks that come into contact with NOA-containing soil will be cleaned before leaving the Project site. Cleaning shall take within the Project boundaries, so that NOA soil remains on-site.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase

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San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Signage/Notifications	Dust Mitigation Plan	Cal-OSHA and CARB regulations require signage and postings at job sites where NOA is, or may be, disturbed. Warning signs will be posted at the main entrances to the project for the duration of soil disturbance activities, and residents within the area will be notified by mail of the soil disturbance.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Documentation	Dust Mitigation Plan	Documentation of earthwork activities will be maintained by the Competent Person under the direct supervision of the Geotechnical Engineer of Record. Documentation records will be maintained by the Project Owner/Operator for a minimum of seven (7) years following the completion of the Project, and will be made available for inspection upon request by the SLOAPCD.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
San Luis Obispo County Air Pollution Control District	Emergency Standby Generator(s)	Permit to Construct and Permit to Operate	Permit to Construct and Permit to Operate	The City shall submit SLOAPCD Diesel Engine Permit Application for project Emergency Standby Generator(s). The City shall obtain required SLOAPCD Permit to Construct and Permit to Operate as required.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
San Luis Obispo County Air Pollution Control District	General Permit incl. Odor Control Facilities	Permit to Construct and Permit to Operate	Permit to Construct and Permit to Operate	The City shall submit SLOAPCD General Facility Permit Application for project site (et-al) including odor control facilities. The City shall obtain required SLOAPCD Permit to Construct and Permit to Operate as required.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California State Historic Preservation Office	Phase 1 Monitoring Plan	Determining Activities Requiring Monitoring	PHASE 1 - WRF PROJECT Extent of Monitoring	..... Only the initial three feet of topsoil removal in these areas will need to be monitored archaeologically. Once grading is complete, all subsequent construction work on site will either be within artificial fill or truncated bedrock and therefore archaeological and Native American monitoring will not be warranted. The archaeological monitor, in consultation with the archaeological Principal Investigator, the City's Project Manager, and the Construction Manager, will determine when monitoring is no longer necessary.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California State Historic Preservation Office	Phase 2 Monitoring Plan	Determining Activities Requiring Monitoring	PHASE 2 - PIPELINE AND PUMP STATION PROJECT Extent of Monitoring	- Pipeline Station 27 to 37 .... CA SLO-16 ... HA1–6, C20–21, C45–50 ... Intact site deposit in HA1–3, C21, C47–48 and C50; disturbed site deposit in C46 and C49 ... Eligible for National Register - Pipeline Station 22 to 24 .... CA SLO-16 ... C5-C7 ... Thin layer of dense redeposited shell midden in C5 and C7 ... Not eligible for National Register due to lack of integrity. - Pipeline Station 53 to 61 .... CA SLO-239 .... C26–27, 51-54 ... Disturbed site deposit in C26–27, likely originating from SLO-239 ... Not eligible for National Register due to lack of integrity. - Replacement Portion of LS2 Force Main .... CA SLO-239 ... No, due to existing pipeline ... Archaeological construction monitoring. - New Addition to LS2 Force Main .... CA SLO-239 ... Trenching or coring after property acquired by City ... Likely will require archaeological construction monitoring - Pipeline Station 147 to 150 ... CA SLO-2232H ... HA20–22 Possible sparse intact Native American site deposit in HA20 ... Not eligible for National Register.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California State Historic Preservation Office	Phase 3/4 Monitoring Plan (FUTURE)	Determining Activities Requiring Monitoring	PHASE 3/4 - RECYCLED WATER AND EXISTING TREATMENT PLANT PROJECTS Extent of Monitoring	PHASE 3 - INJECTION WELLS PROJECT: Project is in pre-design Phase PHASE 4 - EXISTING TREATMENT PLANT DEMOLITION: Project is in pre-design Phase	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California State Historic Preservation Office	October 2019 Programmatic Agreement	Section 1.B City Roles and Responsibilities	Staff Professional Qualifications	City will ensure that all historic preservation and archaeological work is performed by, or under the direct supervision of, a person or persons who meet, at a minimum, the Secretary of the Interior's Professional Qualifications Standards (48 Federal Register 44738–44739) (Appendix A to 36 CFR §61) in the relevant field of study, as described under the Administrative Provisions of this Agreement. Hereinafter, such persons will be referred to as Qualified Professionals.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California State Historic Preservation Office	Phase 1 and Phase 2 Monitoring Plans	Construction Crew Archeological Awareness Training	Archeological Awareness Training	Prior to any soil-disturbing construction activities, the archeological monitor will conduct a five- to 10-minute oral archaeological awareness training for the construction crew, including all equipment operators and personnel involved in the mass excavation activities. The Native American monitor will also likely offer comments on their concerns.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California State Historic Preservation Office	Phase 1 Monitoring Plan WRF	Reporting	Extent of Monitoring	The archaeological Principal Investigator will submit weekly status reports to the City detailing monitoring activities and any discoveries. The weekly status reports will include both archaeological and Native American daily monitoring logs, photos, and maps (as appropriate).	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase

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WATER RECLAMATION FACILITY
ENVIRONMENTAL/REGULATORY COMPLIANCE SUMMARY

UPDATED: June 30th, 2024

KMA KEVIN MERK ASSOCIATES | MIMIAGA engineering group | carollo Engineers...Working Wonders With Water®

Agency	Reference Document	Document Reference	Measure Focus	Measure	Phase 1 Water Reclamation Facility (WRF) Compliance Activities (4/1/2024 through 6/30/2024)	Phase 2 Conveyance Facilities Compliance Activities (4/1/2024 through 6/30/2024)	Phase 3 Recycled Water Facilities Compliance Activities (4/1/2024 through 6/30/2024)
California State Historic Preservation Office	Phase 1 Monitoring Plan WRF	Scheduling	Extent of Monitoring	If there are no findings, an Archaeological Resources Monitoring Report for Construction Phase 1 will be prepared and submitted to the City for review within 30 days of completion of monitoring activities.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California State Historic Preservation Office	Phase 1 Monitoring Plan WRF	Archeological Monitoring Guidelines	Construction Monitoring	The Archaeological and Native American Monitors will observe soil disturbance during construction activities (e.g., manual or machine excavations, grading). The Archaeological monitor will observe consistency or changes in soils or may examine specific materials that may be cultural in origin.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Reporting	Extent of Monitoring	The archaeological Principal Investigator will submit weekly status reports to the City detailing monitoring activities and any discoveries. The weekly status reports will include both archaeological and Native American daily monitoring logs, photos, and maps (as appropriate). If no archaeological materials are identified during construction monitoring, an Archaeological Resources Monitoring Report will be prepared and submitted to the City for review within 30 days of completion of monitoring activities. In accordance with Stipulation VI of the Programmatic Agreement, the City will provide the report to the EPA for review, who will in turn submit it to all Parties of the Agreement. The final Monitoring Report will be submitted to all Parties of the Agreement and to the Central Coast Information Center at the University of California, Santa Barbara. If archaeological remains are identified during monitoring and cannot be avoided, they will be evaluated and mitigated (if warranted) in accordance with the Archaeological Research Design and Treatment Plan (Kaijankoski et al. 2019:Appendix E).	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Scheduling	Extent of Monitoring	An archaeological monitor and Native American monitor shall be present according to a schedule agreed upon by the archaeological Principal Investigator and City Project Manager prior to the beginning of construction. The archaeological Principal Investigator will review all anticipated soil disturbing activities with the construction contractor to determine which could potentially expose archaeological deposits and when these activities will be taking place. A tentative schedule will be prepared for monitoring, with the understanding that it is flexible depending on construction progress and findings.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Archeological Monitoring Guidelines	Construction Monitoring	1. The archaeological Principal Investigator and archaeological monitor(s) will meet the Secretary of Interior's professional qualification standards for prehistoric archeology. 2. An Archaeological monitor will be present for all ground-disturbing activities in the pipeline segments and components where archaeological monitoring is recommended. 3. Local Native American community will request to monitor all Construction Phase 2 ground disturbance. A local archaeologist will assess discovery made by the Native American monitor. 4. The need for more than one archaeological and Native American monitors may be necessary if work in being conducted in a variety of locations. 5. The City Project Manager will provide the construction schedule (location, day, time, and nature of work) to the archaeological and Native American monitors. 6. The archaeological monitor(s) will have the experience and demonstrated ability to recognize all types of archaeological materials and features. 7. Native American monitors should be from groups listed on the Native American Heritage Commission list of interested individuals. 8. Should the need arise to record or collect samples and artifacts, the archaeological monitor shall immediately consult with the archaeological Principal Investigator. 9. The archaeological and Native American monitors will document monitoring activities in a daily log. ….. 10. Monitors will take periodic digital photographs.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Section IV. TESTING RESULTS AND RECOMMENDATIONS	CA-SLO-16 MITIGATION PLAN	Mitigation of project impacts to site SLO-16 under both Section 106 of the National Historic Preservation Act and the California Environmental Quality Act will be required as the site can be considered significant and avoidance not feasible. All work will be conducted in accordance with the project's archaeological treatment plan (Kaijankoski et al. 2019) and needs to be approved by Caltrans within their right-of-way. A Native American monitor will be present to observe all archaeological excavations. Methods and extent of excavation will ultimately be determined once the deposits are exposed during construction excavation and initial hand excavations. Mitigation will require extensive support and collaboration from the project construction contractor who will need to secure the area and provide mechanical excavation equipment, operators, and support equipment. A location for deep reburial of human remains that may be encountered should be considered prior to construction, although ultimately the Most Likely Descendent will need to approve of this. Uncollected archaeological deposits will need to be permanently reburied on-site in accordance with the wishes of local Native American groups. Portions of the site not impacted by the project should be designated Environmentally Sensitive Areas with orange fencing. A short mitigation work plan can then be prepared and submitted to all interested parties for review.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Section IV. TESTING RESULTS AND RECOMMENDATIONS	CA-SLO-239 (STATION 53 TO 61)	Cores C26 and C27 both contained a small amount of disturbed archaeological deposits. This material almost certainly originated from site SLO-239 located on the higher terrace to the south. Additionally, adjacent Cores 51-54 contained trace amounts of disturbed shellfish. Therefore archaeological construction monitoring is recommended along the boundary of site SLO-239 between stations 53 to 61. Additional Testing Required: A recent addition to the LS-2 force main measures approximately 300 meters near SLO-239. The area also has an elevated buried site sensitivity. This project component could not be tested as it lies on private property with no permission to access. The City is currently acquiring the property through eminent domain. In accordance with the Programmatic Agreement, the component will be tested once access is secured. This would involve approximately 12 trenches or cores spaced at 25-meter intervals over a two day period. If disturbed deposits associated with SLO-239 are identified, monitoring for human remains will be recommended and an addendum to this test report prepared. If intact archaeological deposits are identified, they will be immediately evaluated and mitigated in accordance with the Treatment Plan and documented in the final report.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Section IV. TESTING RESULTS AND RECOMMENDATIONS	CA-SLO-2022 (STATION 138 TO 143)	Testing was conducted between Stations 138 and 143 due to the presence of site SLO-2022 that is visible in the roadcut immediately northeast of the ADI. Quintana Road is cut into the hillside that this site is situated upon as it descends in elevation to South Bay Blvd. Additionally, this area has the lowest buried site sensitivity due to the ancient age of the surface landform. Thirteen hand augers (HA7–19) were excavated split evenly between each side of the road adjacent to the ADI. Results were all negative despite processing samples from most augers (see Table 3). Therefore, no archaeological construction monitoring or mitigation is recommended for this segment. However, it is recommended that site SLO-2022 be designated an Environmentally Sensitive Area and be protected during construction with orange fencing or other measures.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Section IV. TESTING RESULTS AND RECOMMENDATIONS	CA-SLO-2232H (Station 147 TO 150)	Stations 147 to 150 are adjacent to site SLO-2232H, where a prehistoric component was reported to have been recently discovered during construction of a housing complex to the south. After testing for this project was complete, communications with the archaeologist overseeing the housing complex work revealed that the prehistoric deposit (including human remains) encountered is in fact associated with site SLO-1183 and located more than 100 meters (330 feet) south of the ADI. Access constraints (numerous underground utilities) only allowed for three hand augers (HA20–22) to be excavated along the south side of the road. HA21 and HA22 were negative, while a possible sparse prehistoric site deposit was identified in HA20. It is possible that the materials recovered in HA20 originated from site SLO-2022 and were pushed downhill when Quintana Road was cut through the site. This very sparse deposit of uncertain integrity is recommended not eligible for the National Register. However, archaeological construction monitoring for human remains is warranted for this pipeline segment.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
California State Historic Preservation Office	Programmatic Agreement	Section IX – Annual Reporting	Annual Reporting	In addition to the final reports described within this Stipulation, EPA shall provide the Parties to this Agreement an annual update on the implementation of this Agreement. Such update shall include any scheduling changes proposed, any problems encountered, failures to adopt proposed mitigation measures, and any disputes and objections received in EPA's efforts to carry out the terms of this Agreement. The update will be due no later than December 31 of each year, beginning December 31, 2019 and will continue annually thereafter throughout the duration of this Agreement.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase

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WATER RECLAMATION FACILITY
ENVIRONMENTAL/REGULATORY COMPLIANCE SUMMARY

UPDATED: June 30th, 2024

KMA KEVIN MERK ASSOCIATES

MIMIAGA engineering group

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Agency	Reference Document	Document Reference	Measure Focus	Measure	Phase 1 Water Reclamation Facility (WRF) Compliance Activities (4/1/2024 through 6/30/2024)	Phase 2 Conveyance Facilities Compliance Activities (4/1/2024 through 6/30/2024)	Phase 3 Recycled Water Facilities Compliance Activities (4/1/2024 through 6/30/2024)
Central Coast Regional Water Quality Control Board	Stormwater Pollution Prevention Plan	Section 1.6 - Required Non-Compliance Reporting	Reporting Requirements	If a discharge violation occurs the QSP shall immediately notify the LRP and the LRP shall file a violation report electronically to the Regional Water Board within 30 days of identification of non-compliance using SMARTS. Corrective measures will be implemented immediately following the discharge or written notice of non-compliance from the Regional Water Board.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
Central Coast Regional Water Quality Control Board	Stormwater Pollution Prevention Plan	Section 1.7 – Annual Report	Reporting Requirements	The General Permit requires that permittees prepare, certify, and electronically submit an Annual Report no later than September 1st of each year. Reporting requirements are identified in Section XVI of the General Permit.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
Central Coast Regional Water Quality Control Board	Stormwater Pollution Prevention Plan	Section 3.2 – Erosion and Sediment Control	Control Measures	Erosion and sediment controls are required by the General Permit to provide effective reduction or elimination of sediment related pollutants in stormwater discharges and authorized non-stormwater discharges from the Site.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase
Central Coast Regional Water Quality Control Board	Stormwater Pollution Prevention Plan	Section 3.3 – Non-Stormwater Controls and Waste and Materials Management	Control Measures	Non-stormwater discharges into storm drainage systems or waterways, which are not authorized under the General Permit, are prohibited.	Project Complete	Project Complete	Recycled Water Facilities is still in the Preliminary Design Phase

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City of Morro Bay
Water Reclamation Facility Project

QUARTERLY PROGRESS STATUS REPORT TO FUNDING / REGULATORY AGENCIES (COMBINED REPORT)

REPORTING PERIOD
July 1, 2024 through September 30, 2024

CONFLUENCE
ENGINEERING SOLUTIONS

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City of Morro Bay
Water Reclamation Facility Project

QUARTERLY PROGRESS STATUS REPORT TO FUNDING / REGULATORY AGENCIES (COMBINED REPORT)

REPORTING PERIOD
JULY 1, 2024 THROUGH SEPTEMBER 30, 2024

Clean Water State Revolving Fund (CWSRF) Planning Loan Agreement No. D16-01016

Water Infrastructure Finance and Innovation Act (WIFIA)
Funding Agreement No. N17150CA (Water) / No. N17108CA (Wastewater)

CWSRF Funding Agreement No. (SWRCB0000000000D2001033)

Contents

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Abbreviations

AOP	advanced oxidation process
APCD	Air Pollution Control District
BNR	biological nutrient removal
BR	brine
Caltrans	California Department of Transportation
Carollo	Carollo Engineers
CA-SLO	California-San Luis Obispo
CDFW	California Department of Fish and Wildlife
City	City of Morro Bay
COVID-19	Coronavirus Disease 2019
CWSRF	Clean Water State Revolving Fund
DDW	Division of Drinking Water
ESA	environmentally sensitive area
FBV	Filanc, Black & Veatch
FCA	flanged coupling adapter
FO	fiber optic
FPVC	fusible polyvinyl chloride
GMP	guaranteed maximum price
H_2O	water
HDPE	high-density polyethylene
IPR	indirect potable reuse
LF	linear feet
LOTO	lockout tagout
LS	lift station
MBR	membrane bioreactor
mgd	million gallons per day
MH	manhole
MTBM	microtunnel boring machine
N/A	not applicable
NEMA	National Electrical Manufacturers Association
NPDES	National Pollutant Discharge Elimination System
NTP	notice to proceed
OMMP	Operations, Maintenance, and Monitoring Plan
PCO	potential change order
PG&E	Pacific Gas and Electric
PLC	programmable logic controller

PS	pump station
R/W	right-of-way
RFP	request for proposals
RO	reverse osmosis
RWQCB	Regional Water Quality Control Board
SAFE	stormwater auxiliary filtration equipment
SCADA	supervisory control and data acquisition
SD	storm drain
SHPO	State Historical Preservation Officer
SHT	sludge holding tank
SLO	San Luis Obispo
SRF	State Revolving Fund
SWPPP	Stormwater Pollution Prevention Plan
TBD	to be determined
TCP	traffic control plan
TSO	Time Schedule Order
USEPA	United States Environmental Protection Agency
UV	ultraviolet
UVT	ultraviolet transmittance
Vdc	volts direct current
VFD	variable frequency drive
WIFIA	Water Infrastructure Finance and Innovation Act
WRC	Water Resource Center
WRF	Water Reclamation Facility
WWTP	wastewater treatment plant

Section 1

PROJECT OVERVIEW

1.1 General Project Status Update

Since 2013, the City of Morro Bay (City) has been developing a Water Reclamation Facility (WRF) project through the completion of several key planning milestones including completion of the Draft Water Reclamation Facility Master Plan and Draft Master Water Reclamation Plan. These planning documents along with City Council-adopted goals for the project have outlined a project that includes the following major components:

- On-site tertiary treatment facility with a capacity of approximately 1 million gallons per day (mgd). This facility was previously known as the WRF and the City recently renamed the facility the Water Resource Center (WRC). For the remainder of this document, the treatment facility will be referred to as the WRC.
- On-site full advanced treatment facilities capable of meeting the State Division of Drinking Water (DDW) requirements for potable reuse via groundwater augmentation.
- Off-site raw wastewater conveyance facilities including pipelines and two pump stations to convey raw wastewater, tertiary-treated wastewater, and brine between the existing wastewater treatment plant (WWTP) site and the City's WRC located at Highway 1 and South Bay Boulevard (Conveyance Facilities).
- Off-site recycled potable reuse facilities including pipelines and injection wells necessary for groundwater augmentation in the Morro groundwater basin (Recycled Water Facilities).

"Our Water" is the City's program to plan and build water and wastewater infrastructure for a sustainable future for the environment, economy, and the community. This report summarizes key accomplishments and challenges during the reporting period of July 1, 2024, through September 30, 2024.

1.2 Current Project Schedule

In June 2018, the City received a Time Schedule Order (TSO) from the Regional Water Quality Control Board (RWQCB) that requires the City to achieve full operation of new wastewater treatment facilities by February 28, 2023, encompassing the WRC project (by Design-Build) and the Conveyance Facilities project (by conventional Design-Bid-Build) including all off-site pipelines and pump stations. The overall program schedule is shown in the figure below. The final completion for both the WRC and the Conveyance were officially closed out in May 2024.

While both the WRC and Conveyance Projects' final completion dates are to occur after the TSO deadline, the City has already achieved the milestone requirement of full operation of the wastewater treatment facilities in compliance with permits and regulatory requirements. The milestone goal was achieved during a phased start-up of the various facilities during October and November 2022.

The Recycled Water Facilities component of the WRF Program, which includes construction of injection wells and recycled water pipelines, is not tied to the TSO compliance date and is currently proceeding through the permitting and design process. The current estimated date for substantial completion of the Recycled Water Facilities is July 2026.

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Morro Bay WRF Program
Program Wide Schedule Summary
Updated: FY23/24

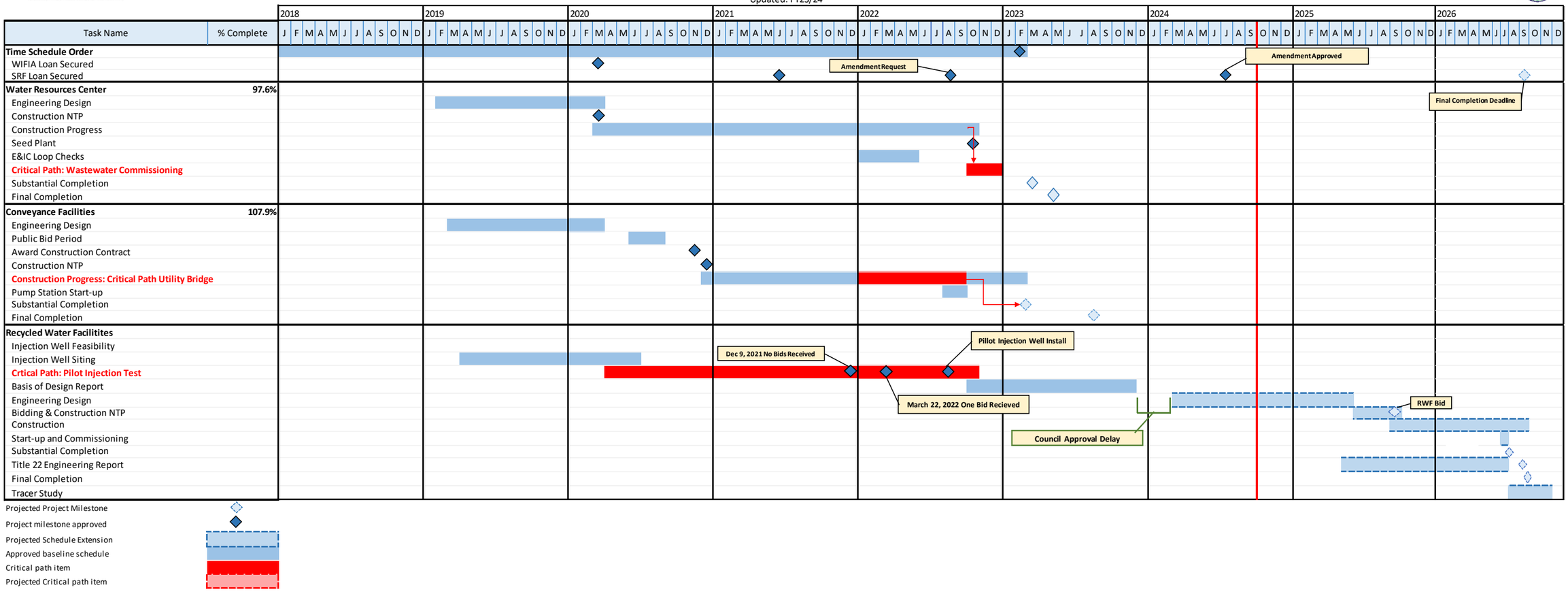

Figure 1 Program Schedule

Section 2

WATER RESOURCES CENTER

2.1 Project Summary – Reporting Period: July 1 to September 30, 2024

This quarterly progress report summarizes the project construction and addresses contract time, change orders, progress, key construction accomplishments, safety and security issues, construction activities, environmental and cultural monitoring, and Davis-Bacon labor compliance issues.

Table 1 WRC Project Summary

Item	Description
Public Agency Owner	City of Morro Bay
Design-Build Joint Venture Entity	Overland Contracting, Inc.
Design-Build General Contractor	J.R. Filanc Construction Company, Inc.
Design-Build Engineer of Record	Black & Veatch Corporation
City's Program Management	Carollo
City's Construction Manager	Carollo – Mimiaga Engineering Group Inc.
Design-Build Contract Award	October 23 2018
Design Phase NTP	November 5, 2018
Original Anticipated Construction NTP	April 29, 2019
Original Substantial Completion Date	August 5, 2021
Original Final Completion Date	October 1, 2021
Actual Executed Construction NTP	March 20, 2020
Original Construction Phase Duration	886 Calendar Days (Construction NTP to Final Completion)
Construction Phase Time Extensions Approved	374 Calendar Days (through Amendment No. 9)
Revised Construction Phase Duration	1,449 Calendar Days (Construction NTP to Final Completion)
Original / Current Substantial Completion	June 27, 2022 / February 6, 2023
Original / Current Final Completion Date	August 23, 2022 / March 8, 2024
Original GMP	$67,234,512.00
Current Approved Amendments to Date	$11,765,488.00 (through Amendment No. 10)
Current Approved GMP	$79,000,000.00 (through Amendment No. 10)
Approved Progress Payments to Date	$79,000,000 (through June 30, 2023, Payments 1 – 62)
Percent Complete – Cost (Contractor Invoiced)	100% ($79,000,000 / 79,000,000)
Construction Calendar Days Elapsed	1,448 Calendar Days (March 20, 2020 to March 8, 2024)
Percent Complete - Time (Schedule Elapsed)	133% (1471 days / 1,088 days)
Percent Construction Complete (Overall)	117% (average of cost and time percent complete)

Abbreviations:
Carollo – Carollo Engineers; GMP – guaranteed maximum price; NTP – Notice to Proceed.

2.2 Project Scope of Work

- 0.85/0.97 mgd WRC Average Annual.
- Influent Course Screens.
- Vortex Grit Removal Basins.
- Stormwater Auxiliary Filtration Equipment (SAFE) System (for high flow Equalization and Filtration).
- Fine Screens.
- Odor Control.
- Biological Nutrient Removal (BNR).
- Membrane Bioreactor (MBR).
- Sludge Holding Tank (SHT).
- Sludge Dewatering.
- Reverse Osmosis (RO) Filtration.
- Ultraviolet (UV)-Advanced Oxidation Process (AOP).
- Outfall Pump Station.
- Product Water Storage Tank.
- Indirect Potable Reuse (IPR) Pump Station.
- Operations Building.
- Maintenance Building.
- RO/UV-AOP Building.
- Electrical Building.
- City Vehicle Parking Canopy.
- Covered Outdoor Storage Aisles.
- Water/Collections Storage Shed.
- Water/Collections Equip. Canopy.
- Access Road and Site Improvements.
- Yard Piping and Site Work.
- Electrical Distribution Facilities.
- Emergency Standby Generator.
- Instrumentation and Controls.
- Utility Extensions into Site.

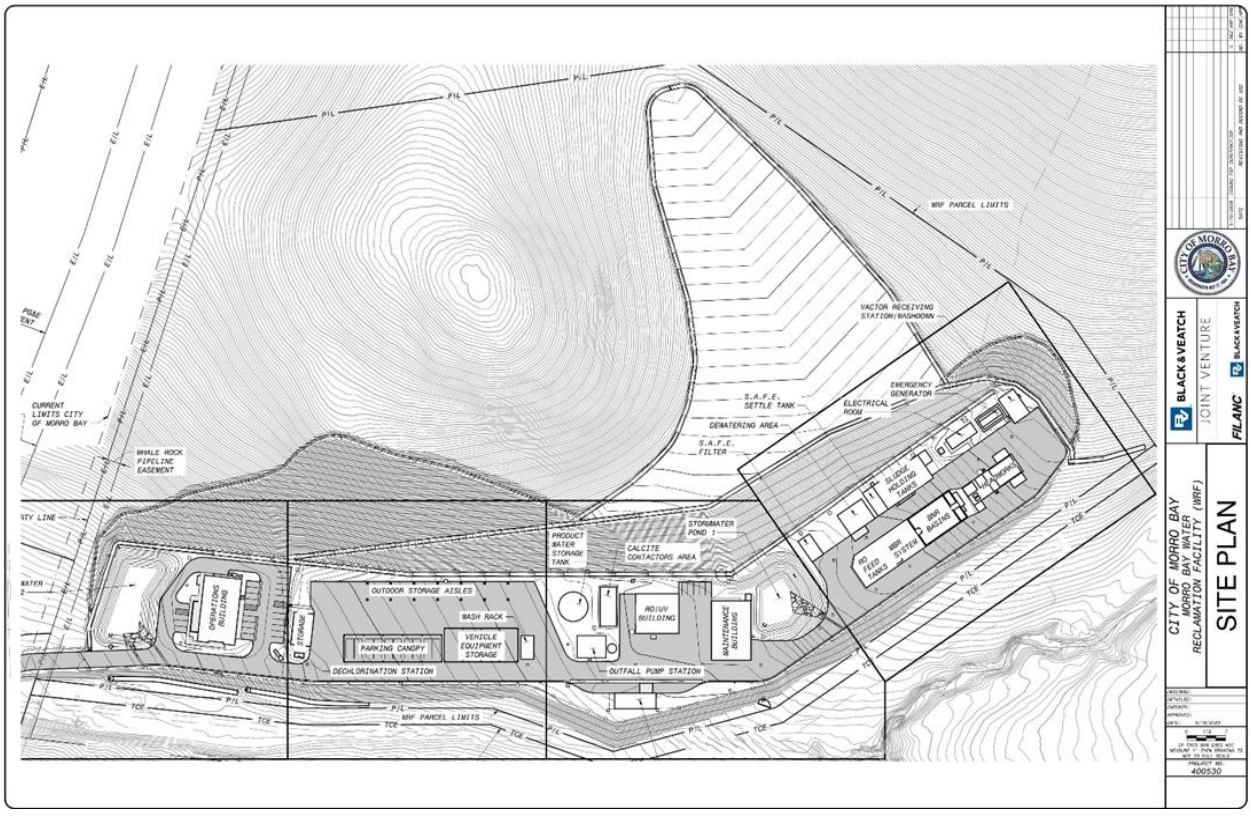

Figure 2 Morro Bay WRF Site Plan

2.3 Construction Progress: July 1 to September 30, 2024

- The City has completed the TSO milestone requirement of full operation of wastewater treatment facilities in compliance with the State National Pollutant Discharge Elimination System (NPDES) permit and other regulatory requirements.
- The final contract closeout negotiation resulted in a final GMP amount of $79,000,000 (see Amendment No. 10, which was approved by City Council on April 9, 2024).
- **As of April 2023, final completion for this project has been achieved. See previous Quarterly Reports for additional detail on the Water Resources Center construction.**

2.4 Project Photographs

There are no construction photographs to include since the plant construction is complete and operational.

Section 3

CONVEYANCE FACILITIES

3.1 Construction Progress Report – Reporting Period: July 1 to September 30, 2024

This quarterly progress report summarizes the project construction and addresses contract time, change orders, progress, key construction accomplishments, safety and security issues, construction activities, environmental and cultural monitoring, and Davis-Bacon labor compliance issues.

3.2 Project Summary

Table 2 Conveyance Facilities Project Summary

Item	Description
Public Agency Owner	City of Morro Bay
General Contractor	Anvil Builders Inc.
Design Engineer of Record	Waterworks Engineers, LLC.
City's Program Management	Carollo
City's Construction Management	Carollo / Mimiaga Engineering Group Inc.
Advertisement for Bids Date	June 16, 2020
Prebid Conference Date	July 7, 2020
Number of Bidding Amendments Issued	5 Amendments (issued between June 18, 2020, and August 5, 2020)
Bid Opening Date	August 12, 2020
Contract Award by City Council	November 10, 2020
Executed Construction NTP	December 14, 2020
Original Construction Phase Duration	390 Calendar Days (to Substantial Completion)
Original Construction and Closeout Duration	435 Calendar Days (to Final Acceptance)
Construction Phase Time Extensions Approved	282 Calendar Days (through Amendment No. 6)
Revised Construction Phase Durations	672 Days to Substantial Completion - 717 Days to Final Acceptance
Original Substantial Completion Date	January 8, 2022 (NTP+390 Calendar Days)
Current Substantial Completion Date	October 17, 2022 (NTP+672 Calendar Days)
Original Final Acceptance Date	February 22, 2022 (NTP+435 Calendar Days)
Current Final Acceptance Date	December 1, 2022 (NTP+717 Calendar Days)
Original Contract Amount	$31,493,675.00
Current Approved Change Orders	$5,770,931.00 (through Amendment No. 9)
Current Approved Contract Amount	$37,264,606.00 (through Amendment No. 8)
Approved Progress Payments to Date	$37,264,606 (through June 30, 2023 – Pay Estimate No. 27)
Percent Complete – Cost (Contractor Invoiced)	99.4% ($37,064,606 / $37,264,606)
Construction Calendar Days Elapsed	1,294 Calendar Days (12/14/2020 to 3/26/2024)
Percent Complete - Time (Schedule Elapsed)	167% (1,198 days / 717 days)
Percent Construction Complete (Overall)	134% +/- (average of cost & time percent completes)

3.3 Project Scope of Work

- New Sewer Pump Station A.
- New Sewer Pump Station B.
- Connection to Existing Lift Station 2.
- Connection to Existing Lift Station 3.
- Dual Sewer Force Main (< 3 miles).
- Brine (Outfall) Pipeline (< 3 miles).
- IPR Pipeline (> 2 miles).
- Fiber Optic (FO) Conduit and Cable (> 3 miles).
- 60-inch Microtunnel Trenchless Crossing (310 linear feet [LF]).
- 60-inch Auger Bore and Jack Trenchless Crossing (145 LF).
- Utility Pipe Bridge and Abutments (115 LF).
- Electrical Distribution Facilities.
- Emergency Standby Generators.
- Instrumentation and Controls.

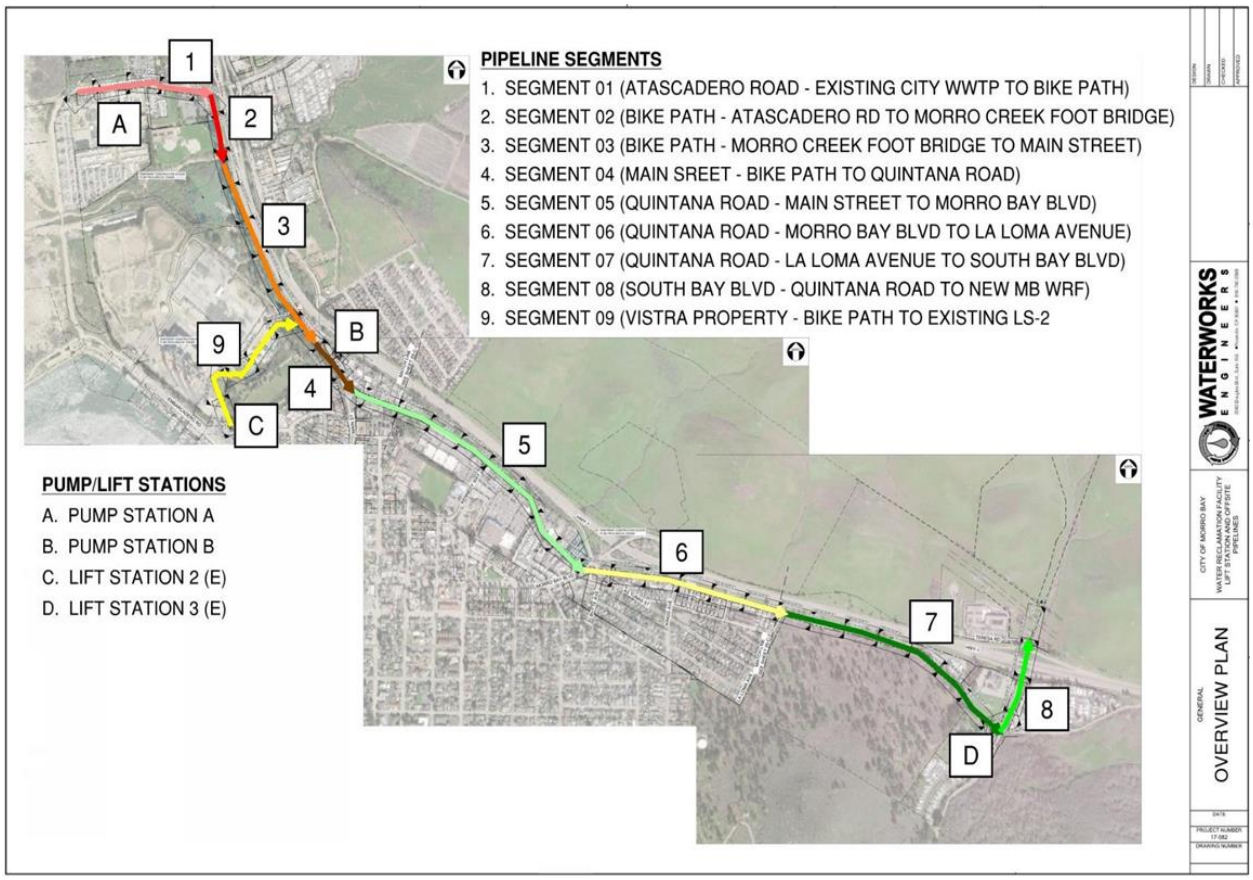

Figure 3 Morro Bay Conveyance Facilities Overview Plan

3.4 Construction Progress: July 1 to June 30, 2024

- The City has completed the TSO milestone requirement of full operation of the wastewater treatment facilities in compliance with the State NPDES permit and other regulatory requirements.

- Contractor and design engineer are currently working together to resolve the outfall pipeline capacity deficiency issue and are expected to present a path forward to determine a resolution to the Program Team and City later in 2024.
- **As of August 2023, final completion for this project has been achieved. See previous Quarterly Reports for additional detail on the Conveyance Facilities construction.**

3.5 Project Photographs

There are no construction photographs to include since the plant construction is complete and operational.

Section 4

RECYCLED WATER FACILITIES PROJECT

4.1 Pre-Construction Progress Report – Reporting Period: July 1 to September 30, 2024

This quarterly progress report summarizes the project planning and construction and addresses contract time, change orders, progress, key construction accomplishments, safety and security issues, construction activities, environmental and cultural monitoring, and Davis-Bacon labor compliance issues.

4.2 Pre-Construction Project Summary

Table 3 Recycled Water Facilities Project Summary

Item	Description
Public Agency Owner	City of Morro Bay
General Contractor	Not known
Pre-Design Hydrogeological Consultant	GSI Water Solution, Inc.
Design Engineer of Record	TBD
City's Program Management	Confluence Engineering Solutions
City's Construction Management	TBD
Design Percent Complete	10%
Pilot Injection Well Construction Bid Date	March 22, 2022
Pilot Injection Well Construction Contract Amount	$356,625
Pilot Injection Well Construction Final Contract Amount	$356,585
Pilot Injection Well Construction Completion Date	January 3,2023
Advertisement for Bids Date	Estimated March 2025
Prebid Conference Date	Estimated April 2025
Number of Amendments Issued	3
Bid Opening Date	Estimated April 2025
Engineer's Estimate of Cost	Estimated February 2025
Executed Construction NTP	Estimated May 2025
Original Substantial Completion Date	November 1, 2023
Original Final Completion Date	N/A
Original Construction Phase Duration	14 months, June 2025 – August 2026
Construction Phase Time Extensions	TBD
Revised Construction Phase Duration	TBD
Current Substantial Completion Date	July 2026
Current Final Completion Date	TBD
Original Contract Amount	$4,400,000
Current Executed Change Orders	-$40
Current Contract Amount	$6,395,524

Item	Description
Approved Progress Payment to Date	$366,975
Percent Complete – Cost (Contractor Invoiced)	5.7%
Construction Calendar Days Elapsed	0 Calendar Days
Percent Complete – Time (Schedule Elapsed)	0%
Percent Construction Complete (Overall)	5.7%

Abbreviations:
N/A – not applicable; TBD – to be determined.

4.3 Planned Project Scope of Work

- Off-site recycled potable reuse facilities including pipelines, injection wells, monitoring well, etc.
- Implementation of groundwater augmentation in the Morro Groundwater Basin.

4.4 Pre-Construction Progress: July 1 to September 30, 2024

- In August 2024, the 5-year programmatic agreement extension was circulated to the EPA and SHPO for signature.
- During August 2024, the City installed a groundwater bypass and online nitrate analyzer at the Brackish Water Reverse Osmosis (BWRO) Facility to use chemically treated groundwater for blending, in preparation for the interim tracer study.
- On August 13th, 2024 the City held a meeting with the Bureau of Reclamation to discuss development of the grant agreement and status of the NEPA Environmental Assessment.
- In August 2024, all lab testing was completed, and results of the archeological survey were determined to be negative by the project archeologist. At this time, the project archeologist began preparing the Phase 3 Archeological Testing Report, to eventually be submitted to the EPA and SHPO for their review and to potentially receive concurrence.
- On August 13th, 2024, the City Council selected GSI Water Solutions for hydrogeologic support services for injection well design and construction support.
- On September 18th, 2024 City staff and the Recycled Water Program Team toured the Orange County Water District's Alamitos and Talbert Barrier Injection Wells.
- During Q1 FY24-25, the project environmentalist continued preparing the CEQA EIR Addendum.
- During Q1 FY24-25, the project biologist continued preparing the Biological Resources Information Report required for the CEQA EIR Addendum.
- During Q1 FY24-25, the City received the fluorescein dye and charcoal packs needed for the interim tracer study.
- During Q1 FY24-25, the project design engineer continued to prepare the recycled water pipeline and injection well equipping design.
- During Q1 FY24-25,the project hydrogeologist completed sieve analysis and evaluated the boring data collected during the previous quarter's archeological/hydrogeological testing. The project hydrogeologist continued evaluating which injection well locations are most favorable from a hydrogeological perspective and continued preparing the design of the downhole components of the injection wells.
- During Q1 FY24-25, the project design engineer continued to investigate the abandoned desal feedline pipeline for potential reuse for the IPR pipeline.
- During Q1 FY24-25, the project design engineer began to prepare a formal test plan for flow and pressure testing the existing IPR conveyance pipeline.

4.5 Project Photographs

There was no construction progress or project photographs taken during this reporting period.

4.6 Change Order Summary

- N/A (main project work has not commenced).

4.7 Problems Encountered/Solutions/Status

- N/A (main project work has not commenced).

Section 5

ENVIRONMENTAL/REGULATORY COMPLIANCE

This quarterly progress report section summarizes the City's environmental and regulatory compliance pursuant to oversight by the following regulatory agencies: State Water Resources Control Board, CDFW, United States Fish and Wildlife Service, USEPA, California Coastal Commission, SLO County APCD, SHPO, Central Coast RWQCB, and the City. Specific activities are summarized in Appendix A. Copies of supporting compliance documentation are available upon request.

Appendix A

ENVIRONMENTAL/REGULATORY COMPLIANCE SUMMARY

WATER RECLAMATION FACILITY
ENVIRONMENTAL/REGULATORY COMPLIANCE SUMMARY

UPDATED: November 27, 2024

Agency	Reference Document	Document Reference	Measure Focus	Measure	Phase 1 Water Reclamation Facility (WRF) Compliance Activities (7/1/2024 through 9/30/2024)	Phase 2 Conveyance Facilities Compliance Activities (7/1/2024 through 9/30/2024	Phase 3 Recycled Water Facilities Compliance Activities (7/1/2024 through 9/30/2024)
United States Fish and Wildlife Service	Biological Opinion	Biological Opinion	Tidewater Goby Item 1	The applicant will implement erosion and sedimentation control measures (e.g., silt fences, straw bales or wattles) in all areas where disturbed substrate may potentially wash into waters via rainfall or runoff, particularly around stockpiled material and at the downstream end of each project reach. Such measures should remain in place and be inspected periodically until the project is complete and exposed soils are stabilized. Diversion structures, sediment traps/basins and associated equipment (e.g., pumps, lines) will be maintained in optimal working condition for the entire duration of the preparation and construction periods.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 2	Prior to the start of work, the contractor will prepare a spill prevention plan to ensure prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur. All project-related hazardous materials spills within the project site will be cleaned up immediately. Spill prevention and cleanup materials will be on-site at all times during the course of the project.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 3	All refueling, maintenance, and washing of equipment and vehicles will occur on paved areas in a location where a spill would not travel into a drainage feature or storm drain inlet. This fueling/staging area will conform to Best Management Practices applicable to attaining zero discharge of stormwater runoff into waters of the U.S. and State of California. At a minimum, all equipment and vehicles must be checked and maintained on a daily basis to ensure proper operation and avoid potential leaks or spills. Washing of equipment will occur only in a location where polluted water and materials can be contained for subsequent removal from the site.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 4	A designated concrete washout location will be established onsite, in an area at least 50 feet from any drainage feature or storm drain inlet. The washout will be maintained and inspected weekly, and will be covered prior to and during any rain event. If a container is used, concrete debris will be removed whenever the washout container reaches the half full mark.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 5	Best Management Practices for dust abatement will be a component of the project's construction documents. Dust control requirements will be carefully implemented to prevent water used for dust abatement from transporting pollutants to storm drains leading to the creek channel.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 6	The applicant will prepare a frac-out contingency plan prior to initiation of construction activities that involve horizontal direction drilling activities. The applicant will implement the frac-out contingency plan during horizontal directional drilling construction activities. At a minimum, the plan will include the following: (a) Measures to minimize the potential for a frac-out associated with horizontal directional drilling activities; (b) Provide for the timely detection of frac-outs; (c) Protect areas that are considered environmentally sensitive (streams, wetlands, other biological resources, cultural resources); (d) Ensure an organized, timely, and "minimum-impact" response in the event a frac-out and the release of drilling mud occurs; and (e) Ensure that all appropriate notifications are made to the appropriate environmental specialists immediately (e.g., qualified biological monitor), and to appropriate regulatory agencies within 24 hours and that documentation is completed.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Morro Shoulderband Snail Item 1	A Service-approved biologist will survey for Morro Bay Shoulderband snails no more than 48 hours before initial ground-disturbing and vegetation-clearing activities that occur on dune land or Baywood fine sand. The Service-approved biologist will monitor all construction activities occurring on dune land or Baywood fine sand. If the species is located during any of these pre-activity surveys or during subsequent project activities, the Service will be contacted immediately and activities will halt in that particular area until it is determined what actions may be necessary to avoid take of the snail.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Morro Shoulderband Snail Item 2	Any equipment use, materials stockpiling, lift station construction, or any other uses proposed on the north side of Atascadero Road opposite the existing treatment plant will be setback from any potentially suitable habitat. If construction adjacent to potentially suitable Morro Shoulderband snail habitat occurs during the winter rain season, a Service-approved biologist will survey the work area immediately following rain events or dense fog conditions to ensure that no Morro Shoulderband snails have entered the site.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Morro Shoulderband Snail Item 3	Silt fence will not be used to exclude Morro Shoulderband snails from work areas where suitable sandy soils and habitat may be present. Work areas in sandy soils near potential Morro Shoulderband snail habitat will be clearly delineated with flagging and/or stakes to limit the boundaries of work areas and confine them to developed and paved areas. If silt fencing must be used for other reasons in areas near potential Morro Shoulderband snail habitat, additional measured developed by a Service-approved biologist will be implemented to avoid harm to the Morro Shoulderband snail.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.

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WATER RECLAMATION FACILITY
ENVIRONMENTAL/REGULATORY COMPLIANCE SUMMARY

UPDATED: November 27, 2024

CONFLUENCE ENGINEERING SOLUTIONS | KMA KEVIN MERK ASSOCIATES | MIMIAGA engineering group | carollo Engineers...Working Wonders With Water®

Agency	Reference Document	Document Reference	Measure Focus	Measure	Phase 1 Water Reclamation Facility (WRF) Compliance Activities (7/1/2024 through 9/30/2024)	Phase 2 Conveyance Facilities Compliance Activities (7/1/2024 through 9/30/2024	Phase 3 Recycled Water Facilities Compliance Activities (7/1/2024 through 9/30/2024)
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog DESCRIPTION OF THE PROPOSED ACTION Biological Opinion p. 6	The permanent fencing will include a concrete exclusion barrier along the eastern boundary of the site that extends 24 inches above grade. The top of the concrete exclusion barrier will include a six-inch lip that will serve as a climbing barrier for the California red-legged frog (CRLF). Affixed to the top of the concrete exclusion barrier will be a six-foot chain link fence with privacy slats. The remaining perimeter of the site will include a six-foot chain link fence with privacy slats.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Biological Opinion Amendment	California Red Legged Frog Biological Opinion Amendment dated 1/6/2021	The proposed changes include using a high density polyethylene (HDPE) exclusion barrier along the facility's eastern edge as it interfaces with the Drainage 3 corridor, in place of the concrete barrier described in the biological opinion. The concrete barrier would still be used in the southeastern part of the site along the access road. The HDPE exclusion barrier would be installed 36 inches below grade and extend 24 inches above grade. It has a 15 to 30 year life expectancy, compared to the 50 to 100 year life expectancy of the concrete barrier. The HDPE barrier would have a 4-inch overhanging lip at the top of the fence to deter climbing California red-legged frogs, while the concrete barrier would have a 6-inch lip. The City of Morro Bay (applicant) will conduct quarterly inspections of the barrier for signs of wear or damage and provide immediate repairs as needed. The applicant expects that only the above-ground portion of the barrier will need to be replaced in the future, because the below-ground barrier will be protected from sunlight, weather, and other potential damage. In the event that a complete barrier replacement is required, the applicant will contact the U.S. Fish and Wildlife Service (Service) for guidance prior to completing replacement. The applicant will document instructions to contact the Service in the event of a complete barrier replacement in their written protocols for fence maintenance.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Biological Opinion Amendment	California Red Legged Frog Biological Opinion Amendment (issue dated pending)	This second amendment covers the additional surface disturbance to grassland areas associated with the west cut-slope landslide and subsequent remediation. The coordination and correspondence between the City and USEPA/USFWS documents the extent of area disturbed by the landslide, field investigations and repair design, major earthwork remediation activities, and grasslands restoration.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog DESCRIPTION OF THE PROPOSED ACTION Biological Opinion p. 6	Permanent night lighting will be minimal with low intensity and will follow current City of Morro Bay and County of San Luis Obispo policies to prevent spillover into open space areas.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog DESCRIPTION OF THE PROPOSED ACTION Biological Opinion p. 7	The applicant proposes to mitigate for the loss of California red-legged frog critical habitat through the on-site conservation of 19.5 acres of dispersal habitat, on the same parcel where the Water Reclamation Facility would be located. The applicant will achieve protection through a conservation easement or another appropriate and feasible mechanism. The applicant will develop the protection in coordination with the Service and complete protection within 12 months of initiating project activities. The construction process will disturb nine acres of the proposed mitigation area by grading and installing fourteen drainage swales. The drainage swales would be concrete-lined with sides at a 1:1 slope. The applicant will revegetate the disturbed areas and return them to grassland.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog DESCRIPTION OF THE PROPOSED ACTION Biological Opinion p. 7	The applicant's Coastal Development Permit, issued by the Coastal Commission of California, obligates the applicant to restore and enhance 1.5 acres of riparian zone. These acres are located between the Water Reclamation Facility's eastern fence line and the property boundary parallel to Drainage 3. The applicant will plant native trees, shrubs, and grasses to enhance the riparian area. A restoration ecologist will monitor the riparian restoration zone for five years or until restored areas have met success criteria. The proposed riparian restoration zone connects with the proposed compensatory mitigation acres at the north end of the facility.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 1	Only Service-approved biologists will participate in activities associated with the capture, handling, and relocation of California red-legged frogs.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 2	The applicant will submit the names and resumes of a qualified biologist and qualified biological monitor for approval by the Service at least 14 days prior to the start of work. Ground disturbance will not begin until written approval is received from the Service that project biologist(s) are qualified to conduct the work.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 3	A Service-approved biologist will survey the project site no more than 48 hours before the onset of work activities. The Service-approved biologist will survey a 500-foot buffer zone upstream and downstream of the construction area for California red-legged frogs, as feasible, in consideration of the private property in the area. The Pre-Construction Survey will include a description of any standing or flowing water present in the drainage feature in proximity to the WRF construction area. If any life stage of the California red-legged frog is found and these individuals are likely to be killed or injured by work activities, the approved biologist will be allowed sufficient time to move them from the site before work begins. The Service-approved biologist will relocate the California red-legged frogs the shortest distance possible to a location that contains suitable habitat and that will not be affected by activities associated with the project. The relocation site will be in the same drainage to the extent practicable. The Service-approved biologist will coordinate with the Service on the relocation site prior to the capture of any California red-legged frogs.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.

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United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 4	A Service-approved biologist will be present at the work site until all California red-legged frogs have been relocated out of harm's way, workers have been instructed, and disturbance of habitat has been completed. After this time, the Service-approved biological monitor will ensure and document on-site compliance with all minimization measures. Biological monitoring will occur for all initial disturbance activities, and then will be scaled back to an as-needed basis once all habitat was removed for any activity occurring near a drainage feature or other environmentally sensitive habitat area. Biological monitoring will occur on a daily basis during the rainy season for any construction related activities at the WRF site. The Service-approved biologist will ensure that this monitor receives training on the minimization measures. If the Service-approved biological monitor or the Service-approved biologist recommends that work be stopped because California red-legged frogs would be affected in a manner not anticipated by the EPA and the Service during review of the proposed action, they will notify the project manager (the manager that is directly overseeing and in command of construction activities) immediately. The project manager will either resolve the situation by eliminating the adverse effect immediately or require that all actions causing these effects be halted. At this time, the Service-approved biologist may be called to relocate the California red-legged frog(s) out of harm's way.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 5	Before the start of any construction activities at the Water Reclamation Facility, the applicant will erect a combination silt, safety, and wildlife exclusion fence around the entire site. The entire site will include all disturbed areas and areas utilized by the applicant and its contractors for temporary construction laydown and stockpiling. The fence will have a minimum height of 36 inches above ground, a trench depth of at least six inches, and a minimum five-inch overhang that will serve as a climbing barrier for California red-legged frogs. To allow for site access, a temporary chain link fence gate will be erected at the head of the access road at Teresa Road. The exclusion fencing material will be affixed to the chain link fence gate and will be equipped with ground sweeps. The temporary construction fence will be monitored on a daily basis during the winter rain season (October 15 through April 15) and will remain in place until after substantial completion of the Water Reclamation Facility following the completion of the permanent exclusion fencing system.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 6	Prior to the commencement of construction-related activities, and for the duration of proposed construction activities, all construction workers will attend an Environmental Awareness Training and Education Program, developed and presented by the Service-approved biologist. The program will include information such as identification, habitat description, and protection under the Federal Endangered Species Act. The training will include detailed information about California red-legged frog and its habitat, the specific measures that are being implemented to conserve the California red-legged frog for the project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session as determined by the Service-approved biologist. Workers will be required to sign an acknowledgement form and will receive a hard hat sticker documenting their completion of the environmental awareness training.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 7	Before ground disturbing work activities begin each day, the Service-approved biological monitor will conduct a pre-construction survey and inspect under construction equipment and materials to look for California red-legged frogs. If a California red-legged frog is found during these checks or during construction, the Service-approved biological monitor will halt work that may affect the animal until the Service-approved biologist can move it out of harm's way.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 8	The Service-approved biologist will be present at the work site during initial site disturbance activities, including installation of exclusion fencing, erosion and sediment controls, and until the applicant has completed all surface disturbance. For work during the rainy season when California red-legged frogs may be moving through the project area, the biological monitor will conduct daily clearance surveys each morning prior to the start of work to ensure California red-legged frogs have not moved into the area and the wildlife exclusion fence is in good condition. If a California red-legged frog is observed within the biological monitoring area, the biological monitor will immediately contact the construction superintendent and evaluate the location of the frog in relation to ongoing work. If the frog is located within the work area, all work within 200 feet of the individual will be halted, and the individual will be allowed to leave the area under its own volition, or the Service-approved biologist may be called to capture and relocate the individual. The biological monitor will also provide additional training to the project's key construction management personnel on all environmental requirements associated with the project, so they can ensure all avoidance and minimization measures for biological resources are followed when the biological monitor is not present.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 9	Prior to the start of work, the contractor will prepare a Spill Prevention Plan to ensure prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur. All project-related hazardous materials spills within the project site will be cleaned up immediately. Spill prevention and cleanup materials will be on-site at all times during the course of the project. During construction/ground disturbing activities, all refueling, maintenance, and staging of equipment and vehicles will be located at least 100 feet from a drainage feature in a protected location where any potential spill would be contained and not drain directly toward aquatic habitat. The construction superintendent with support from the biological monitor will ensure contamination of habitat does not occur during such operations.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 9a	All refueling, maintenance, and washing of equipment and vehicles will be located on paved areas in a location where a spill will not travel into a drainage feature or storm drain inlet. This fueling/staging area will conform to Best Management Practices (BMPs) applicable to attaining zero discharge of stormwater runoff into waters of the U.S. and State of California. At a minimum, all equipment and vehicles must be checked and maintained on a daily basis to ensure proper operation and avoid potential leaks or spills. Washing of equipment will occur only in a location where polluted water and materials can be contained for subsequent removal from the site.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 9b	A designated concrete washout location will be established onsite, in an area at least 50 feet from any drainage feature or storm drain inlet. The washout will be maintained and inspected weekly, and will be covered prior to and during any rain event. If a container is used, concrete debris will be removed whenever the washout container reaches the 1/2 full mark.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 9c	BMPs for dust abatement will be a component of the project's construction documents. Dust control requirements will be carefully implemented to prevent water used for dust abatement from transporting pollutants to storm drains leading to the creek channel.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.

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United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 10	To prevent inadvertent entrapment during construction, all excavated, steep-walled holes or trenches will be covered with plywood or similar materials at the close of each work day, or provided with one or more escape ramps constructed of earth fill or wooden planks. If trapped California red-legged frogs are observed, the Service-approved biologist will relocate the California red-legged frog.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 11	During project activities, all trash that may attract predators will be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris will be removed from work areas.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 12	Spoils will be stockpiled in disturbed areas that lack native vegetation. BMPs will be employed to prevent erosion in accordance with the project's approved Stormwater Pollution Prevention Plan.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 13	Vehicular traffic to and from the WRF construction site will use existing routes of travel. Cross-country vehicle and equipment use outside designated work areas will be prohibited.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 14	Areas of disturbance will be minimized to the maximum extent practicable. Parking areas, new roads, staging, storage, excavation access routes, and disposal or temporary placement of spoils will be confined to the smallest areas possible. These areas will be flagged and disturbance activities, vehicles, and equipment will be confined to these flagged areas. Construction-related activities outside of the impact zone will be avoided.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 15	Nighttime lighting during construction of the WRF will be minimized to the maximum extent practicable. While regular nighttime work is not anticipated, nighttime lighting may be required during construction, but mitigation measures are required to ensure the lighting is shielded and pointed away from sensitive receptors such as the surrounding open space areas.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 16	Workers will be prohibited from bringing pets and firearms to the project site and from feeding wildlife.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 17	To ensure that diseases are not conveyed between work sites by the Service-approved biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force will be followed at all times.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 18	The project proponent will conduct regular inspections and maintenance of the slatted chain link fence in order to ensure slats are in good condition to prevent entry of California red-legged frogs. This will occur at least twice yearly, with one inspection occurring within one month of the onset of the rainy season. The rainy season is defined as between October 15 and April 15.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.

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United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 19	The applicant will develop and implement a revegetation plan that includes: location of the restoration, plant species to be used, restoration techniques, time of year the work will be done, identifiable success criteria for completion, and remedial actions if the success criteria are not achieved. All areas of temporary disturbance will be revegetated with an assemblage of native species, and locally collected plant materials will be used to the extent practical. All areas revegetated due to temporary disturbance will be monitored by a qualified biologist/restoration ecologist for five years following seeding and planting activities or until the final success criteria have been met.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 20	Any use of herbicides during the routine maintenance landscaping and revegetated areas which occurs outside Water Reclamation Facility fence will be minimized.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Reporting Requirements	California Red Legged Frog REPORTING REQUIREMENTS Biological Opinion p. 31	Pursuant to 50 CFR 402.14(i)(3), EPA must report the progress of the action and its impact on the species to the Service as specified in this incidental take statement. The applicant, through a qualified botanist, will monitor the success of revegetation actions on areas of temporary disturbance for a period of 5 years after revegetation takes place. The EPA or applicant will provide yearly reports to the Service by January 31 of each year during the construction phase of the project. These reports will include the number and age class of California red-legged frogs that have been captured and relocated, and that have been found injured or dead. These reports will also include the dates and results of inspections of the chain link fence, as well as any repairs that were made to the fence, an analysis of whether the chain link fence is successful in excluding California red-legged frogs, and any suggestions for improvement.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	WRF Development Envelope Special Condition 1(a)	All WRF development shall be located within the development envelope as shown in CDP Exhibit 1.	Project Complete	Project Complete	City is working with Coastal Commission to modify the development envelop for the project to accommodate the Recycled Water Facilities construction footprint.
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Rural Agricultural Theme Special Condition 1(b)	The design and appearance of all WRF development shall reflect a rural agricultural theme (i.e., simple and utilitarian lines and materials, including use of board-and-batten siding, corrugated metal, muted earth tone colors, etc.).	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Pump Stations and Related Development Design Special Condition 1(c)	All pump stations and related development design shall be sited and designed to limit impacts on public views as much as possible, including landscaping.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Landscaping Special Condition 1(d)	Landscaping shall consist of native, non-invasive, and drought tolerant species that provide appropriate screening and softening of development features in public views as much as possible.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Lighting Minimization Special Condition 1(e)	Exterior lighting shall be wildlife-friendly, shall use lamps that minimize the blue end of the spectrum, and shall be limited to the minimum lighting necessary for pedestrian and vehicular safety purposes. All lighting (exterior and interior) shall be sited and designed so that it limits the amount of light or glare visible from Highway 1 to the maximum extent feasible ()including through uses of lowest luminosity possible, directing lighting downward, etc.).	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Windows and Other Surfaces Special Condition 1(f)	All windows shall be non-glare glass, and all other surfaces shall be similarly treated to avoid reflecting light, and all windows shall be bird-safe (i.e., windows shall be frosted, partially frosted, or otherwise treated with visually permeable barriers that are designed to prevent bird strikes).	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.

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California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Utilities Special Condition 1(g)	Revised Final Plans shall clearly identify all utilities.	Project Complete	Project Complete	NA - Project is in design phase. This condition is being incorporated into the design for the Recycled Water Facilities.
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Stormwater and Drainage Special Condition 1(h)	...all project area stormwater and drainage is filtered and treated to remove expected pollutants prior to discharge and directed to existing stormwater inlets/outfalls as much as possible. Infrastructure and water quality measures shall retain runoff from the project onsite to the maximum extent feasible, including through the use of pervious areas, percolation pits and engineered storm drain systems. Infrastructure and water quality measures shall be sized and designed to accommodate runoff from the site produced from each and every storm event up to and including the 85th percentile 24-hour runoff event. In extreme storm situations (i.e., greater than the 85th percentile 24-hour runoff event storm) where such runoff cannot be adequately accommodated onsite through the project's stormwater and drainage infrastructure, any excess runoff shall be conveyed inland offsite in a non-erosive manner.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plan	Construction Plans Special Condition 2 (a, b, c, d, e, f, and j)	The Construction Plan shall, at a minimum, include the following: (a) Grading, (b) Construction Areas, (c) Construction Methods and Timing, (d) Traffic Control Plans, (e) Property Owner Consent, (f) Best Management Practices, and (J) Construction Specifications.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plans	Post Construction Special Condition 2(g)	All construction areas shall be restored to their pre-construction state or better upon completion of work. Where appropriate and feasible, roads/sidewalks impacted by construction shall employ stormwater management infrastructure BMPs, including bioswales, pervious pavers, garbage traps, and vegetative strips.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plans	Construction Site Documents Special Condition 2(h)	The Construction Plan shall provide that a copy of the signed CDP and the approved Construction Plan be maintained in a conspicuous location at each construction job site at all times, and that such copies shall be available for public review on request.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plans	Construction Manager Special Condition 2(i)	The Construction Plan shall provide that a construction manager be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and that his/her contact information (i.e., address, phone numbers, email address, etc.) including, at a minimum, a telephone number (with message capabilities) and an email that will be made available 24 hours a day for the duration of construction, is conspicuously posted at the job site where such contact information is readily visible from public viewing areas while still protecting public views as much as possible, along with indication that the construction manager should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction manager shall record the contact information (name, phone number, email, etc.) and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. Any critical and/or significant complaints and related responses shall be reported to the Executive Director as soon as possible, and all complaints and all actions taken in response shall be summarized and provided to the Executive Director on a weekly basis.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plans	Notification Special Condition 2(k)	The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office at least 3 working days in advance of commencement of construction, and immediately upon completion of construction.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Riparian Enhancement Plan	Riparian Enhancement Plan Special Condition 3	Prior to the operation of the WRF, the Permittee shall submit two copies of a Riparian Enhancement Plan (REP) to the Executive Director for review and approval. The REP shall provide for riparian enhancement within the unnamed creek and riparian area adjacent to the water reclamation facility site...	Project Complete - REP is under development.	Project Complete	Complete
California Coastal Commission	Coastal Development Permit 3-19-0463	Archeological Protection	Archeological Monitoring Special Condition 4	An archaeological monitor qualified by the Native American Heritage Commission shall be present during all ground disturbance (including grading activities), and shall be consulted to provide recommendations for subsequent measures for the protection and disposition of artifacts of historical or cultural significance in the event such artifacts are discovered.	Project Complete	Project Complete	Archeological monitors will be present during ground disturbing activities.

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California Coastal Commission	Coastal Development Permit 3-19-0463	Agricultural Mitigation Program	Agricultural Mitigation Program Special Condition 5	Prior to the operation of the WRF, the Permittee shall submit an Agricultural Mitigation Program to the Executive Director for review and approval. The Program shall specify the measures to be taken to mitigate for project agricultural impacts by providing an agricultural conservation easement over agricultural property of a similar quality as the project site, and of a type that is potentially threatened by urban development, at a ratio of at least 2:1 for the loss of agricultural land associated with the approved project (i.e., the easement must cover at least 30 acres of such agricultural land).	Project Complete - Coordination for the Agricultural Mitigation Plan is in progress.	Project Complete	City has prepared and received approval from the Coastal Commission for its Agricultural Mitigation Program Plan.
California Coastal Commission	Coastal Development Permit 3-19-0463	Recycled Water Management Plan	Recycled Water Management Plan Special Condition 6	Permittee shall submit Recycled Water Management Plan (RWMP). The objective of the RWMP shall be to ensure that the maximum amount of tertiary-treated recycled water is produced, and the maximum amount of such water is used for beneficial reuse purposes, including injected underground in locations that will maximize its ability for groundwater replenishment....	Project Complete	Project Complete	Complete
California Coastal Commission	Coastal Development Permit 3-19-0463	Wastewater Treatment Plant Removal and Restoration Plan	Wastewater Treatment Plant Removal/Restoration Plan Special Condition 7	Prior to operation of the WRF, the Permittee shall submit two copies of a Wastewater Treatment Plant Removal and Restoration Plan to the Executive Director for review and approval. The Plan shall indicate how the existing wastewater treatment plant located at 160 Atascadero Road will be decommissioned and demolished, including through removal of all plant components (e.g., buildings, fences, storage tanks, etc.), and the site restored to a safe and level configuration roughly matching the surrounding areas. The WWTP site shall be restored within one year of WRF and Cayucos CSD operation.	Project Complete	Project Complete	City has prepared and received approval from the Coastal Commission for its Wastewater Treatment Pland Removal and Restoration Plan.
California Coastal Commission	Coastal Development Permit 3-19-0463	Outfall Assessment Plan	Outfall Assessment Plan Special Condition 8	Prior to the commencement of any marine development, including off-shore development on the Ocean Outfall, the permittee shall submit ..... NOT APPLICABLE TO ANY CURRENT PROJECTS	Project Complete	Project Complete	NA - Not applicable to the Recycled Water Facilities Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Wastewater Service Boundary	Wastewater Service Boundary Special Condition 9	Wastewater service to properties outside of the City's current wastewater service area, per Exhibit 3, shall be prohibited without an amendment to this CDP.	Project Complete	Project Complete	NA - Not applicable to the Recycled Water Facilities Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Coastal Hazard Risk	Coastal Hazard Risk Special Condition 10	The Permittee acknowledges coastal hazards including pump stations and pipelines in low-lying elevations. The Permittee assumes said risks such that the Coastal Commission is indemnified.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Coastal Hazard Response	Coastal Hazard Response Special Condition 11	The Permittee acknowledges and agrees that the project will be constructed and used consistent with the terms and conditions of the CDP for only as long as the project components remain safe for use without additional measures beyond ordinary repair and maintenance as that term is defined in Section 30610(d) of the Coastal Act.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Public Rights	Public Rights Special Condition 12	The Permittee acknowledges and agrees that the Coastal Commission's approval of this CDP shall not constitute a waiver of any public rights that may exist on the properties involved.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Other Authorizations	Other Authorizations Special Condition 13	The Permittee shall provide documentation of authorizations from the RWQCB, SWRCB, CDFW, CSLC, NMFS, USACE, or provide documentation that such authorization is not required.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.

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California Coastal Commission	Coastal Development Permit 3-19-0463	Minor Changes	Minor Changes Special Condition 14	The Permittee shall undertake development in conformance with the terms and conditions of this CDP, including with respect to all Executive Director-approved plans and other materials, which shall also be enforceable components of this CDP. Any proposed project changes, including in terms of changes to identified requirements in each condition, shall either (a) require a CDP amendment, or (b) if the Executive Director determines that no amendment is legally required, then such changes may be allowed by the Executive Director if such changes: (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Future Permitting	Future Permitting Special Condition 15	All future proposed development related to this CDP shall require a new CDP or a CDP amendment.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Indemnification	Indemnification Special Condition 16	The Permittee agrees to indemnify the Coastal Commission, including reimbursement of attorney fees.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
City of Morro Bay	Design-Build Agreement	Section 3.2.4.3 – Construction Phase Responsibilities	Archeological Discovery	If a discovery is made of items of archaeological interest on site during excavation activities, the Design/Build Entity shall immediately cease excavation in the area of discovery and shall not continue until ordered by the Construction Manager. Design/Build Entity shall cooperate with and provide access to the City's Archaeologist and other monitoring services.	Project Complete	Project Complete	NA - Not applicab
City of Morro Bay	Design-Build Agreement	Section 5.2 - Disadvantaged Business Enterprise Requirements	Disadvantaged Business Enterprise Requirements	The WRF Project is partially funded through the California State Revolving Fund (CASRF) Program for Clean Water. Part of the requirements of CASRF funding is compliance with Disadvantaged Business Enterprise (DBE) Requirements. The requirements and applicable forms are described below and in Exhibit G.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
City of Morro Bay	Design-Build Agreement	Section 5.12.2 – Wages and Records	Davis-Bacon Wage Requirements	The Design/Build Entity and each subcontractor shall comply with the Davis-Bacon payrolls and basic records requirements as found in Exhibit H.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
City of Morro Bay	Design-Build Agreement	Section 5.14 – American Iron and Steel	American Iron and Steel	The Design/Build Entity and all of its subcontractors acknowledge to and for the benefit of the City and the State of California (the "State") it understands the goods and services under this Agreement are being funded with monies made available by the Clean Water State Revolving Fund and/or Drinking Water State Revolving Fund that have statutory requirements commonly known as "American Iron and Steel;" that requires all of the iron and steel products used in the Project to be produced in the United States ("American Iron and Steel Requirement"), including iron and steel products provided by the Design/Build Entity and its subcontractors pursuant to this Agreement.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
City of Morro Bay	Design-Build Agreement	Section 3.2.4.2 – Construction Phase Responsibilities	Competitive Bidding (Work)	Competitively bid all work not performed by the Design/Build Entity or its members or the Designated Subcontractors for packages that exceed $200,000 in anticipated value.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
City of Morro Bay	Design-Build Agreement	Section 3.2.4.5 – Construction Phase Responsibilities	Competitive Bidding (Equipment)	Competitively procure all process equipment packages from the preapproved vendors as identified in, and in accordance with the Scope of Work (Exhibit B).	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.

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State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AES-1: Nighttime Construction Lighting.	Lighting used during nighttime construction, including any associated 24-hour well drilling, shall be shielded and pointed away from surrounding light-sensitive land uses.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AQ-1a: Fugitive Dust Control Measures.	Construction projects shall implement dust control measures so as to reduce PM10 emissions in accordance with SLOAPCD requirements.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AQ-1b: Standard Control Measures for Construction Equipment.	Standard mitigation measures for reducing NOx, ROG, and DPM emissions from construction equipment are required.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AQ-1c: BACT for Construction Equipment.	BACT for diesel-fueled construction equipment shall be implemented during construction activities at the project site, where feasible.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AQ-1d: Architectural Coatings.	To reduce ROG and NOx emissions during the architectural coating phase, low or no VOC emission paints and finishes shall be used with levels of 50 g/L or less.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-1: Construction Worker Environmental Awareness Training and Education Program.	Prior to the commencement, and for the duration of proposed construction activities, all construction workers shall attend an Environmental Awareness Training and Education Program, developed and presented by the Lead Biologist.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-2: Avoidance and Protection of Biological Resources.	During proposed construction, operations and maintenance, and decommissioning the City and/or contractor shall implement general avoidance and protective measures.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-3: Morro Shoulderband Snail	The following mitigation measures shall be implemented to avoid or minimize impacts to Morro Shoulderband snail (MSS): (1) During project design, if project components would be located in areas with soils and vegetation that could support MSS, then a qualified biologist shall conduct a survey to delineate the extent of potential habitat. The following project components have either been mapped as Baywood fine sands or dunes, or are in areas adjacent to known populations (see Figure 3.4.7): Option 5A lift station; pipeline alignment adjacent to WWTP; portion of the pipeline at Drainage 1A; and the northwest corner of the IPR-West wellfield. (2) At areas adjacent to vegetated areas to support MSS, silt fencing shall be installed, to restrict project activities into these areas and to deter MSS movement. (3) If avoidance of MSS habitat is not feasible, then protocol levels surveys for MSS shall be conducted to determine presence/absence and distribution of MSS. (4) If survey results are negative and a concurrence authorization is granted, then vegetation shall be removed under supervision of the permitted biologist, and the site(s) shall be graded/grubbed down to bare mineral soil, and bordered with silt fence to preclude MSS from subsequently entering the area(s). (5) If live MSS are found within areas proposed for impact, then consultation with USFWS will be necessary. (6) If equipment use, materials stockpiling, lift station construction, or any other uses are proposed on the north side of Atascadero Road opposite the existing WWTP, then all such areas shall have silt fencing to create a barrier between potential MSS habitat. (7) Work crews will undergo an environmental training session conducted by a qualified biologist prior to start of construction activities in or adjacent to MSS habitat areas.	Project Complete	Project Complete	During the project design, a qualified biologist has conducted a survey to delineate the extent of potential habitat in project areas with soils and vegetation that could support MSS.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-4: American Badger.	A pre-construction survey for active badger dens will be conducted within the proposed construction impact footprint and surrounding accessible areas of the mapped annual grassland portions of the eastern pipeline alignment (between the WRF and Downing Street on the west; see Figures 3.4-3 through 3.4-5) and the WRF site at least two weeks prior to any ground disturbing activities. The survey will be conducted by a qualified biologist. In order to avoid potential direct impacts to adults and nursing young, no grading should occur within 50 feet of an active badger den as determined by the project biologist.	Project Complete	Project Complete	NA - Not applicable to the Recycled Water Facilities, the eastern pipeline alignment was not selected

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State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-5: Nesting Birds.	Mitigation measures are recommended to avoid or minimize impacts to nesting bird species, including special-status species and species protected by the Migratory Bird Treaty Act.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-6: Riparian Habitat Avoidance	During proposed project design, a qualified biologist shall identify the project boundaries adjacent to Morro Creek and the allowable limits of construction activities to avoid direct and indirect impacts to riparian habitat. Those limits shall be used during proposed project design to identify a pipeline alignment that avoids impacts to riparian habitat as well as areas to be avoided for siting injection and monitoring wells. During construction, the riparian boundaries and limits shall be clearly flagged or fenced so that contractors are aware of the limits of allowable site access and disturbance. Areas to be preserved should be clearly flagged as off- limits to avoid unnecessary damage and potential erosion.	Project Complete	Project Complete	The project biologist has identifiifed the boundaries adjacent to Morro Creek and the allowable limits of construction impacts.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-7: Trenching Buffer for Jurisdictional Features	During construction of proposed project pipelines, trenching shall stop at least 50 feet away from jurisdictional features, such as the top of stream banks, riparian habitat and wetlands, and the remaining distance shall be installed using trenchless construction methods, such as horizontal directional drilling.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-8: Construction BMPs to Protect Jurisdictional Features and Aquatic Habitat.	Mitigation measures should be implemented prior to and during construction near Morro Creek and Little Morro Creek, as well as Drainages 1, 1A, 1B, 2, 2A, 2B, 3, 3A, and 3B, and wetlands.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-9: Preparation of a Frac-Out Contingency Plan	A Frac-Out Contingency Plan shall be prepared prior to initiation of construction activities that involve horizontal direction drilling activities. The Frac-Out Plan shall be implemented during HDD construction activities.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-10: Tree Protection	For public trees, protection will be established at a minimum distance of 1.5 times the dripline (i.e., the distance from the trunk to the outermost limits of leaves and branches). During development, orange construction fencing or sufficient staking to identify the protection area will surround each tree or clusters of trees.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-1: Retention of a Qualified Archaeologist.	Within 30 days after the City's approval of the final design plans and prior to start of any ground-disturbing activities (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the City shall retain a Qualified Archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (U.S. Department of the Interior, 1983) to carry out all mitigation related to archaeological resources.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-2: Pre-Construction Phase I Cultural Resources Survey.	Within 30 days after the City's approval of the final design plans and prior to the start of any ground-disturbing activity (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the Qualified Archaeologist shall conduct pre-construction Phase I Cultural Resources Survey of all areas that have not been previously surveyed within the last 5 years.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-3: Avoidance and Preservation in Place of Archaeological Resources.	The City shall avoid and preserve in place resources CA-SLO-16, -43, -165, -239, -2222, and -2845, and any other resources that are identified as potentially qualifying as historical resources or unique archaeological resources under CEQA, through proposed project re-design. Avoidance and preservation in place is the preferred manner of mitigating impacts to archaeological resources. Preservation in place maintains the important relationship between artifacts and their archaeological context and also serves to avoid conflict with traditional and religious values of groups who may ascribe meaning to the resource. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that avoidance and preservation in place of a resource is determined by the City to be infeasible in light of factors such as project design, costs, and other considerations, then CUL-4 shall be implemented for that resource. If avoidance and preservation in place of a resource is determined by the City to be feasible, then CUL-5 shall be implemented for that resource.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.

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State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-4: Development of an Archaeological Resources Data Recovery and Treatment Plan.	The Qualified Archaeologist shall prepare an Archaeological Resources Data Recovery and Treatment Plan for all significant resources that will be impacted by the proposed project.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-5: Development of a Cultural Resources Monitoring and Mitigation Program (CRMMP).	Within 60 days of the award of the contractor's bid and prior to the start of any ground-disturbing activity (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the Qualified Archaeologist shall prepare a Cultural Resources Mitigation and Monitoring Program (CRMMP) based on the final City-approved project design plans.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-6: Construction Worker Cultural Resources Sensitivity Training.	Prior to start of any ground-disturbing activities (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the Qualified Archaeologist, or his/her designee, and a Native American representative shall conduct cultural resources sensitivity training for all construction personnel.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-7: Archaeological Resources Monitoring.	All project-related ground disturbance (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil) shall be monitored by an archaeological monitor(s) familiar with the types of resources that could be encountered and shall work under the direct supervisor of the Qualified Archaeologist.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-8: Native American Monitoring.	The City shall retain a Native American monitor(s) from a Tribe that is culturally and geographically affiliated with the project site (according to the California Native American Heritage Commission). The Native American monitor shall monitor all project-related ground disturbance (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil) and all ground disturbance related to subsurface investigation and data recovery efforts for discovered resources that are Native American in origin.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-9: Inadvertent Discovery.	In the event archaeological resources are encountered during construction of the proposed project, all activity in the vicinity of the find shall cease (within 100 feet), and the protocols and procedures for discoveries outlined in the CRMMP (see CUL-5) shall be implemented.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-10: Retention of a Qualified Paleontologist.	Within 60 days prior to the start of any ground-disturbing activity (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the City shall retain a paleontologist who meets the (SVP) Standards (SVP, 2010) (Qualified Paleontologist) to carry out all mitigation measures related to paleontological resources.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-11: Paleontological Resources Sensitivity Training.	The Qualified Paleontologist, or his/her designee, shall conduct construction worker paleontological resources sensitivity training prior to the start of ground disturbing activities. In the event construction crews are phased, additional trainings shall be conducted for new construction personnel. The training session shall focus on the recognition of the types of paleontological resources that could be encountered within the project site and the procedures to be followed if they are found. The City shall ensure construction personnel are made available for and attend the training and retain documentation demonstrating attendance.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-12: Paleontological Resources Monitoring.	All ground disturbance in excess of 5 feet within areas that are mapped as younger alluvial gravel (Qa) and beach and dune sands (Qs) shall be monitored on a full-time basis during initial ground disturbance.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.

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State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-13: Inadvertent Discovery of Fossils.	If construction or other proposed project personnel discover any potential fossils during construction, regardless of the depth of work or location, then work at the discovery location shall cease in a 50-foot radius of the discovery until the Qualified Paleontologist has assessed the discovery and made recommendations as to the appropriate treatment.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-14: Inadvertent Discovery of Human Remains:	If human remains are encountered, then the City shall halt work in the vicinity (within 100 feet) of the discovery and contact the County Coroner in accordance with PRC section 5097.98 and Health and Safety Code section 7050.5.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	NOISE-1: Construction Noise Reduction Measures.	The City shall develop and submit a Construction Noise Reduction Plan to the building official prior to initiating construction activities during hours that are not included in the exemption under the Morro Bay Municipal Code. The City or its contractor shall implement the Construction Noise Reduction Plan.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	NOISE-2: Operational Noise Reduction Measures	Prior to final design of the proposed injection wells, the City shall prepare an Operational Noise Reduction Plan demonstrating that the proposed injection wells will not expose the nearest sensitive receptor to noise levels that would exceed the City's daytime and nighttime noise standards (see Table 3.11-4). The operational noise reduction plan shall be prepared by a qualified noise consultant. Once all noise reduction measures outlined in the Operational Noise Reduction Plan are implemented, the City shall measure noise at the nearest sensitive receptor property line to validate the effectiveness of the measures and to demonstrate that operational noise levels are below the City's noise standards.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	GEO-1: Geotechnical Investigation.	A geotechnical investigation shall be prepared by a certified engineer for all facilities involving substantial ground disturbance or excavation.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	GEO-2: Post-Construction Site Restoration.	After construction of project pipelines, disturbed areas shall be managed to control erosion, including without limitation: repaving areas within roadways, restoring vegetated areas, and regrading surfaces to minimize changes in drainage patterns.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	TRAF-1: Traffic Control Plan.	Prior to the start of construction of project components that would occur within a roadway right-of-way, the City shall require the construction contractor to prepare a Traffic Control Plan. The Traffic Control Plan will show all signage, striping, delineated detours, flagging operations and any other devices that will be used during construction to guide motorists, bicyclists, and pedestrians safely through the construction area and allow for adequate access and circulation to the satisfaction of the City's Public Works Director and Fire and Police Chiefs.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Dust Control Requirements	Dust Mitigation Plan	Because the project will disturb more than one acre, a project-specific Dust Mitigation Plan is required. Grading operations must follow the dust mitigation requirements contained in the NOA ATCM.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Section 5.0 – Air Monitoring Program	Asbestos Dust Air Monitoring	Because of the site's proximity to a sensitive receptor (an assisted-living facility on Teresa Drive), the APCD will require that an Asbestos Dust Air Monitoring Plan be submitted for approval prior to issue of a grading permit. The plan will specify procedures to be followed during construction and grading, including sampling locations/methods/frequency, analytical methods, and allowable thresholds.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.

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San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Section 6.2 – Mitigation Measures	Dust Mitigation Plan	At all times during construction, the CP will be present to ensure that the mitigations measures described in this section are properly carried out. The CP will monitor the implementation of the measures to minimize dust complaints and prevent visible emissions crossing the Project Boundary. Construction will take place during daylight hours between 7:00 AM and 7:00 PM. Mitigation measures were developed to address dust control during construction activities, as well as for post-construction maintenance of disturbed areas. Throughout construction, the amount of area disturbed shall be minimized to the extent practical. Per the Asbestos ATCM, the following sections outline the required dust mitigation practices (CARB, 2015): - Track-Out Prevention and Control Measures - Active Storage Piles - Disturbed Surface Area and Stockpiles that will Remain Inactive for more than Seven Days - Traffic On-Site on Unpaved Roads, Parking Lots, and Staging Areas - Earthmoving Activities - Off-Site Transport - Post-Construction Stabilization of Disturbed Areas	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Decontamination	Dust Mitigation Plan	Equipment and trucks that come into contact with NOA-containing soil will be cleaned before leaving the Project site. Cleaning shall take within the Project boundaries, so that NOA soil remains on-site.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Signage/Notifications	Dust Mitigation Plan	Cal-OSHA and CARB regulations require signage and postings at job sites where NOA is, or may be, disturbed. Warning signs will be posted at the main entrances to the project for the duration of soil disturbance activities, and residents within the area will be notified by mail of the soil disturbance.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Documentation	Dust Mitigation Plan	Documentation of earthwork activities will be maintained by the Competent Person under the direct supervision of the Geotechnical Engineer of Record. Documentation records will be maintained by the Project Owner/Operator for a minimum of seven (7) years following the completion of the Project, and will be made available for inspection upon request by the SLOAPCD.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
San Luis Obispo County Air Pollution Control District	Emergency Standby Generator(s)	Permit to Construct and Permit to Operate	Permit to Construct and Permit to Operate	The City shall submit SLOAPCD Diesel Engine Permit Application for project Emergency Standby Generator(s). The City shall obtain required SLOAPCD Permit to Construct and Permit to Operate as required.	Project Complete	Project Complete	NA - Project is in design phase.
San Luis Obispo County Air Pollution Control District	General Permit incl. Odor Control Facilities	Permit to Construct and Permit to Operate	Permit to Construct and Permit to Operate	The City shall submit SLOAPCD General Facility Permit Application for project site (et-al) including odor control facilities. The City shall obtain required SLOAPCD Permit to Construct and Permit to Operate as required.	Project Complete	Project Complete	NA - Project is in design phase.
California State Historic Preservation Office	Phase 1 Monitoring Plan	Determining Activities Requiring Monitoring	PHASE 1 - WRF PROJECT Extent of Monitoring	..... Only the initial three feet of topsoil removal in these areas will need to be monitored archaeologically. Once grading is complete, all subsequent construction work on site will either be within artificial fill or truncated bedrock and therefore archaeological and Native American monitoring will not be warranted. The archaeological monitor, in consultation with the archaeological Principal Investigator, the City's Project Manager, and the Construction Manager, will determine when monitoring is no longer necessary.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California State Historic Preservation Office	Phase 2 Monitoring Plan	Determining Activities Requiring Monitoring	PHASE 2 - PIPELINE AND PUMP STATION PROJECT Extent of Monitoring	- Pipeline Station 27 to 37 .... CA SLO-16 ... HA1–6, C20–21, C45–50 ... Intact site deposit in HA1–3, C21, C47–48 and C50; disturbed site deposit in C46 and C49 ... Eligible for National Register - Pipeline Station 22 to 24 .... CA SLO-16 ... C5-C7 ... Thin layer of dense redeposited shell midden in C5 and C7 ... Not eligible for National Register due to lack of integrity. - Pipeline Station 53 to 61 .... CA SLO-239 ... C26–27, 51-54 ... Disturbed site deposit in C26–27, likely originating from SLO-239 ... Not eligible for National Register due to lack of integrity. - Replacement Portion of LS2 Force Main .... CA SLO-239 ... No, due to existing pipeline ... Archaeological construction monitoring. - New Addition to LS2 Force Main .... CA SLO-239 ... Trenching or coring after property acquired by City ... Likely will require archaeological construction monitoring - Pipeline Station 147 to 150 ... CA SLO-2232H ... HA20–22 Possible sparse intact Native American site deposit in HA20 ... Not eligible for National Register.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 3/4 Monitoring Plan (FUTURE)	Determining Activities Requiring Monitoring	PHASE 3/4 - RECYCLED WATER AND EXISTING TREATMENT PLANT PROJECTS Extent of Monitoring	PHASE 3 - INJECTION WELLS PROJECT PHASE 4 - EXISTING TREATMENT PLANT DEMOLITION	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.

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California State Historic Preservation Office	October 2019 Programmatic Agreement	Section 1.B City Roles and Responsibilities	Staff Professional Qualifications	City will ensure that all historic preservation and archaeological work is performed by, or under the direct supervision of, a person or persons who meet, at a minimum, the Secretary of the Interior's Professional Qualifications Standards (48 Federal Register 44738–44739) (Appendix A to 36 CFR §61) in the relevant field of study, as described under the Administrative Provisions of this Agreement. Hereinafter, such persons will be referred to as Qualified Professionals.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 1 and Phase 2 Monitoring Plans	Construction Crew Archeological Awareness Training	Archeological Awareness Training	Prior to any soil-disturbing construction activities, the archeological monitor will conduct a five- to 10-minute oral archaeological awareness training for the construction crew, including all equipment operators and personnel involved in the mass excavation activities. The Native American monitor will also likely offer comments on their concerns.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 1 Monitoring Plan WRF	Reporting	Extent of Monitoring	The archaeological Principal Investigator will submit weekly status reports to the City detailing monitoring activities and any discoveries. The weekly status reports will include both archaeological and Native American daily monitoring logs, photos, and maps (as appropriate).	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 1 Monitoring Plan WRF	Scheduling	Extent of Monitoring	If there are no findings, an Archaeological Resources Monitoring Report for Construction Phase 1 will be prepared and submitted to the City for review within 30 days of completion of monitoring activities.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 1 Monitoring Plan WRF	Archeological Monitoring Guidelines	Construction Monitoring	The Archaeological and Native American Monitors will observe soil disturbance during construction activities (e.g., manual or machine excavations, grading). The Archaeological monitor will observe consistency or changes in soils or may examine specific materials that may be cultural in origin.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Reporting	Extent of Monitoring	The archaeological Principal Investigator will submit weekly status reports to the City detailing monitoring activities and any discoveries. The weekly status reports will include both archaeological and Native American daily monitoring logs, photos, and maps (as appropriate). If no archaeological materials are identified during construction monitoring, an Archaeological Resources Monitoring Report will be prepared and submitted to the City for review within 30 days of completion of monitoring activities. In accordance with Stipulation VI of the Programmatic Agreement, the City will provide the report to the EPA for review, who will in turn submit it to all Parties of the Agreement. The final Monitoring Report will be submitted to all Parties of the Agreement and to the Central Coast Information Center at the University of California, Santa Barbara. If archaeological remains are identified during monitoring and cannot be avoided, they will be evaluated and mitigated (if warranted) in accordance with the Archaeological Research Design and Treatment Plan (Kaijankoski et al. 2019:Appendix E).	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Scheduling	Extent of Monitoring	An archaeological monitor and Native American monitor shall be present according to a schedule agreed upon by the archaeological Principal Investigator and City Project Manager prior to the beginning of construction. The archaeological Principal Investigator will review all anticipated soil disturbing activities with the construction contractor to determine which could potentially expose archaeological deposits and when these activities will be taking place. A tentative schedule will be prepared for monitoring, with the understanding that it is flexible depending on construction progress and findings.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Archeological Monitoring Guidelines	Construction Monitoring	1. The archaeological Principal Investigator and archaeological monitor(s) will meet the Secretary of Interior's professional qualification standards for prehistoric archeology. 2. An Archaeological monitor will be present for all ground-disturbing activities in the pipeline segments and components where archaeological monitoring is recommended. 3. Local Native American community will request to monitor all Construction Phase 2 ground disturbance. A local archaeologist will assess discovery made by the Native American monitor. 4. The need for more than one archaeological and Native American monitors may be necessary if work in being conducted in a variety of locations. 5. The City Project Manager will provide the construction schedule (location, day, time, and nature of work) to the archaeological and Native American monitors. 6. The archaeological monitor(s) will have the experience and demonstrated ability to recognize all types of archaeological materials and features. 7. Native American monitors should be from groups listed on the Native American Heritage Commission list of interested individuals. 8. Should the need arise to record or collect samples and artifacts, the archaeological monitor shall immediately consult with the archaeological Principal Investigator. 9. The archaeological and Native American monitors will document monitoring activities in a daily log. ….. 10. Monitors will take periodic digital photographs.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Section IV. TESTING RESULTS AND RECOMMENDATIONS	CA-SLO-16 MITIGATION PLAN	Mitigation of project impacts to site SLO-16 under both Section 106 of the National Historic Preservation Act and the California Environmental Quality Act will be required as the site can be considered significant and avoidance not feasible. All work will be conducted in accordance with the project's archaeological treatment plan (Kaijankoski et al. 2019) and needs to be approved by Caltrans within their right-of-way. A Native American monitor will be present to observe all archaeological excavations. Methods and extent of excavation will ultimately be determined once the deposits are exposed during construction excavation and initial hand excavations. Mitigation will require extensive support and collaboration from the project construction contractor who will need to secure the area and provide mechanical excavation equipment, operators, and support equipment. A location for deep reburial of human remains that may be encountered should be considered prior to construction, although ultimately the Most Likely Descendent will need to approve of this. Uncollected archaeological deposits will need to be permanently reburied on-site in accordance with the wishes of local Native American groups. Portions of the site not impacted by the project should be designated Environmentally Sensitive Areas with orange fencing. A short mitigation work plan can then be prepared and submitted to all interested parties for review.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.

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California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Section IV. TESTING RESULTS AND RECOMMENDATIONS	CA-SLO-239 (STATION 53 TO 61)	Cores C26 and C27 both contained a small amount of disturbed archaeological deposits. This material almost certainly originated from site SLO-239 located on the higher terrace to the south. Additionally, adjacent Cores 51-54 contained trace amounts of disturbed shellfish. Therefore archaeological construction monitoring is recommended along the boundary of site SLO-239 between stations 53 to 61. Additional Testing Required: A recent addition to the LS-2 force main measures approximately 300 meters near SLO-239. The area also has an elevated buried site sensitivity. This project component could not be tested as it lies on private property with no permission to access. The City is currently acquiring the property through eminent domain. In accordance with the Programmatic Agreement, the component will be tested once access is secured. This would involve approximately 12 trenches or cores spaced at 25-meter intervals over a two day period. If disturbed deposits associated with SLO-239 are identified, monitoring for human remains will be recommended and an addendum to this test report prepared. If intact archaeological deposits are identified, they will be immediately evaluated and mitigated in accordance with the Treatment Plan and documented in the final report.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Section IV. TESTING RESULTS AND RECOMMENDATIONS	CA-SLO-2022 (STATION 138 TO 143)	Testing was conducted between Stations 138 and 143 due to the presence of site SLO-2022 that is visible in the roadcut immediately northeast of the ADI. Quintana Road is cut into the hillside that this site is situated upon as it descends in elevation to South Bay Blvd. Additionally, this area has the lowest buried site sensitivity due to the ancient age of the surface landform. Thirteen hand augers (HA7–19) were excavated split evenly between each side of the road adjacent to the ADI. Results were all negative despite processing samples from most augers (see Table 3). Therefore, no archaeological construction monitoring or mitigation is recommended for this segment. However, it is recommended that site SLO-2022 be designated an Environmentally Sensitive Area and be protected during construction with orange fencing or other measures.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Section IV. TESTING RESULTS AND RECOMMENDATIONS	CA-SLO-2232H (Station 147 TO 150)	Stations 147 to 150 are adjacent to site SLO-2232H, where a prehistoric component was reported to have been recently discovered during construction of a housing complex to the south. After testing for this project was complete, communications with the archaeologist overseeing the housing complex work revealed that the prehistoric deposit (including human remains) encountered is in fact associated with site SLO-1183 and located more than 100 meters (330 feet) south of the ADI. Access constraints (numerous underground utilities) only allowed for three hand augers (HA20–22) to be excavated along the south side of the road. HA21 and HA22 were negative, while a possible sparse prehistoric site deposit was identified in HA20. It is possible that the materials recovered in HA20 originated from site SLO-2022 and were pushed downhill when Quintana Road was cut through the site. This very sparse deposit of uncertain integrity is recommended not eligible for the National Register. However, archaeological construction monitoring for human remains is warranted for this pipeline segment.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Programmatic Agreement	Section IX – Annual Reporting	Annual Reporting	In addition to the final reports described within this Stipulation, EPA shall provide the Parties to this Agreement an annual update on the implementation of this Agreement. Such update shall include any scheduling changes proposed, any problems encountered, failures to adopt proposed mitigation measures, and any disputes and objections received in EPA's efforts to carry out the terms of this Agreement. The update will be due no later than December 31 of each year, beginning December 31, 2019 and will continue annually thereafter throughout the duration of this Agreement.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
Central Coast Regional Water Quality Control Board	Stormwater Pollution Prevention Plan	Section 1.6 - Required Non-Compliance Reporting	Reporting Requirements	If a discharge violation occurs the QSP shall immediately notify the LRP and the LRP shall file a violation report electronically to the Regional Water Board within 30 days of identification of non-compliance using SMARTS. Corrective measures will be implemented immediately following the discharge or written notice of non-compliance from the Regional Water Board.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
Central Coast Regional Water Quality Control Board	Stormwater Pollution Prevention Plan	Section 1.7 – Annual Report	Reporting Requirements	The General Permit requires that permittees prepare, certify, and electronically submit an Annual Report no later than September 1st of each year. Reporting requirements are identified in Section XVI of the General Permit.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
Central Coast Regional Water Quality Control Board	Stormwater Pollution Prevention Plan	Section 3.2 – Erosion and Sediment Control	Control Measures	Erosion and sediment controls are required by the General Permit to provide effective reduction or elimination of sediment related pollutants in stormwater discharges and authorized non-stormwater discharges from the Site.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
Central Coast Regional Water Quality Control Board	Stormwater Pollution Prevention Plan	Section 3.3 – Non-Stormwater Controls and Waste and Materials Management	Control Measures	Non-stormwater discharges into storm drainage systems or waterways, which are not authorized under the General Permit, are prohibited.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.

MORRO BAY
OUR WATER
RELIABLE. CLEAN. FOR LIFE.

City of Morro Bay
Water Reclamation Facility Project

QUARTERLY PROGRESS STATUS REPORT TO FUNDING / REGULATORY AGENCIES (COMBINED REPORT)

REPORTING PERIOD
October 1, 2024 through December 31, 2024

CONFLUENCE
ENGINEERING SOLUTIONS

MORRO BAY
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City of Morro Bay
Water Reclamation Facility Project

QUARTERLY PROGRESS STATUS REPORT TO FUNDING / REGULATORY AGENCIES (COMBINED REPORT)

REPORTING PERIOD
OCTOBER 1, 2024 THROUGH DECEMBER 31, 2024

Clean Water State Revolving Fund (CWSRF) Planning Loan Agreement No. D16-01016

Water Infrastructure Finance and Innovation Act (WIFIA)
Funding Agreement No. N17150CA (Water) / No. N17108CA (Wastewater)

CWSRF Funding Agreement No. (SWRCB0000000000D2001033)

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Abbreviations

AOP	advanced oxidation process
APCD	Air Pollution Control District
BNR	biological nutrient removal
BR	brine
Caltrans	California Department of Transportation
Carollo	Carollo Engineers
CA-SLO	California-San Luis Obispo
CDFW	California Department of Fish and Wildlife
City	City of Morro Bay
COVID-19	Coronavirus Disease 2019
CWSRF	Clean Water State Revolving Fund
DDW	Division of Drinking Water
ESA	environmentally sensitive area
FBV	Filanc, Black & Veatch
FCA	flanged coupling adapter
FO	fiber optic
FPVC	fusible polyvinyl chloride
GMP	guaranteed maximum price
H_2O	water
HDPE	high-density polyethylene
IPR	indirect potable reuse
LF	linear feet
LOTO	lockout tagout
LS	lift station
MBR	membrane bioreactor
mgd	million gallons per day
MH	manhole
MTBM	microtunnel boring machine
N/A	not applicable
NEMA	National Electrical Manufacturers Association
NPDES	National Pollutant Discharge Elimination System
NTP	notice to proceed
OMMP	Operations, Maintenance, and Monitoring Plan
PCO	potential change order
PG&E	Pacific Gas and Electric
PLC	programmable logic controller

PS	pump station
R/W	right-of-way
RFP	request for proposals
RO	reverse osmosis
RWQCB	Regional Water Quality Control Board
SAFE	stormwater auxiliary filtration equipment
SCADA	supervisory control and data acquisition
SD	storm drain
SHPO	State Historical Preservation Officer
SHT	sludge holding tank
SLO	San Luis Obispo
SRF	State Revolving Fund
SWPPP	Stormwater Pollution Prevention Plan
TBD	to be determined
TCP	traffic control plan
TSO	Time Schedule Order
USEPA	United States Environmental Protection Agency
UV	ultraviolet
UVT	ultraviolet transmittance
Vdc	volts direct current
VFD	variable frequency drive
WIFIA	Water Infrastructure Finance and Innovation Act
WRC	Water Resource Center
WRF	Water Reclamation Facility
WWTP	wastewater treatment plant

Section 1

PROJECT OVERVIEW

1.1 General Project Status Update

Since 2013, the City of Morro Bay (City) has been developing a Water Reclamation Facility (WRF) project through the completion of several key planning milestones including completion of the Draft Water Reclamation Facility Master Plan and Draft Master Water Reclamation Plan. These planning documents along with City Council-adopted goals for the project have outlined a project that includes the following major components:

- On-site tertiary treatment facility with a capacity of approximately 1 million gallons per day (mgd). This facility was previously known as the WRF and the City recently renamed the facility the Water Resource Center (WRC). For the remainder of this document, the treatment facility will be referred to as the WRC.
- On-site full advanced treatment facilities capable of meeting the State Division of Drinking Water (DDW) requirements for potable reuse via groundwater augmentation.
- Off-site raw wastewater conveyance facilities including pipelines and two pump stations to convey raw wastewater, tertiary-treated wastewater, and brine between the existing wastewater treatment plant (WWTP) site and the City's WRC located at Highway 1 and South Bay Boulevard (Conveyance Facilities).
- Off-site recycled potable reuse facilities including pipelines and injection wells necessary for groundwater augmentation in the Morro groundwater basin (Recycled Water Facilities).

"Our Water" is the City's program to plan and build water and wastewater infrastructure for a sustainable future for the environment, economy, and the community. This report summarizes key accomplishments and challenges during the reporting period of October 1, 2024, through December 31, 2024.

1.2 Current Project Schedule

In June 2018, the City received a Time Schedule Order (TSO) from the Regional Water Quality Control Board (RWQCB) that requires the City to achieve full operation of new wastewater treatment facilities by February 28, 2023, encompassing the WRC project (by Design-Build) and the Conveyance Facilities project (by conventional Design-Bid-Build) including all off-site pipelines and pump stations. The overall program schedule is shown in the figure below. The final completion for both the WRC and the Conveyance were officially closed out in May 2024.

While both the WRC and Conveyance Projects' final completion dates are to occur after the TSO deadline, the City has already achieved the milestone requirement of full operation of the wastewater treatment facilities in compliance with permits and regulatory requirements. The milestone goal was achieved during a phased start-up of the various facilities during October and November 2022.

The Recycled Water Facilities component of the WRF Program, which includes construction of injection wells and recycled water pipelines, is not tied to the TSO compliance date and is currently proceeding through the permitting and design process. The current estimated date for substantial completion of the Recycled Water Facilities is July 2026.

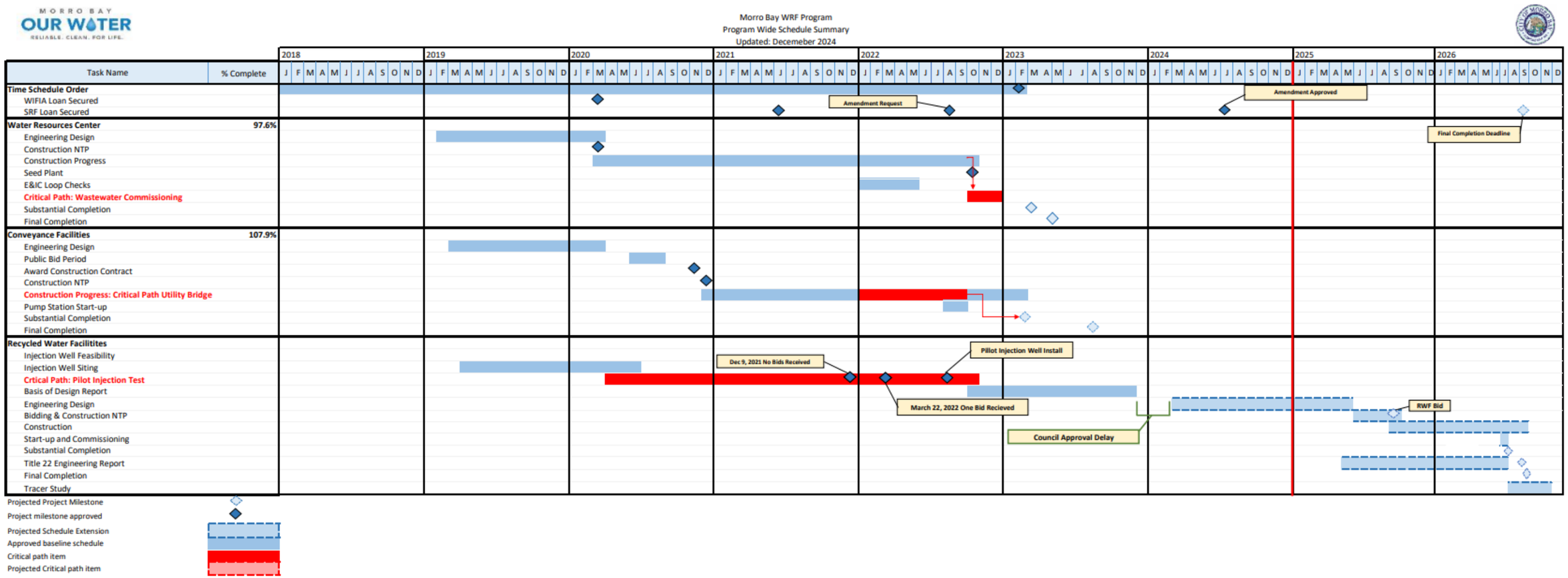

Figure 1 Program Schedule

Section 2

WATER RESOURCES CENTER

2.1 Project Summary – Reporting Period: October 1 to December 31, 2024

This quarterly progress report summarizes the project construction and addresses contract time, change orders, progress, key construction accomplishments, safety and security issues, construction activities, environmental and cultural monitoring, and Davis-Bacon labor compliance issues.

Table 1 WRC Project Summary

Item	Description
Public Agency Owner	City of Morro Bay
Design-Build Joint Venture Entity	Overland Contracting, Inc.
Design-Build General Contractor	J.R. Filanc Construction Company, Inc.
Design-Build Engineer of Record	Black & Veatch Corporation
City's Program Management	Carollo
City's Construction Manager	Carollo – Mimiaga Engineering Group Inc.
Design-Build Contract Award	October 23 2018
Design Phase NTP	November 5, 2018
Original Anticipated Construction NTP	April 29, 2019
Original Substantial Completion Date	August 5, 2021
Original Final Completion Date	October 1, 2021
Actual Executed Construction NTP	March 20, 2020
Original Construction Phase Duration	886 Calendar Days (Construction NTP to Final Completion)
Construction Phase Time Extensions Approved	374 Calendar Days (through Amendment No. 9)
Revised Construction Phase Duration	1,449 Calendar Days (Construction NTP to Final Completion)
Original / Current Substantial Completion	June 27, 2022 / February 6, 2023
Original / Current Final Completion Date	August 23, 2022 / March 8, 2024
Original GMP	$67,234,512.00
Current Approved Amendments to Date	$11,765,488.00 (through Amendment No. 10)
Current Approved GMP	$79,000,000.00 (through Amendment No. 10)
Approved Progress Payments to Date	$79,000,000 (through June 30, 2023, Payments 1 – 62)
Percent Complete – Cost (Contractor Invoiced)	100% ($79,000,000 / 79,000,000)
Construction Calendar Days Elapsed	1,448 Calendar Days (March 20, 2020 to March 8, 2024)
Percent Complete - Time (Schedule Elapsed)	133% (1471 days / 1,088 days)
Percent Construction Complete (Overall)	117% (average of cost and time percent complete)

Abbreviations:
Carollo – Carollo Engineers; GMP – guaranteed maximum price; NTP – Notice to Proceed.

2.2 Project Scope of Work

- 0.85/0.97 mgd WRC Average Annual.
- Influent Course Screens.
- Vortex Grit Removal Basins.
- Stormwater Auxiliary Filtration Equipment (SAFE) System (for high flow Equalization and Filtration).
- Fine Screens.
- Odor Control.
- Biological Nutrient Removal (BNR).
- Membrane Bioreactor (MBR).
- Sludge Holding Tank (SHT).
- Sludge Dewatering.
- Reverse Osmosis (RO) Filtration.
- Ultraviolet (UV)-Advanced Oxidation Process (AOP).
- Outfall Pump Station.
- Product Water Storage Tank.
- Indirect Potable Reuse (IPR) Pump Station.
- Operations Building.
- Maintenance Building.
- RO/UV-AOP Building.
- Electrical Building.
- City Vehicle Parking Canopy.
- Covered Outdoor Storage Aisles.
- Water/Collections Storage Shed.
- Water/Collections Equip. Canopy.
- Access Road and Site Improvements.
- Yard Piping and Site Work.
- Electrical Distribution Facilities.
- Emergency Standby Generator.
- Instrumentation and Controls.
- Utility Extensions into Site.

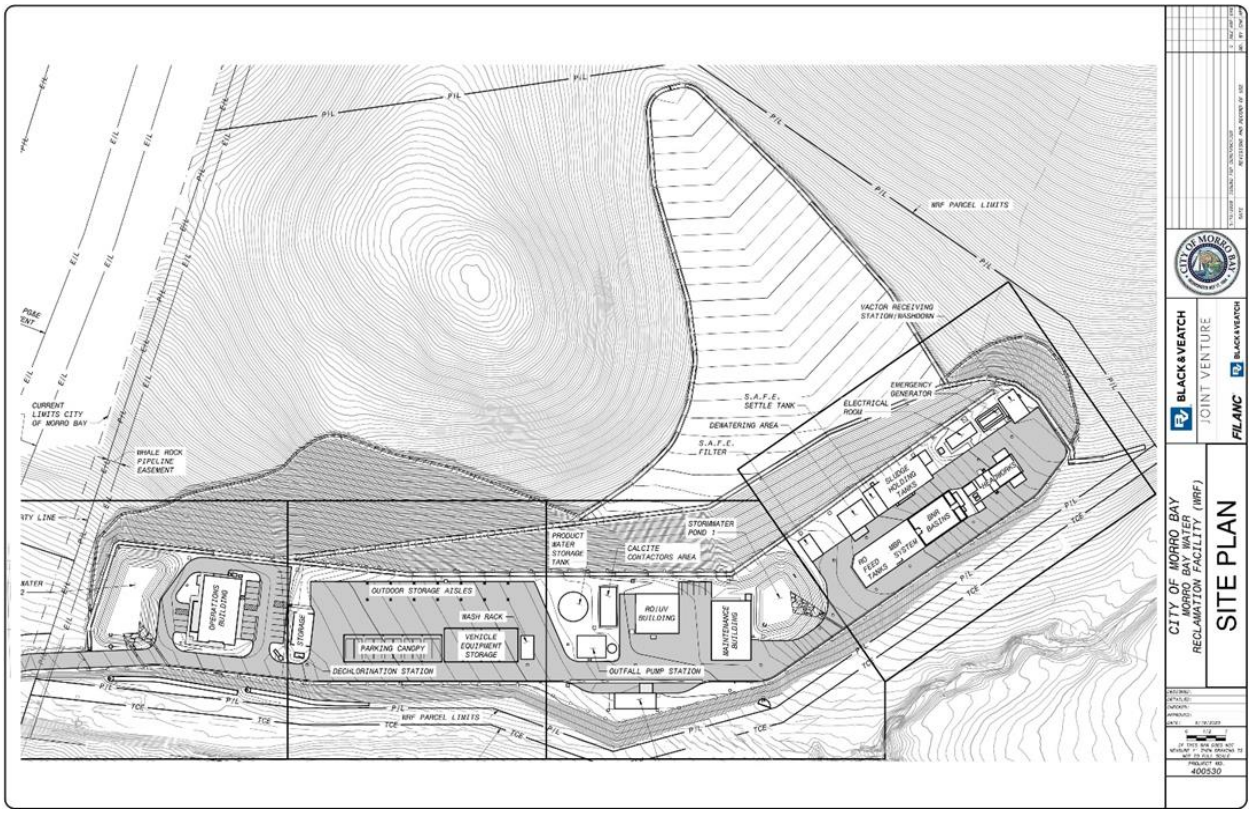

Figure 2 Morro Bay WRF Site Plan

2.3 Construction Progress: October 1 to December 31, 2024

- The City has completed the TSO milestone requirement of full operation of wastewater treatment facilities in compliance with the State National Pollutant Discharge Elimination System (NPDES) permit and other regulatory requirements.
- The final contract closeout negotiation resulted in a final GMP amount of $79,000,000 (see Amendment No. 10, which was approved by City Council on April 9, 2024).
- **As of March 2024, final completion for this project has been achieved. See previous Quarterly Reports for additional detail on the Water Resources Center construction.**

2.4 Project Photographs

There are no construction photographs to include since the plant construction is complete and operational.

Section 3

CONVEYANCE FACILITIES

3.1 Construction Progress Report – Reporting Period: October 1 to December 31, 2024

This quarterly progress report summarizes the project construction and addresses contract time, change orders, progress, key construction accomplishments, safety and security issues, construction activities, environmental and cultural monitoring, and Davis-Bacon labor compliance issues.

3.2 Project Summary

Table 2 Conveyance Facilities Project Summary

Item	Description
Public Agency Owner	City of Morro Bay
General Contractor	Anvil Builders Inc.
Design Engineer of Record	Waterworks Engineers, LLC.
City's Program Management	Carollo
City's Construction Management	Carollo / Mimiaga Engineering Group Inc.
Advertisement for Bids Date	June 16, 2020
Prebid Conference Date	July 7, 2020
Number of Bidding Amendments Issued	5 Amendments (issued between June 18, 2020, and August 5, 2020)
Bid Opening Date	August 12, 2020
Contract Award by City Council	November 10, 2020
Executed Construction NTP	December 14, 2020
Original Construction Phase Duration	390 Calendar Days (to Substantial Completion)
Original Construction and Closeout Duration	435 Calendar Days (to Final Acceptance)
Construction Phase Time Extensions Approved	282 Calendar Days (through Amendment No. 6)
Revised Construction Phase Durations	672 Days to Substantial Completion - 717 Days to Final Acceptance
Original Substantial Completion Date	January 8, 2022 (NTP+390 Calendar Days)
Current Substantial Completion Date	October 17, 2022 (NTP+672 Calendar Days)
Original Final Acceptance Date	February 22, 2022 (NTP+435 Calendar Days)
Current Final Acceptance Date	December 1, 2022 (NTP+717 Calendar Days)
Original Contract Amount	$31,493,675.00
Current Approved Change Orders	$5,770,931.00 (through Amendment No. 9)
Current Approved Contract Amount	$37,264,606.00 (through Amendment No. 8)
Approved Progress Payments to Date	$37,264,606 (through June 30, 2023 – Pay Estimate No. 27)
Percent Complete – Cost (Contractor Invoiced)	99.4% ($37,064,606 / $37,264,606)
Construction Calendar Days Elapsed	1,294 Calendar Days (12/14/2020 to 3/26/2024)
Percent Complete - Time (Schedule Elapsed)	167% (1,198 days / 717 days)
Percent Construction Complete (Overall)	134% +/- (average of cost & time percent completes)

3.3 Project Scope of Work

- New Sewer Pump Station A.
- New Sewer Pump Station B.
- Connection to Existing Lift Station 2.
- Connection to Existing Lift Station 3.
- Dual Sewer Force Main (< 3 miles).
- Brine (Outfall) Pipeline (< 3 miles).
- IPR Pipeline (> 2 miles).
- Fiber Optic (FO) Conduit and Cable (> 3 miles).
- 60-inch Microtunnel Trenchless Crossing (310 linear feet [LF]).
- 60-inch Auger Bore and Jack Trenchless Crossing (145 LF).
- Utility Pipe Bridge and Abutments (115 LF).
- Electrical Distribution Facilities.
- Emergency Standby Generators.
- Instrumentation and Controls.

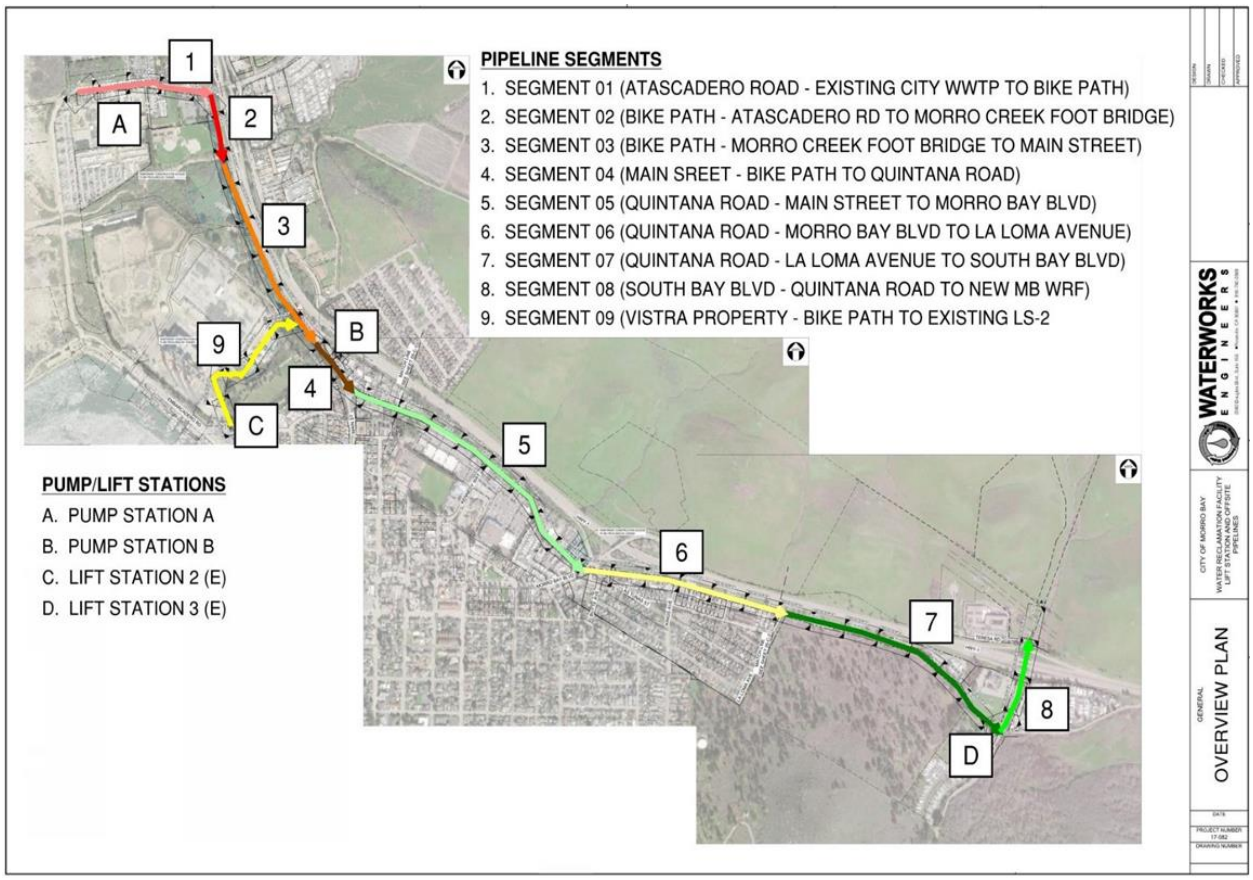

Figure 3 Morro Bay Conveyance Facilities Overview Plan

3.4 Construction Progress: October 1 to December 31, 2024

- The City has completed the TSO milestone requirement of full operation of the wastewater treatment facilities in compliance with the State NPDES permit and other regulatory requirements.

- Contractor and design engineer are currently working together to resolve the outfall pipeline capacity deficiency issue and are expected to present a path forward to determine a resolution to the Program Team and City in 2025.
- **As of August 2023, final completion for this project has been achieved. See previous Quarterly Reports for additional detail on the Conveyance Facilities construction.**

3.5 Project Photographs

There are no construction photographs to include since the plant construction is complete and operational.

Section 4

RECYCLED WATER FACILITIES PROJECT

4.1 Pre-Construction Progress Report – Reporting Period: October 1 to December 31, 2024

This quarterly progress report summarizes the project planning and construction and addresses contract time, change orders, progress, key construction accomplishments, safety and security issues, construction activities, environmental and cultural monitoring, and Davis-Bacon labor compliance issues.

4.2 Pre-Construction Project Summary

Table 3 Recycled Water Facilities Project Summary

Item	Description
Public Agency Owner	City of Morro Bay
General Contractor	Not known
Pre-Design Hydrogeological Consultant	GSI Water Solution, Inc.
Design Engineer of Record	TBD
City's Program Management	Confluence Engineering Solutions
City's Construction Management	TBD
Design Percent Complete	10%
Pilot Injection Well Construction Bid Date	March 22, 2022
Pilot Injection Well Construction Contract Amount	$356,625
Pilot Injection Well Construction Final Contract Amount	$356,585
Pilot Injection Well Construction Completion Date	January 3,2023
Advertisement for Bids Date	Estimated March 2025
Prebid Conference Date	Estimated April 2025
Number of Amendments Issued	3
Bid Opening Date	Estimated April 2025
Engineer's Estimate of Cost	Estimated February 2025
Executed Construction NTP	Estimated May 2025
Original Substantial Completion Date	November 1, 2023
Original Final Completion Date	N/A
Original Construction Phase Duration	14 months, June 2025 – August 2026
Construction Phase Time Extensions	TBD
Revised Construction Phase Duration	TBD
Current Substantial Completion Date	July 2026
Current Final Completion Date	TBD
Original Contract Amount	$4,400,000

Item	Description
Current Executed Change Orders	-$40
Current Contract Amount	$6,395,524
Approved Progress Payment to Date	$366,975
Percent Complete – Cost (Contractor Invoiced)	5.7%
Construction Calendar Days Elapsed	0 Calendar Days
Percent Complete – Time (Schedule Elapsed)	0%
Percent Construction Complete (Overall)	5.7%

Abbreviations:
N/A – not applicable; TBD – to be determined.

4.3 Planned Project Scope of Work

- Off-site recycled potable reuse facilities including pipelines, injection wells, monitoring well, etc.
- Implementation of groundwater augmentation in the Morro Groundwater Basin.

4.4 Pre-Construction Progress: October 1 to December 31, 2024

- On October 10th, 2024, the City performed a practice run of the required Advanced Treatment System operations for the recycled water permitting and identified minor system and operational improvements.
- On November 5th, 2024, the project archeologist prepared the Phase 3 Archeological Testing Report, and submitted it to the Environmental Protection Agency (EPA) and the State Historic Preservation Office (SHPO) for their review and potential concurrence.
- On November 18th, 2024, the City began an interim tracer study, which is anticipated to last 2 - 4 months.
- During November 2024, the City completed the horizontal-to-vertical spectral ratio (HVSR) geophysical investigations. Electrical Resistivity Tomography (ERT) investigations will be completed in 2025.
- During Q2 FY24-25, the Integrated Regional Water Management (IRWM) grant was executed by the City and is in the process of being executed by the other parties.
- During Q2 FY24-25, City staff and the Recycled Water Program Team coordinated with the Bureau of Reclamation to modify grant agreement materials and continue preparation of the Title XVI Grant Agreement.
- During Q2 FY24-25, the project biologist finalized the Biological Resources Information Report required for the California Environmental Quality Act (CEQA) Environmental Impacts Report (EIR) Addendum #2.
- During Q2 FY24-25, the project environmental team continued preparing the CEQA EIR Addendum. The CEQA EIR Addendum #2 is anticipated to be circulated for public review in 2025.
- During Q2 FY24-25, the project environmental team continued preparing the National Environmental Policy Act (NEPA) Environmental Assessment (EA). It is anticipated to be circulated for public review in 2025.
- During Q2 FY24-25, the project design engineer continued to prepare the recycled water pipeline and injection well equipping design.
- During Q2 FY24-25,the project hydrogeologist continued evaluating which injection well locations are most favorable from a hydrogeological perspective and continued preparing the design of the downhole components of the injection wells.

- During Q2 FY24-25, the project design engineer continued to investigate the abandoned desal feedline pipeline for potential reuse for the Indirect Potable Reuse (IPR) pipeline.
- During Q2 FY24-25, the project design engineer continued preparing a formal test plan for flow and pressure testing the existing IPR conveyance pipeline.
- During Q2 FY24-25, the City continued to finalize the Draft Title 22 Engineering Report and Operations and Optimization Plan (OOP). It will be submitted to DDW for review in early 2025.
- During Q1 FY24-25, City staff and the Recycled Water Program Team continued to prepare the Report of Waste Discharge (ROWD) Application.

4.5 Project Photographs

See photo below of Injection Well 1, equipped with a temporary wellhead for the injection tracer study.

4.6 Change Order Summary

- N/A (main project work has not commenced).

4.7 Problems Encountered/Solutions/Status

- N/A (main project work has not commenced).

Section 5

ENVIRONMENTAL/REGULATORY COMPLIANCE

This quarterly progress report section summarizes the City's environmental and regulatory compliance pursuant to oversight by the following regulatory agencies: State Water Resources Control Board, CDFW, United States Fish and Wildlife Service, USEPA, California Coastal Commission, SLO County APCD, SHPO, Central Coast RWQCB, and the City. Specific activities are summarized in Appendix A. Copies of supporting compliance documentation are available upon request.

Appendix A

ENVIRONMENTAL/REGULATORY COMPLIANCE SUMMARY

WATER RECLAMATION FACILITY
ENVIRONMENTAL/REGULATORY COMPLIANCE SUMMARY

UPDATED: December 31, 2024

Agency	Reference Document	Document Reference	Measure Focus	Measure	Phase 1 Water Reclamation Facility (WRF) Compliance Activities (7/1/2024 through 12/31/2024)	Phase 2 Conveyance Facilities Compliance Activities (7/1/2024 through 12/31/2024	Phase 3 Recycled Water Facilities Compliance Activities (7/1/2024 through 12/31/2024)
United States Fish and Wildlife Service	Biological Opinion	Biological Opinion	Tidewater Goby Item 1	The applicant will implement erosion and sedimentation control measures (e.g., silt fences, straw bales or wattles) in all areas where disturbed substrate may potentially wash into waters via rainfall or runoff, particularly around stockpiled material and at the downstream end of each project reach. Such measures should remain in place and be inspected periodically until the project is complete and exposed soils are stabilized. Diversion structures, sediment traps/basins and associated equipment (e.g., pumps, lines) will be maintained in optimal working condition for the entire duration of the preparation and construction periods.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 2	Prior to the start of work, the contractor will prepare a spill prevention plan to ensure prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur. All project-related hazardous materials spills within the project site will be cleaned up immediately. Spill prevention and cleanup materials will be on-site at all times during the course of the project.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 3	All refueling, maintenance, and washing of equipment and vehicles will occur on paved areas in a location where a spill would not travel into a drainage feature or storm drain inlet. This fueling/staging area will conform to Best Management Practices applicable to attaining zero discharge of stormwater runoff into waters of the U.S. and State of California. At a minimum, all equipment and vehicles must be checked and maintained on a daily basis to ensure proper operation and avoid potential leaks or spills. Washing of equipment will occur only in a location where polluted water and materials can be contained for subsequent removal from the site.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 4	A designated concrete washout location will be established onsite, in an area at least 50 feet from any drainage feature or storm drain inlet. The washout will be maintained and inspected weekly, and will be covered prior to and during any rain event. If a container is used, concrete debris will be removed whenever the washout container reaches the half full mark.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 5	Best Management Practices for dust abatement will be a component of the project's construction documents. Dust control requirements will be carefully implemented to prevent water used for dust abatement from transporting pollutants to storm drains leading to the creek channel.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Tidewater Goby Item 6	The applicant will prepare a frac-out contingency plan prior to initiation of construction activities that involve horizontal direction drilling activities. The applicant will implement the frac-out contingency plan during horizontal directional drilling construction activities. At a minimum, the plan will include the following: (a) Measures to minimize the potential for a frac-out associated with horizontal directional drilling activities; (b) Provide for the timely detection of frac-outs; (c) Protect areas that are considered environmentally sensitive (streams, wetlands, other biological resources, cultural resources); (d) Ensure an organized, timely, and "minimum-impact" response in the event a frac-out and the release of drilling mud occurs; and (e) Ensure that all appropriate notifications are made to the appropriate environmental specialists immediately (e.g., qualified biological monitor), and to appropriate regulatory agencies within 24 hours and that documentation is completed.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Morro Shoulderband Snail Item 1	A Service-approved biologist will survey for Morro Bay Shoulderband snails no more than 48 hours before initial ground-disturbing and vegetation-clearing activities that occur on dune land or Baywood fine sand. The Service-approved biologist will monitor all construction activities occurring on dune land or Baywood fine sand. If the species is located during any of these pre-activity surveys or during subsequent project activities, the Service will be contacted immediately and activities will halt in that particular area until it is determined what actions may be necessary to avoid take of the snail.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Morro Shoulderband Snail Item 2	Any equipment use, materials stockpiling, lift station construction, or any other uses proposed on the north side of Atascadero Road opposite the existing treatment plant will be setback from any potentially suitable habitat. If construction adjacent to potentially suitable Morro Shoulderband snail habitat occurs during the winter rain season, a Service-approved biologist will survey the work area immediately following rain events or dense fog conditions to ensure that no Morro Shoulderband snails have entered the site.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Informal Consultation	Morro Shoulderband Snail Item 3	Silt fence will not be used to exclude Morro Shoulderband snails from work areas where suitable sandy soils and habitat may be present. Work areas in sandy soils near potential Morro Shoulderband snail habitat will be clearly delineated with flagging and/or stakes to limit the boundaries of work areas and confine them to developed and paved areas. If silt fencing must be used for other reasons in areas near potential Morro Shoulderband snail habitat, additional measured developed by a Service-approved biologist will be implemented to avoid harm to the Morro Shoulderband snail.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.

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WATER RECLAMATION FACILITY
ENVIRONMENTAL/REGULATORY COMPLIANCE SUMMARY

UPDATED: December 31, 2024

CONFLUENCE ENGINEERING SOLUTIONS | KMA KEVIN MERK ASSOCIATES | MIMIAGA engineering group | carollo Engineers...Working Wonders With Water®

Agency	Reference Document	Document Reference	Measure Focus	Measure	Phase 1 Water Reclamation Facility (WRF) Compliance Activities (7/1/2024 through 12/31/2024)	Phase 2 Conveyance Facilities Compliance Activities (7/1/2024 through 12/31/2024	Phase 3 Recycled Water Facilities Compliance Activities (7/1/2024 through 12/31/2024)
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog DESCRIPTION OF THE PROPOSED ACTION Biological Opinion p. 6	The permanent fencing will include a concrete exclusion barrier along the eastern boundary of the site that extends 24 inches above grade. The top of the concrete exclusion barrier will include a six-inch lip that will serve as a climbing barrier for the California red-legged frog (CRLF). Affixed to the top of the concrete exclusion barrier will be a six-foot chain link fence with privacy slats. The remaining perimeter of the site will include a six-foot chain link fence with privacy slats.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Biological Opinion Amendment	California Red Legged Frog Biological Opinion Amendment dated 1/6/2021	The proposed changes include using a high density polyethylene (HDPE) exclusion barrier along the facility's eastern edge as it interfaces with the Drainage 3 corridor, in place of the concrete barrier described in the biological opinion. The concrete barrier would still be used in the southeastern part of the site along the access road. The HDPE exclusion barrier would be installed 36 inches below grade and extend 24 inches above grade. It has a 15 to 30 year life expectancy, compared to the 50 to 100 year life expectancy of the concrete barrier. The HDPE barrier would have a 4-inch overhanging lip at the top of the fence to deter climbing California red-legged frogs, while the concrete barrier would have a 6-inch lip. The City of Morro Bay (applicant) will conduct quarterly inspections of the barrier for signs of wear or damage and provide immediate repairs as needed. The applicant expects that only the above-ground portion of the barrier will need to be replaced in the future, because the below-ground barrier will be protected from sunlight, weather, and other potential damage. In the event that a complete barrier replacement is required, the applicant will contact the U.S. Fish and Wildlife Service (Service) for guidance prior to completing replacement. The applicant will document instructions to contact the Service in the event of a complete barrier replacement in their written protocols for fence maintenance.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Biological Opinion Amendment	California Red Legged Frog Biological Opinion Amendment (issue dated pending)	This second amendment covers the additional surface disturbance to grassland areas associated with the west cut-slope landslide and subsequent remediation. The coordination and correspondence between the City and USEPA/USFWS documents the extent of area disturbed by the landslide, field investigations and repair design, major earthwork remediation activities, and grasslands restoration.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog DESCRIPTION OF THE PROPOSED ACTION Biological Opinion p. 6	Permanent night lighting will be minimal with low intensity and will follow current City of Morro Bay and County of San Luis Obispo policies to prevent spillover into open space areas.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog DESCRIPTION OF THE PROPOSED ACTION Biological Opinion p. 7	The applicant proposes to mitigate for the loss of California red-legged frog critical habitat through the on-site conservation of 19.5 acres of dispersal habitat, on the same parcel where the Water Reclamation Facility would be located. The applicant will achieve protection through a conservation easement or another appropriate and feasible mechanism. The applicant will develop the protection in coordination with the Service and complete protection within 12 months of initiating project activities. The construction process will disturb nine acres of the proposed mitigation area by grading and installing fourteen drainage swales. The drainage swales would be concrete-lined with sides at a 1:1 slope. The applicant will revegetate the disturbed areas and return them to grassland.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog DESCRIPTION OF THE PROPOSED ACTION Biological Opinion p. 7	The applicant's Coastal Development Permit, issued by the Coastal Commission of California, obligates the applicant to restore and enhance 1.5 acres of riparian zone. These acres are located between the Water Reclamation Facility's eastern fence line and the property boundary parallel to Drainage 3. The applicant will plant native trees, shrubs, and grasses to enhance the riparian area. A restoration ecologist will monitor the riparian restoration zone for five years or until restored areas have met success criteria. The proposed riparian restoration zone connects with the proposed compensatory mitigation acres at the north end of the facility.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 1	Only Service-approved biologists will participate in activities associated with the capture, handling, and relocation of California red-legged frogs.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 2	The applicant will submit the names and resumes of a qualified biologist and qualified biological monitor for approval by the Service at least 14 days prior to the start of work. Ground disturbance will not begin until written approval is received from the Service that project biologist(s) are qualified to conduct the work.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 3	A Service-approved biologist will survey the project site no more than 48 hours before the onset of work activities. The Service-approved biologist will survey a 500-foot buffer zone upstream and downstream of the construction area for California red-legged frogs, as feasible, in consideration of the private property in the area. The Pre-Construction Survey will include a description of any standing or flowing water present in the drainage feature in proximity to the WRF construction area. If any life stage of the California red-legged frog is found and these individuals are likely to be killed or injured by work activities, the approved biologist will be allowed sufficient time to move them from the site before work begins. The Service-approved biologist will relocate the California red-legged frogs the shortest distance possible to a location that contains suitable habitat and that will not be affected by activities associated with the project. The relocation site will be in the same drainage to the extent practicable. The Service-approved biologist will coordinate with the Service on the relocation site prior to the capture of any California red-legged frogs.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.

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United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 4	A Service-approved biologist will be present at the work site until all California red-legged frogs have been relocated out of harm's way, workers have been instructed, and disturbance of habitat has been completed. After this time, the Service-approved biological monitor will ensure and document on-site compliance with all minimization measures. Biological monitoring will occur for all initial disturbance activities, and then will be scaled back to an as-needed basis once all habitat was removed for any activity occurring near a drainage feature or other environmentally sensitive habitat area. Biological monitoring will occur on a daily basis during the rainy season for any construction related activities at the WRF site. The Service-approved biologist will ensure that this monitor receives training on the minimization measures. If the Service-approved biological monitor or the Service-approved biologist recommends that work be stopped because California red-legged frogs would be affected in a manner not anticipated by the EPA and the Service during review of the proposed action, they will notify the project manager (the manager that is directly overseeing and in command of construction activities) immediately. The project manager will either resolve the situation by eliminating the adverse effect immediately or require that all actions causing these effects be halted. At this time, the Service-approved biologist may be called to relocate the California red-legged frog(s) out of harm's way.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 5	Before the start of any construction activities at the Water Reclamation Facility, the applicant will erect a combination silt, safety, and wildlife exclusion fence around the entire site. The entire site will include all disturbed areas and areas utilized by the applicant and its contractors for temporary construction laydown and stockpiling. The fence will have a minimum height of 36 inches above ground, a trench depth of at least six inches, and a minimum five-inch overhang that will serve as a climbing barrier for California red-legged frogs. To allow for site access, a temporary chain link fence gate will be erected at the head of the access road at Teresa Road. The exclusion fencing material will be affixed to the chain link fence gate and will be equipped with ground sweeps. The temporary construction fence will be monitored on a daily basis during the winter rain season (October 15 through April 15) and will remain in place until after substantial completion of the Water Reclamation Facility following the completion of the permanent exclusion fencing system.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 6	Prior to the commencement of construction-related activities, and for the duration of proposed construction activities, all construction workers will attend an Environmental Awareness Training and Education Program, developed and presented by the Service-approved biologist. The program will include information such as identification, habitat description, and protection under the Federal Endangered Species Act. The training will include detailed information about California red-legged frog and its habitat, the specific measures that are being implemented to conserve the California red-legged frog for the project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session as determined by the Service-approved biologist. Workers will be required to sign an acknowledgement form and will receive a hard hat sticker documenting their completion of the environmental awareness training.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 7	Before ground disturbing work activities begin each day, the Service-approved biological monitor will conduct a pre-construction survey and inspect under construction equipment and materials to look for California red-legged frogs. If a California red-legged frog is found during these checks or during construction, the Service-approved biological monitor will halt work that may affect the animal until the Service-approved biologist can move it out of harm's way.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 8	The Service-approved biologist will be present at the work site during initial site disturbance activities, including installation of exclusion fencing, erosion and sediment controls, and until the applicant has completed all surface disturbance. For work during the rainy season when California red-legged frogs may be moving through the project area, the biological monitor will conduct daily clearance surveys each morning prior to the start of work to ensure California red-legged frogs have not moved into the area and the wildlife exclusion fence is in good condition. If a California red-legged frog is observed within the biological monitoring area, the biological monitor will immediately contact the construction superintendent and evaluate the location of the frog in relation to ongoing work. If the frog is located within the work area, all work within 200 feet of the individual will be halted, and the individual will be allowed to leave the area under its own volition, or the Service-approved biologist may be called to capture and relocate the individual. The biological monitor will also provide additional training to the project's key construction management personnel on all environmental requirements associated with the project, so they can ensure all avoidance and minimization measures for biological resources are followed when the biological monitor is not present.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 9	Prior to the start of work, the contractor will prepare a Spill Prevention Plan to ensure prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur. All project-related hazardous materials spills within the project site will be cleaned up immediately. Spill prevention and cleanup materials will be on-site at all times during the course of the project. During construction/ground disturbing activities, all refueling, maintenance, and staging of equipment and vehicles will be located at least 100 feet from a drainage feature in a protected location where any potential spill would be contained and not drain directly toward aquatic habitat. The construction superintendent with support from the biological monitor will ensure contamination of habitat does not occur during such operations.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 9a	All refueling, maintenance, and washing of equipment and vehicles will be located on paved areas in a location where a spill will not travel into a drainage feature or storm drain inlet. This fueling/staging area will conform to Best Management Practices (BMPs) applicable to attaining zero discharge of stormwater runoff into waters of the U.S. and State of California. At a minimum, all equipment and vehicles must be checked and maintained on a daily basis to ensure proper operation and avoid potential leaks or spills. Washing of equipment will occur only in a location where polluted water and materials can be contained for subsequent removal from the site.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 9b	A designated concrete washout location will be established onsite, in an area at least 50 feet from any drainage feature or storm drain inlet. The washout will be maintained and inspected weekly, and will be covered prior to and during any rain event. If a container is used, concrete debris will be removed whenever the washout container reaches the 1/2 full mark.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 9c	BMPs for dust abatement will be a component of the project's construction documents. Dust control requirements will be carefully implemented to prevent water used for dust abatement from transporting pollutants to storm drains leading to the creek channel.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.

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United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 10	To prevent inadvertent entrapment during construction, all excavated, steep-walled holes or trenches will be covered with plywood or similar materials at the close of each work day, or provided with one or more escape ramps constructed of earth fill or wooden planks. If trapped California red-legged frogs are observed, the Service-approved biologist will relocate the California red-legged frog.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 11	During project activities, all trash that may attract predators will be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris will be removed from work areas.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 12	Spoils will be stockpiled in disturbed areas that lack native vegetation. BMPs will be employed to prevent erosion in accordance with the project's approved Stormwater Pollution Prevention Plan.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 13	Vehicular traffic to and from the WRF construction site will use existing routes of travel. Cross-country vehicle and equipment use outside designated work areas will be prohibited.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 14	Areas of disturbance will be minimized to the maximum extent practicable. Parking areas, new roads, staging, storage, excavation access routes, and disposal or temporary placement of spoils will be confined to the smallest areas possible. These areas will be flagged and disturbance activities, vehicles, and equipment will be confined to these flagged areas. Construction-related activities outside of the impact zone will be avoided.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 15	Nighttime lighting during construction of the WRF will be minimized to the maximum extent practicable. While regular nighttime work is not anticipated, nighttime lighting may be required during construction, but mitigation measures are required to ensure the lighting is shielded and pointed away from sensitive receptors such as the surrounding open space areas.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 16	Workers will be prohibited from bringing pets and firearms to the project site and from feeding wildlife.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 17	To ensure that diseases are not conveyed between work sites by the Service-approved biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force will be followed at all times.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 18	The project proponent will conduct regular inspections and maintenance of the slatted chain link fence in order to ensure slats are in good condition to prevent entry of California red-legged frogs. This will occur at least twice yearly, with one inspection occurring within one month of the onset of the rainy season. The rainy season is defined as between October 15 and April 15.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.

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United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 19	The applicant will develop and implement a revegetation plan that includes: location of the restoration, plant species to be used, restoration techniques, time of year the work will be done, identifiable success criteria for completion, and remedial actions if the success criteria are not achieved. All areas of temporary disturbance will be revegetated with an assemblage of native species, and locally collected plant materials will be used to the extent practical. All areas revegetated due to temporary disturbance will be monitored by a qualified biologist/restoration ecologist for five years following seeding and planting activities or until the final success criteria have been met.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
United States Fish and Wildlife Service	Biological Opinion	Proposed Action	California Red Legged Frog Item 20	Any use of herbicides during the routine maintenance landscaping and revegetated areas which occurs outside Water Reclamation Facility fence will be minimized.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
United States Fish and Wildlife Service	Biological Opinion	Reporting Requirements	California Red Legged Frog REPORTING REQUIREMENTS Biological Opinion p. 31	Pursuant to 50 CFR 402.14(i)(3), EPA must report the progress of the action and its impact on the species to the Service as specified in this incidental take statement. The applicant, through a qualified botanist, will monitor the success of revegetation actions on areas of temporary disturbance for a period of 5 years after revegetation takes place. The EPA or applicant will provide yearly reports to the Service by January 31 of each year during the construction phase of the project. These reports will include the number and age class of California red-legged frogs that have been captured and relocated, and that have been found injured or dead. These reports will also include the dates and results of inspections of the chain link fence, as well as any repairs that were made to the fence, an analysis of whether the chain link fence is successful in excluding California red-legged frogs, and any suggestions for improvement.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project at this point.
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	WRF Development Envelope Special Condition 1(a)	All WRF development shall be located within the development envelope as shown in CDP Exhibit 1.	Project Complete	Project Complete	City is working with Coastal Commission to modify the development envelop for the project to accommodate the Recycled Water Facilities construction footprint.
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Rural Agricultural Theme Special Condition 1(b)	The design and appearance of all WRF development shall reflect a rural agricultural theme (i.e., simple and utilitarian lines and materials, including use of board-and-batten siding, corrugated metal, muted earth tone colors, etc.).	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Pump Stations and Related Development Design Special Condition 1(c)	All pump stations and related development design shall be sited and designed to limit impacts on public views as much as possible, including landscaping.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Landscaping Special Condition 1(d)	Landscaping shall consist of native, non-invasive, and drought tolerant species that provide appropriate screening and softening of development features in public views as much as possible.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Lighting Minimization Special Condition 1(e)	Exterior lighting shall be wildlife-friendly, shall use lamps that minimize the blue end of the spectrum, and shall be limited to the minimum lighting necessary for pedestrian and vehicular safety purposes. All lighting (exterior and interior) shall be sited and designed so that it limits the amount of light or glare visible from Highway 1 to the maximum extent feasible (including through uses of lowest luminosity possible, directing lighting downward, etc.).	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Windows and Other Surfaces Special Condition 1(f)	All windows shall be non-glare glass, and all other surfaces shall be similarly treated to avoid reflecting light, and all windows shall be bird-safe (i.e., windows shall be frosted, partially frosted, or otherwise treated with visually permeable barriers that are designed to prevent bird strikes).	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.

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California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Utilities Special Condition 1(g)	Revised Final Plans shall clearly identify all utilities.	Project Complete	Project Complete	NA - Project is in design phase. This condition is being incorporated into the design for the Recycled Water Facilities.
California Coastal Commission	Coastal Development Permit 3-19-0463	Revised Final Plans	Stormwater and Drainage Special Condition 1(h)	...all project area stormwater and drainage is filtered and treated to remove expected pollutants prior to discharge and directed to existing stormwater inlets/outfalls as much as possible. Infrastructure and water quality measures shall retain runoff from the project onsite to the maximum extent feasible, including through the use of pervious areas, percolation pits and engineered storm drain systems. Infrastructure and water quality measures shall be sized and designed to accommodate runoff from the site produced from each and every storm event up to and including the 85th percentile 24-hour runoff event. In extreme storm situations (i.e., greater than the 85th percentile 24-hour runoff event storm) where such runoff cannot be adequately accommodated onsite through the project's stormwater and drainage infrastructure, any excess runoff shall be conveyed inland offsite in a non-erosive manner.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plan	Construction Plans Special Condition 2 (a, b, c, d, e, f, and j)	The Construction Plan shall, at a minimum, include the following: (a) Grading, (b) Construction Areas, (c) Construction Methods and Timing, (d) Traffic Control Plans, (e) Property Owner Consent, (f) Best Management Practices, and (J) Construction Specifications.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plans	Post Construction Special Condition 2(g)	All construction areas shall be restored to their pre-construction state or better upon completion of work. Where appropriate and feasible, roads/sidewalks impacted by construction shall employ stormwater management infrastructure BMPs, including bioswales, pervious pavers, garbage traps, and vegetative strips.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plans	Construction Site Documents Special Condition 2(h)	The Construction Plan shall provide that a copy of the signed CDP and the approved Construction Plan be maintained in a conspicuous location at each construction job site at all times, and that such copies shall be available for public review on request.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plans	Construction Manager Special Condition 2(i)	The Construction Plan shall provide that a construction manager be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and that his/her contact information (i.e., address, phone numbers, email address, etc.) including, at a minimum, a telephone number (with message capabilities) and an email that will be made available 24 hours a day for the duration of construction, is conspicuously posted at the job site where such contact information is readily visible from public viewing areas while still protecting public views as much as possible, along with indication that the construction manager should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction manager shall record the contact information (name, phone number, email, etc.) and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry. Any critical and/or significant complaints and related responses shall be reported to the Executive Director as soon as possible, and all complaints and all actions taken in response shall be summarized and provided to the Executive Director on a weekly basis.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Construction Plans	Notification Special Condition 2(k)	The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office at least 3 working days in advance of commencement of construction, and immediately upon completion of construction.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Riparian Enhancement Plan	Riparian Enhancement Plan Special Condition 3	Prior to the operation of the WRF, the Permittee shall submit two copies of a Riparian Enhancement Plan (REP) to the Executive Director for review and approval. The REP shall provide for riparian enhancement within the unnamed creek and riparian area adjacent to the water reclamation facility site...	Project Complete - REP is under development.	Project Complete	Complete
California Coastal Commission	Coastal Development Permit 3-19-0463	Archeological Protection	Archeological Monitoring Special Condition 4	An archaeological monitor qualified by the Native American Heritage Commission shall be present during all ground disturbance (including grading activities), and shall be consulted to provide recommendations for subsequent measures for the protection and disposition of artifacts of historical or cultural significance in the event such artifacts are discovered.	Project Complete	Project Complete	Archeological monitors will be present during ground disturbing activities.

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California Coastal Commission	Coastal Development Permit 3-19-0463	Agricultural Mitigation Program	Agricultural Mitigation Program Special Condition 5	Prior to the operation of the WRF, the Permittee shall submit an Agricultural Mitigation Program to the Executive Director for review and approval. The Program shall specify the measures to be taken to mitigate for project agricultural impacts by providing an agricultural conservation easement over agricultural property of a similar quality as the project site, and of a type that is potentially threatened by urban development, at a ratio of at least 2:1 for the loss of agricultural land associated with the approved project (i.e., the easement must cover at least 30 acres of such agricultural land).	Project Complete - Coordination for the Agricultural Mitigation Plan is in progress.	Project Complete	City has prepared and received approval from the Coastal Commission for its Agricultural Mitigation Program Plan.
California Coastal Commission	Coastal Development Permit 3-19-0463	Recycled Water Management Plan	Recycled Water Management Plan Special Condition 6	Permittee shall submit Recycled Water Management Plan (RWMP). The objective of the RWMP shall be to ensure that the maximum amount of tertiary-treated recycled water is produced, and the maximum amount of such water is used for beneficial reuse purposes, including injected underground in locations that will maximize its ability for groundwater replenishment....	Project Complete	Project Complete	Complete
California Coastal Commission	Coastal Development Permit 3-19-0463	Wastewater Treatment Plant Removal and Restoration Plan	Wastewater Treatment Plant Removal/Restoration Plan Special Condition 7	Prior to operation of the WRF, the Permittee shall submit two copies of a Wastewater Treatment Plant Removal and Restoration Plan to the Executive Director for review and approval. The Plan shall indicate how the existing wastewater treatment plant located at 160 Atascadero Road will be decommissioned and demolished, including through removal of all plant components (e.g., buildings, fences, storage tanks, etc.), and the site restored to a safe and level configuration roughly matching the surrounding areas. The WWTP site shall be restored within one year of WRF and Cayucos CSD operation.	Project Complete	Project Complete	City has prepared and received approval from the Coastal Commission for its Wastewater Treatment Pland Removal and Restoration Plan.
California Coastal Commission	Coastal Development Permit 3-19-0463	Outfall Assessment Plan	Outfall Assessment Plan Special Condition 8	Prior to the commencement of any marine development, including off-shore development on the Ocean Outfall, the permittee shall submit ..... NOT APPLICABLE TO ANY CURRENT PROJECTS	Project Complete	Project Complete	NA - Not applicable to the Recycled Water Facilities Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Wastewater Service Boundary	Wastewater Service Boundary Special Condition 9	Wastewater service to properties outside of the City's current wastewater service area, per Exhibit 3, shall be prohibited without an amendment to this CDP.	Project Complete	Project Complete	NA - Not applicable to the Recycled Water Facilities Project.
California Coastal Commission	Coastal Development Permit 3-19-0463	Coastal Hazard Risk	Coastal Hazard Risk Special Condition 10	The Permittee acknowledges coastal hazards including pump stations and pipelines in low-lying elevations. The Permittee assumes said risks such that the Coastal Commission is indemnified.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Coastal Hazard Response	Coastal Hazard Response Special Condition 11	The Permittee acknowledges and agrees that the project will be constructed and used consistent with the terms and conditions of the CDP for only as long as the project components remain safe for use without additional measures beyond ordinary repair and maintenance as that term is defined in Section 30610(d) of the Coastal Act.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Public Rights	Public Rights Special Condition 12	The Permittee acknowledges and agrees that the Coastal Commission's approval of this CDP shall not constitute a waiver of any public rights that may exist on the properties involved.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Other Authorizations	Other Authorizations Special Condition 13	The Permittee shall provide documentation of authorizations from the RWQCB, SWRCB, CDFW, CSLC, NMFS, USACE, or provide documentation that such authorization is not required.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.

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California Coastal Commission	Coastal Development Permit 3-19-0463	Minor Changes	Minor Changes Special Condition 14	The Permittee shall undertake development in conformance with the terms and conditions of this CDP, including with respect to all Executive Director-approved plans and other materials, which shall also be enforceable components of this CDP. Any proposed project changes, including in terms of changes to identified requirements in each condition, shall either (a) require a CDP amendment, or (b) if the Executive Director determines that no amendment is legally required, then such changes may be allowed by the Executive Director if such changes: (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Future Permitting	Future Permitting Special Condition 15	All future proposed development related to this CDP shall require a new CDP or a CDP amendment.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California Coastal Commission	Coastal Development Permit 3-19-0463	Indemnification	Indemnification Special Condition 16	The Permittee agrees to indemnify the Coastal Commission, including reimbursement of attorney fees.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
City of Morro Bay	Design-Build Agreement	Section 3.2.4.3 – Construction Phase Responsibilities	Archeological Discovery	If a discovery is made of items of archaeological interest on site during excavation activities, the Design/Build Entity shall immediately cease excavation in the area of discovery and shall not continue until ordered by the Construction Manager. Design/Build Entity shall cooperate with and provide access to the City's Archaeologist and other monitoring services.	Project Complete	Project Complete	NA - Not applicab
City of Morro Bay	Design-Build Agreement	Section 5.2 - Disadvantaged Business Enterprise Requirements	Disadvantaged Business Enterprise Requirements	The WRF Project is partially funded through the California State Revolving Fund (CASRF) Program for Clean Water. Part of the requirements of CASRF funding is compliance with Disadvantaged Business Enterprise (DBE) Requirements. The requirements and applicable forms are described below and in Exhibit G.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
City of Morro Bay	Design-Build Agreement	Section 5.12.2 – Wages and Records	Davis-Bacon Wage Requirements	The Design/Build Entity and each subcontractor shall comply with the Davis-Bacon payrolls and basic records requirements as found in Exhibit H.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
City of Morro Bay	Design-Build Agreement	Section 5.14 – American Iron and Steel	American Iron and Steel	The Design/Build Entity and all of its subcontractors acknowledge to and for the benefit of the City and the State of California (the "State") it understands the goods and services under this Agreement are being funded with monies made available by the Clean Water State Revolving Fund and/or Drinking Water State Revolving Fund that have statutory requirements commonly known as "American Iron and Steel;" that requires all of the iron and steel products used in the Project to be produced in the United States ("American Iron and Steel Requirement"), including iron and steel products provided by the Design/Build Entity and its subcontractors pursuant to this Agreement.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
City of Morro Bay	Design-Build Agreement	Section 3.2.4.2 – Construction Phase Responsibilities	Competitive Bidding (Work)	Competitively bid all work not performed by the Design/Build Entity or its members or the Designated Subcontractors for packages that exceed $200,000 in anticipated value.	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.
City of Morro Bay	Design-Build Agreement	Section 3.2.4.5 – Construction Phase Responsibilities	Competitive Bidding (Equipment)	Competitively procure all process equipment packages from the preapproved vendors as identified in, and in accordance with the Scope of Work (Exhibit B).	Project Complete	Project Complete	NA - Not applicable to Recycled Water Facilities Project.

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State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AES-1: Nighttime Construction Lighting.	Lighting used during nighttime construction, including any associated 24-hour well drilling, shall be shielded and pointed away from surrounding light-sensitive land uses.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AQ-1a: Fugitive Dust Control Measures.	Construction projects shall implement dust control measures so as to reduce PM10 emissions in accordance with SLOAPCD requirements.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AQ-1b: Standard Control Measures for Construction Equipment.	Standard mitigation measures for reducing NOx, ROG, and DPM emissions from construction equipment are required.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AQ-1c: BACT for Construction Equipment.	BACT for diesel-fueled construction equipment shall be implemented during construction activities at the project site, where feasible.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	AQ-1d: Architectural Coatings.	To reduce ROG and NOx emissions during the architectural coating phase, low or no VOC emission paints and finishes shall be used with levels of 50 g/L or less.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-1: Construction Worker Environmental Awareness Training and Education Program.	Prior to the commencement, and for the duration of proposed construction activities, all construction workers shall attend an Environmental Awareness Training and Education Program, developed and presented by the Lead Biologist.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-2: Avoidance and Protection of Biological Resources.	During proposed construction, operations and maintenance, and decommissioning the City and/or contractor shall implement general avoidance and protective measures.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-3: Morro Shoulderband Snail	The following mitigation measures shall be implemented to avoid or minimize impacts to Morro Shoulderband snail (MSS): (1) During project design, if project components would be located in areas with soils and vegetation that could support MSS, then a qualified biologist shall conduct a survey to delineate the extent of potential habitat. The following project components have either been mapped as Baywood fine sands or dunes, or are in areas adjacent to known populations (see Figure 3.4.7): Option 5A lift station; pipeline alignment adjacent to WWTP; portion of the pipeline at Drainage 1A; and the northwest corner of the IPR-West wellfield. (2) At areas adjacent to vegetated areas to support MSS, silt fencing shall be installed, to restrict project activities into these areas and to deter MSS movement. (3) If avoidance of MSS habitat is not feasible, then protocol levels surveys for MSS shall be conducted to determine presence/absence and distribution of MSS. (4) If survey results are negative and a concurrence authorization is granted, then vegetation shall be removed under supervision of the permitted biologist, and the site(s) shall be graded/grubbed down to bare mineral soil, and bordered with silt fence to preclude MSS from subsequently entering the area(s). (5) If live MSS are found within areas proposed for impact, then consultation with USFWS will be necessary. (6) If equipment use, materials stockpiling, lift station construction, or any other uses are proposed on the north side of Atascadero Road opposite the existing WWTP, then all such areas shall have silt fencing to create a barrier between potential MSS habitat. (7) Work crews will undergo an environmental training session conducted by a qualified biologist prior to start of construction activities in or adjacent to MSS habitat areas.	Project Complete	Project Complete	During the project design, a qualified biologist has conducted a survey to delineate the extent of potential habitat in project areas with soils and vegetation that could support MSS.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-4: American Badger.	A pre-construction survey for active badger dens will be conducted within the proposed construction impact footprint and surrounding accessible areas of the mapped annual grassland portions of the eastern pipeline alignment (between the WRF and Downing Street on the west; see Figures 3.4-3 through 3.4-5) and the WRF site at least two weeks prior to any ground disturbing activities. The survey will be conducted by a qualified biologist. In order to avoid potential direct impacts to adults and nursing young, no grading should occur within 50 feet of an active badger den as determined by the project biologist.	Project Complete	Project Complete	NA - Not applicable to the Recycled Water Facilities, the eastern pipeline alignment was not selected

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State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-5: Nesting Birds.	Mitigation measures are recommended to avoid or minimize impacts to nesting bird species, including special-status species and species protected by the Migratory Bird Treaty Act.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-6: Riparian Habitat Avoidance	During proposed project design, a qualified biologist shall identify the project boundaries adjacent to Morro Creek and the allowable limits of construction activities to avoid direct and indirect impacts to riparian habitat. Those limits shall be used during proposed project design to identify a pipeline alignment that avoids impacts to riparian habitat as well as areas to be avoided for siting injection and monitoring wells. During construction, the riparian boundaries and limits shall be clearly flagged or fenced so that contractors are aware of the limits of allowable site access and disturbance. Areas to be preserved should be clearly flagged as off- limits to avoid unnecessary damage and potential erosion.	Project Complete	Project Complete	The project biologist has identififed the boundaries adjacent to Morro Creek and the allowable limits of construction impacts.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-7: Trenching Buffer for Jurisdictional Features	During construction of proposed project pipelines, trenching shall stop at least 50 feet away from jurisdictional features, such as the top of stream banks, riparian habitat and wetlands, and the remaining distance shall be installed using trenchless construction methods, such as horizontal directional drilling.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-8: Construction BMPs to Protect Jurisdictional Features and Aquatic Habitat.	Mitigation measures should be implemented prior to and during construction near Morro Creek and Little Morro Creek, as well as Drainages 1, 1A, 1B, 2, 2A, 2B, 3, 3A, and 3B, and wetlands.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-9: Preparation of a Frac-Out Contingency Plan	A Frac-Out Contingency Plan shall be prepared prior to initiation of construction activities that involve horizontal direction drilling activities. The Frac-Out Plan shall be implemented during HDD construction activities.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	BIO-10: Tree Protection	For public trees, protection will be established at a minimum distance of 1.5 times the dripline (i.e., the distance from the trunk to the outermost limits of leaves and branches). During development, orange construction fencing or sufficient staking to identify the protection area will surround each tree or clusters of trees.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-1: Retention of a Qualified Archaeologist.	Within 30 days after the City's approval of the final design plans and prior to start of any ground-disturbing activities (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the City shall retain a Qualified Archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (U.S. Department of the Interior, 1983) to carry out all mitigation related to archaeological resources.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-2: Pre-Construction Phase I Cultural Resources Survey.	Within 30 days after the City's approval of the final design plans and prior to the start of any ground-disturbing activity (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the Qualified Archaeologist shall conduct pre-construction Phase I Cultural Resources Survey of all areas that have not been previously surveyed within the last 5 years.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-3: Avoidance and Preservation in Place of Archaeological Resources.	The City shall avoid and preserve in place resources CA-SLO-16, -43, -165, -239, -2222, and -2845, and any other resources that are identified as potentially qualifying as historical resources or unique archaeological resources under CEQA, through proposed project re-design. Avoidance and preservation in place is the preferred manner of mitigating impacts to archaeological resources. Preservation in place maintains the important relationship between artifacts and their archaeological context and also serves to avoid conflict with traditional and religious values of groups who may ascribe meaning to the resource. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that avoidance and preservation in place of a resource is determined by the City to be infeasible in light of factors such as project design, costs, and other considerations, then CUL-4 shall be implemented for that resource. If avoidance and preservation in place of a resource is determined by the City to be feasible, then CUL-5 shall be implemented for that resource.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.

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State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-4: Development of an Archaeological Resources Data Recovery and Treatment Plan.	The Qualified Archaeologist shall prepare an Archaeological Resources Data Recovery and Treatment Plan for all significant resources that will be impacted by the proposed project.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-5: Development of a Cultural Resources Monitoring and Mitigation Program (CRMMP).	Within 60 days of the award of the contractor's bid and prior to the start of any ground-disturbing activity (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the Qualified Archaeologist shall prepare a Cultural Resources Mitigation and Monitoring Program (CRMMP) based on the final City-approved project design plans.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-6: Construction Worker Cultural Resources Sensitivity Training.	Prior to start of any ground-disturbing activities (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the Qualified Archaeologist, or his/her designee, and a Native American representative shall conduct cultural resources sensitivity training for all construction personnel.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-7: Archaeological Resources Monitoring.	All project-related ground disturbance (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil) shall be monitored by an archaeological monitor(s) familiar with the types of resources that could be encountered and shall work under the direct supervisor of the Qualified Archaeologist.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-8: Native American Monitoring.	The City shall retain a Native American monitor(s) from a Tribe that is culturally and geographically affiliated with the project site (according to the California Native American Heritage Commission). The Native American monitor shall monitor all project-related ground disturbance (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil) and all ground disturbance related to subsurface investigation and data recovery efforts for discovered resources that are Native American in origin.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-9: Inadvertent Discovery.	In the event archaeological resources are encountered during construction of the proposed project, all activity in the vicinity of the find shall cease (within 100 feet), and the protocols and procedures for discoveries outlined in the CRMMP (see CUL-5) shall be implemented.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-10: Retention of a Qualified Paleontologist.	Within 60 days prior to the start of any ground-disturbing activity (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), the City shall retain a paleontologist who meets the (SVP) Standards (SVP, 2010) (Qualified Paleontologist) to carry out all mitigation measures related to paleontological resources.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-11: Paleontological Resources Sensitivity Training.	The Qualified Paleontologist, or his/her designee, shall conduct construction worker paleontological resources sensitivity training prior to the start of ground disturbing activities. In the event construction crews are phased, additional trainings shall be conducted for new construction personnel. The training session shall focus on the recognition of the types of paleontological resources that could be encountered within the project site and the procedures to be followed if they are found. The City shall ensure construction personnel are made available for and attend the training and retain documentation demonstrating attendance.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-12: Paleontological Resources Monitoring.	All ground disturbance in excess of 5 feet within areas that are mapped as younger alluvial gravel (Qa) and beach and dune sands (Qs) shall be monitored on a full-time basis during initial ground disturbance.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.

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State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-13: Inadvertent Discovery of Fossils.	If construction or other proposed project personnel discover any potential fossils during construction, regardless of the depth of work or location, then work at the discovery location shall cease in a 50-foot radius of the discovery until the Qualified Paleontologist has assessed the discovery and made recommendations as to the appropriate treatment.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	CUL-14: Inadvertent Discovery of Human Remains:	If human remains are encountered, then the City shall halt work in the vicinity (within 100 feet) of the discovery and contact the County Coroner in accordance with PRC section 5097.98 and Health and Safety Code section 7050.5.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	NOISE-1: Construction Noise Reduction Measures.	The City shall develop and submit a Construction Noise Reduction Plan to the building official prior to initiating construction activities during hours that are not included in the exemption under the Morro Bay Municipal Code. The City or its contractor shall implement the Construction Noise Reduction Plan.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	NOISE-2: Operational Noise Reduction Measures	Prior to final design of the proposed injection wells, the City shall prepare an Operational Noise Reduction Plan demonstrating that the proposed injection wells will not expose the nearest sensitive receptor to noise levels that would exceed the City's daytime and nighttime noise standards (see Table 3.11-4). The operational noise reduction plan shall be prepared by a qualified noise consultant. Once all noise reduction measures outlined in the Operational Noise Reduction Plan are implemented, the City shall measure noise at the nearest sensitive receptor property line to validate the effectiveness of the measures and to demonstrate that operational noise levels are below the City's noise standards.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	GEO-1: Geotechnical Investigation.	A geotechnical investigation shall be prepared by a certified engineer for all facilities involving substantial ground disturbance or excavation.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	GEO-2: Post-Construction Site Restoration.	After construction of project pipelines, disturbed areas shall be managed to control erosion, including without limitation: repaving areas within roadways, restoring vegetated areas, and regrading surfaces to minimize changes in drainage patterns.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
State Water Resources Control Board	Environmental Impact Report	Summary of Impacts and Mitigation Measures	TRAF-1: Traffic Control Plan.	Prior to the start of construction of project components that would occur within a roadway right-of-way, the City shall require the construction contractor to prepare a Traffic Control Plan. The Traffic Control Plan will show all signage, striping, delineated detours, flagging operations and any other devices that will be used during construction to guide motorists, bicyclists, and pedestrians safely through the construction area and allow for adequate access and circulation to the satisfaction of the City's Public Works Director and Fire and Police Chiefs.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Dust Control Requirements	Dust Mitigation Plan	Because the project will disturb more than one acre, a project-specific Dust Mitigation Plan is required. Grading operations must follow the dust mitigation requirements contained in the NOA ATCM.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Section 5.0 – Air Monitoring Program	Asbestos Dust Air Monitoring	Because of the site's proximity to a sensitive receptor (an assisted-living facility on Teresa Drive), the APCD will require that an Asbestos Dust Air Monitoring Plan be submitted for approval prior to issue of a grading permit. The plan will specify procedures to be followed during construction and grading, including sampling locations/methods/frequency, analytical methods, and allowable thresholds.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.

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San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Section 6.2 – Mitigation Measures	Dust Mitigation Plan	At all times during construction, the CP will be present to ensure that the mitigations measures described in this section are properly carried out. The CP will monitor the implementation of the measures to minimize dust complaints and prevent visible emissions crossing the Project Boundary. Construction will take place during daylight hours between 7:00 AM and 7:00 PM. Mitigation measures were developed to address dust control during construction activities, as well as for post-construction maintenance of disturbed areas. Throughout construction, the amount of area disturbed shall be minimized to the extent practical. Per the Asbestos ATCM, the following sections outline the required dust mitigation practices (CARB, 2015): - Track-Out Prevention and Control Measures - Active Storage Piles - Disturbed Surface Area and Stockpiles that will Remain Inactive for more than Seven Days - Traffic On-Site on Unpaved Roads, Parking Lots, and Staging Areas - Earthmoving Activities - Off-Site Transport - Post-Construction Stabilization of Disturbed Areas	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Decontamination	Dust Mitigation Plan	Equipment and trucks that come into contact with NOA-containing soil will be cleaned before leaving the Project site. Cleaning shall take within the Project boundaries, so that NOA soil remains on-site.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Signage/Notifications	Dust Mitigation Plan	Cal-OSHA and CARB regulations require signage and postings at job sites where NOA is, or may be, disturbed. Warning signs will be posted at the main entrances to the project for the duration of soil disturbance activities, and residents within the area will be notified by mail of the soil disturbance.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
San Luis Obispo County Air Pollution Control District	Naturally Occurring Asbestos Permit	Documentation	Dust Mitigation Plan	Documentation of earthwork activities will be maintained by the Competent Person under the direct supervision of the Geotechnical Engineer of Record. Documentation records will be maintained by the Project Owner/Operator for a minimum of seven (7) years following the completion of the Project, and will be made available for inspection upon request by the SLOAPCD.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
San Luis Obispo County Air Pollution Control District	Emergency Standby Generator(s)	Permit to Construct and Permit to Operate	Permit to Construct and Permit to Operate	The City shall submit SLOAPCD Diesel Engine Permit Application for project Emergency Standby Generator(s). The City shall obtain required SLOAPCD Permit to Construct and Permit to Operate as required.	Project Complete	Project Complete	NA - Project is in design phase.
San Luis Obispo County Air Pollution Control District	General Permit incl. Odor Control Facilities	Permit to Construct and Permit to Operate	Permit to Construct and Permit to Operate	The City shall submit SLOAPCD General Facility Permit Application for project site (et-al) including odor control facilities. The City shall obtain required SLOAPCD Permit to Construct and Permit to Operate as required.	Project Complete	Project Complete	NA - Project is in design phase.
California State Historic Preservation Office	Phase 1 Monitoring Plan	Determining Activities Requiring Monitoring	PHASE 1 - WRF PROJECT Extent of Monitoring	..... Only the initial three feet of topsoil removal in these areas will need to be monitored archaeologically. Once grading is complete, all subsequent construction work on site will either be within artificial fill or truncated bedrock and therefore archaeological and Native American monitoring will not be warranted. The archaeological monitor, in consultation with the archaeological Principal Investigator, the City's Project Manager, and the Construction Manager, will determine when monitoring is no longer necessary.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
California State Historic Preservation Office	Phase 2 Monitoring Plan	Determining Activities Requiring Monitoring	PHASE 2 - PIPELINE AND PUMP STATION PROJECT Extent of Monitoring	- Pipeline Station 27 to 37 .... CA SLO-16 ... HA1–6, C20–21, C45–50 ... Intact site deposit in HA1–3, C21, C47–48 and C50; disturbed site deposit in C46 and C49 ... Eligible for National Register - Pipeline Station 22 to 24 .... CA SLO-16 ... C5-C7 ... Thin layer of dense redeposited shell midden in C5 and C7 ... Not eligible for National Register due to lack of integrity. - Pipeline Station 53 to 61 .... CA SLO-239 ... C26–27, 51-54 ... Disturbed site deposit in C26–27, likely originating from SLO-239 ... Not eligible for National Register due to lack of integrity. - Replacement Portion of LS2 Force Main .... CA SLO-239 ... No, due to existing pipeline ... Archaeological construction monitoring. - New Addition to LS2 Force Main .... CA SLO-239 ... Trenching or coring after property acquired by City ... Likely will require archaeological construction monitoring - Pipeline Station 147 to 150 ... CA SLO-2232H ... HA20–22 Possible sparse intact Native American site deposit in HA20 ... Not eligible for National Register.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 3/4 Monitoring Plan (FUTURE)	Determining Activities Requiring Monitoring	PHASE 3/4 - RECYCLED WATER AND EXISTING TREATMENT PLANT PROJECTS Extent of Monitoring	PHASE 3 - INJECTION WELLS PROJECT PHASE 4 - EXISTING TREATMENT PLANT DEMOLITION	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.

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WATER RECLAMATION FACILITY
ENVIRONMENTAL/REGULATORY COMPLIANCE SUMMARY

UPDATED: December 31, 2024

CONFLUENCE ENGINEERING SOLUTIONS | KMA KEVIN MERK ASSOCIATES | MIMIAGA engineering group | carollo Engineers...Working Wonders With Water®

Agency	Reference Document	Document Reference	Measure Focus	Measure	Phase 1 Water Reclamation Facility (WRF) Compliance Activities (7/1/2024 through 12/31/2024)	Phase 2 Conveyance Facilities Compliance Activities (7/1/2024 through 12/31/2024	Phase 3 Recycled Water Facilities Compliance Activities (7/1/2024 through 12/31/2024)
California State Historic Preservation Office	October 2019 Programmatic Agreement	Section 1.B City Roles and Responsibilities	Staff Professional Qualifications	City will ensure that all historic preservation and archaeological work is performed by, or under the direct supervision of, a person or persons who meet, at a minimum, the Secretary of the Interior's Professional Qualifications Standards (48 Federal Register 44738–44739) (Appendix A to 36 CFR §61) in the relevant field of study, as described under the Administrative Provisions of this Agreement. Hereinafter, such persons will be referred to as Qualified Professionals.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 1 and Phase 2 Monitoring Plans	Construction Crew Archeological Awareness Training	Archeological Awareness Training	Prior to any soil-disturbing construction activities, the archeological monitor will conduct a five- to 10-minute oral archaeological awareness training for the construction crew, including all equipment operators and personnel involved in the mass excavation activities. The Native American monitor will also likely offer comments on their concerns.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 1 Monitoring Plan WRF	Reporting	Extent of Monitoring	The archaeological Principal Investigator will submit weekly status reports to the City detailing monitoring activities and any discoveries. The weekly status reports will include both archaeological and Native American daily monitoring logs, photos, and maps (as appropriate).	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 1 Monitoring Plan WRF	Scheduling	Extent of Monitoring	If there are no findings, an Archaeological Resources Monitoring Report for Construction Phase 1 will be prepared and submitted to the City for review within 30 days of completion of monitoring activities.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 1 Monitoring Plan WRF	Archeological Monitoring Guidelines	Construction Monitoring	The Archaeological and Native American Monitors will observe soil disturbance during construction activities (e.g., manual or machine excavations, grading). The Archaeological monitor will observe consistency or changes in soils or may examine specific materials that may be cultural in origin.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Reporting	Extent of Monitoring	The archaeological Principal Investigator will submit weekly status reports to the City detailing monitoring activities and any discoveries. The weekly status reports will include both archaeological and Native American daily monitoring logs, photos, and maps (as appropriate). If no archaeological materials are identified during construction monitoring, an Archaeological Resources Monitoring Report will be prepared and submitted to the City for review within 30 days of completion of monitoring activities. In accordance with Stipulation VI of the Programmatic Agreement, the City will provide the report to the EPA for review, who will in turn submit it to all Parties of the Agreement. The final Monitoring Report will be submitted to all Parties of the Agreement and to the Central Coast Information Center at the University of California, Santa Barbara. If archaeological remains are identified during monitoring and cannot be avoided, they will be evaluated and mitigated (if warranted) in accordance with the Archaeological Research Design and Treatment Plan (Kaijankoski et al. 2019:Appendix E).	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Scheduling	Extent of Monitoring	An archaeological monitor and Native American monitor shall be present according to a schedule agreed upon by the archaeological Principal Investigator and City Project Manager prior to the beginning of construction. The archaeological Principal Investigator will review all anticipated soil disturbing activities with the construction contractor to determine which could potentially expose archaeological deposits and when these activities will be taking place. A tentative schedule will be prepared for monitoring, with the understanding that it is flexible depending on construction progress and findings.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Archeological Monitoring Guidelines	Construction Monitoring	1. The archaeological Principal Investigator and archaeological monitor(s) will meet the Secretary of Interior's professional qualification standards for prehistoric archeology. 2. An Archaeological monitor will be present for all ground-disturbing activities in the pipeline segments and components where archaeological monitoring is recommended. 3. Local Native American community will request to monitor all Construction Phase 2 ground disturbance. A local archaeologist will assess discovery made by the Native American monitor. 4. The need for more than one archaeological and Native American monitors may be necessary if work in being conducted in a variety of locations. 5. The City Project Manager will provide the construction schedule (location, day, time, and nature of work) to the archaeological and Native American monitors. 6. The archaeological monitor(s) will have the experience and demonstrated ability to recognize all types of archaeological materials and features. 7. Native American monitors should be from groups listed on the Native American Heritage Commission list of interested individuals. 8. Should the need arise to record or collect samples and artifacts, the archaeological monitor shall immediately consult with the archaeological Principal Investigator. 9. The archaeological and Native American monitors will document monitoring activities in a daily log. ..... 10. Monitors will take periodic digital photographs.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Section IV. TESTING RESULTS AND RECOMMENDATIONS	CA-SLO-16 MITIGATION PLAN	Mitigation of project impacts to site SLO-16 under both Section 106 of the National Historic Preservation Act and the California Environmental Quality Act will be required as the site can be considered significant and avoidance not feasible. All work will be conducted in accordance with the project's archaeological treatment plan (Kaijankoski et al. 2019) and needs to be approved by Caltrans within their right-of-way. A Native American monitor will be present to observe all archaeological excavations. Methods and extent of excavation will ultimately be determined once the deposits are exposed during construction excavation and initial hand excavations. Mitigation will require extensive support and collaboration from the project construction contractor who will need to secure the area and provide mechanical excavation equipment, operators, and support equipment. A location for deep reburial of human remains that may be encountered should be considered prior to construction, although ultimately the Most Likely Descendent will need to approve of this. Uncollected archaeological deposits will need to be permanently reburied on-site in accordance with the wishes of local Native American groups. Portions of the site not impacted by the project should be designated Environmentally Sensitive Areas with orange fencing. A short mitigation work plan can then be prepared and submitted to all interested parties for review.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.

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California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Section IV. TESTING RESULTS AND RECOMMENDATIONS	CA-SLO-239 (STATION 53 TO 61)	Cores C26 and C27 both contained a small amount of disturbed archaeological deposits. This material almost certainly originated from site SLO-239 located on the higher terrace to the south. Additionally, adjacent Cores 51-54 contained trace amounts of disturbed shellfish. Therefore archaeological construction monitoring is recommended along the boundary of site SLO-239 between stations 53 to 61. Additional Testing Required: A recent addition to the LS-2 force main measures approximately 300 meters near SLO-239. The area also has an elevated buried site sensitivity. This project component could not be tested as it lies on private property with no permission to access. The City is currently acquiring the property through eminent domain. In accordance with the Programmatic Agreement, the component will be tested once access is secured. This would involve approximately 12 trenches or cores spaced at 25-meter intervals over a two day period. If disturbed deposits associated with SLO-239 are identified, monitoring for human remains will be recommended and an addendum to this test report prepared. If intact archaeological deposits are identified, they will be immediately evaluated and mitigated in accordance with the Treatment Plan and documented in the final report.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Section IV. TESTING RESULTS AND RECOMMENDATIONS	CA-SLO-2022 (STATION 138 TO 143)	Testing was conducted between Stations 138 and 143 due to the presence of site SLO-2022 that is visible in the roadcut immediately northeast of the ADI. Quintana Road is cut into the hillside that this site is situated upon as it descends in elevation to South Bay Blvd. Additionally, this area has the lowest buried site sensitivity due to the ancient age of the surface landform. Thirteen hand augers (HA7–19) were excavated split evenly between each side of the road adjacent to the ADI. Results were all negative despite processing samples from most augers (see Table 3). Therefore, no archaeological construction monitoring or mitigation is recommended for this segment. However, it is recommended that site SLO-2022 be designated an Environmentally Sensitive Area and be protected during construction with orange fencing or other measures.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Phase 2 Monitoring Plan PIPELINES AND PUMP STATIONS	Section IV. TESTING RESULTS AND RECOMMENDATIONS	CA-SLO-2232H (Station 147 TO 150)	Stations 147 to 150 are adjacent to site SLO-2232H, where a prehistoric component was reported to have been recently discovered during construction of a housing complex to the south. After testing for this project was complete, communications with the archaeologist overseeing the housing complex work revealed that the prehistoric deposit (including human remains) encountered is in fact associated with site SLO-1183 and located more than 100 meters (330 feet) south of the ADI. Access constraints (numerous underground utilities) only allowed for three hand augers (HA20–22) to be excavated along the south side of the road. HA21 and HA22 were negative, while a possible sparse prehistoric site deposit was identified in HA20. It is possible that the materials recovered in HA20 originated from site SLO-2022 and were pushed downhill when Quintana Road was cut through the site. This very sparse deposit of uncertain integrity is recommended not eligible for the National Register. However, archaeological construction monitoring for human remains is warranted for this pipeline segment.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
California State Historic Preservation Office	Programmatic Agreement	Section IX – Annual Reporting	Annual Reporting	In addition to the final reports described within this Stipulation, EPA shall provide the Parties to this Agreement an annual update on the implementation of this Agreement. Such update shall include any scheduling changes proposed, any problems encountered, failures to adopt proposed mitigation measures, and any disputes and objections received in EPA's efforts to carry out the terms of this Agreement. The update will be due no later than December 31 of each year, beginning December 31, 2019 and will continue annually thereafter throughout the duration of this Agreement.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required. The appropriate level of monitoring was provided during investigatory testing.
Central Coast Regional Water Quality Control Board	Stormwater Pollution Prevention Plan	Section 1.6 - Required Non-Compliance Reporting	Reporting Requirements	If a discharge violation occurs the QSP shall immediately notify the LRP and the LRP shall file a violation report electronically to the Regional Water Board within 30 days of identification of non-compliance using SMARTS. Corrective measures will be implemented immediately following the discharge or written notice of non-compliance from the Regional Water Board.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
Central Coast Regional Water Quality Control Board	Stormwater Pollution Prevention Plan	Section 1.7 – Annual Report	Reporting Requirements	The General Permit requires that permittees prepare, certify, and electronically submit an Annual Report no later than September 1st of each year. Reporting requirements are identified in Section XVI of the General Permit.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
Central Coast Regional Water Quality Control Board	Stormwater Pollution Prevention Plan	Section 3.2 – Erosion and Sediment Control	Control Measures	Erosion and sediment controls are required by the General Permit to provide effective reduction or elimination of sediment related pollutants in stormwater discharges and authorized non-stormwater discharges from the Site.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.
Central Coast Regional Water Quality Control Board	Stormwater Pollution Prevention Plan	Section 3.3 – Non-Stormwater Controls and Waste and Materials Management	Control Measures	Non-stormwater discharges into storm drainage systems or waterways, which are not authorized under the General Permit, are prohibited.	Project Complete	Project Complete	City is in the design phase for the Recycled Water Facilities and will incorporate these design elements as required.

Attachment 2

Conservation Covenant

2024035765
Elaina Cano
San Luis Obispo - County Clerk-Recorder
12/05/2024 08:57 AM
Recorded at the request of:
PUBLIC
Titles: 1 Pages: 53
Fees: $0.00
Taxes: $0.00
Total: $0.00

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:

City of Morro Bay
Attn: City Clerk
595 Harbor Street
Morro Bay, CA 93442

APN 073-101-019

SPACE ABOVE FOR RECORDER'S USE ONLY

DECLARATION OF CONSERVATION COVENANT

THIS DECLARATION OF CONSERVATION COVENANT (HEREINAFTER THE "CONSERVATION COVENANT"), dated this 5th day of October, 2021, by the City of Morro Bay ("Covenantor" or "CITY") for the benefit of the United States of America acting by and through the U.S. Environmental Protection Agency ("USEPA") is made with reference to the following facts.

1. RECITALS

1.1. Covenantor is the sole owner in fee simple of certain real property in an unincorporated portion of the County of San Luis Obispo, State of California, described in a Grant Deed recorded on January 24, 2020, as Document Number 2020003622 of Official Records in the Office of the County Recorder at said County; and described and depicted in Exhibits A-1 and A-2 (the "Real Property").

1.2. An area of 19.5 acres, described and depicted in Exhibit B-1, B-2 and B-3, of the Real Property has been set aside pursuant to the Endangered Species Act Section 7 consultation between USEPA and U.S. Fish and Wildlife Service ("USFWS") defined below and referred to herein as the "Mitigation Property."

1.3. The Property possesses wildlife and habitat values (collectively, "conservation values") of great importance to the United States.

1.4. This Conservation Covenant provides compensatory mitigation for impacts to approximately 17 acres of California red-legged frog critical habitat and is to satisfy the requirements of the Section 7 consultation and Biological Opinion #2020-F-0010 issued by USFWS, the USEPA pursuant to its authority under the federal Clean Water Act (33 U.S.C. Section 1344) and is attached as Exhibit C.

1.5. The Biological Opinion was issued to USEPA on February 20, 2020, and authorized impacts of approximately 17 acres of California red-legged frog critical habitat composed

of annual grassland for grading activities associated with construction of the Water Reclamation Facility being funded through the Water Infrastructure Finance and Innovation Act (WIFIA). Said activity is located as shown on the Approved Construction Plans on file in the office of the City Engineer.

2. COVENANTS, TERMS, CONDITIONS AND RESTRICTIONS

2.1. In consideration of the above recitals and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and pursuant to California law. Covenantor hereby voluntarily records a conservation covenant in perpetuity over the Mitigation Property. This conservation covenant shall run with the land and be binding on Covenantor and Covenantor's heirs, successors in interest, administrators, assigns, lessees, and other occupiers or users of the Mitigation Property or any portion of it.

2.2. Purpose. The purpose of this Conservation Covenant is to ensure the Mitigation Property will be retained forever in a natural condition, defined below, and to prevent any use of the Mitigation Property that will impair or interfere with the conservation values of the Mitigation Property. Covenantor intends this Conservation Covenant will confine the use of the Mitigation Property to such activities, including without limitation, those involving the preservation and enhancement of native species and their habitat in a manner consistent with the habitat conservation purposes of this Conservation Covenant.

2.2.1. The term "natural condition" shall initially mean the condition of the Mitigation Property at the time of this grant. However, the intent of Covenantor and USEPA is that certain mitigation activities, as required in the Biological Opinion, and described in the Riparian Enhancement Plan and other associated documents, should occur on the Mitigation Property. Covenantor certifies there are no buildings and easements existing on the Mitigation Property at the time of this Covenant. The natural condition is evidenced in part by a plat of the Mitigation Property showing all relevant property lines, easements, rights of way and dedications, and all existing man-made improvements, and major, distinct natural features. Covenantor has delivered further evidence of the "natural condition" to USEPA consisting of: (1) an aerial photograph of the Mitigation Property at an appropriate scale taken as close in time as possible to the date the grant is made; (2) on-site photographs showing all man-made improvements. A copy of the survey plat, construction plans, and copies of the aerial and on-site photos are on file in the office of the Morro Bay City Engineer. If a controversy arises with respect to the natural condition of the Mitigation Property, then the parties shall not be foreclosed from utilizing any and all other relevant documents, surveys, photographs or other evidence or information to assist in the resolution of the controversy.

2.3. Covenantor. To accomplish the purposes of this Conservation Covenant, Covenantor hereby covenants as follows:

2.3.1. To preserve and protect the conservation values of the Mitigation Property;

2.3.2. To prevent any activity on or use of the Mitigation Property that is inconsistent with the purposes of this Conservation Covenant and to require the restoration of such areas or features of the Mitigation Property that may be damaged by any act, failure to act, or any use that is inconsistent with the purposes of this Conservation Covenant.

2.3.3. Prohibited Uses. Any activity that does not presently exist on, or use of, the Mitigation Property inconsistent with the purposes of this Conservation Covenant is prohibited. Without limiting the generality of the foregoing, the following uses are expressly prohibited:

2.3.3.1. Unseasonal watering following plant establishment in the Riparian Enhancement Area, use of herbicides except in areas identified as containing noxious weeds, rodenticides, or incompatible fire protection activities and any and all other uses which may adversely affect the purposes of this Conservation

Covenant.

2.3.3.2. Use of off-road vehicles and use of any other motorized vehicles except on designated roadway, if any;

2.3.3.3. Soil disturbance for cultivation or other agricultural activity of any kind;

2.3.3.4. Erecting of any building or other improvement, billboard, or sign (except for signage permitted under Section 7, below);

2.3.3.5. Depositing of soil, trash, ashes, garbage, waste, bio-solids or any other material;

2.3.3.6. Excavating, dredging, drilling or removing of loam, gravel, soil, rock, sand or other material;

2.3.3.7. Otherwise altering the general topography of the Mitigation Property, including but not limited to building of roads and associated work;

2.3.3.8. Removing, destroying, or cutting of vegetation, except as required by law for (1) fire breaks, (2) maintenance of existing trails or roads, (3) prevention or treatment of disease, or (4) required mitigation programs;

2.3.3.9. Establishing any easement, for any purpose (without the written consent of USEPA), within the boundaries of the Mitigation Property not in existence, disclosed to and approved by USEPA, as of the date of this Covenant; and

2.3.3.10. Surface entry for exploration or extraction of minerals.

2.4. Covenantor's Duties. Covenantor shall undertake all reasonable actions to prevent the unlawful entry and trespass by persons whose activities may degrade or harm the conservation values of the Mitigation Property and shall comply with all conditions of the Biological Opinion, a copy of which is attached hereto as Exhibit "C" and incorporated herein by this reference.

2.5. Reserved Rights. Covenantor reserves to itself, and to its personal representatives, heirs, successors, and assigns, all rights accruing from its ownership of the Mitigation Property, including the right to engage in or to permit or invite others to engage in all uses of the Mitigation Property that are consistent with the purposes of this Conservation Covenant.

2.6. USEPA Remedies. If USEPA determines Covenantor or its agents, contractors, or invitees are in violation of the terms of this Conservation Covenant or a violation is threatened, then the USEPA making such determination shall give written notice to Covenantor of such violation and demand in writing the cure of such violation. If Covenantor fails to cure the violation within fifteen (15) days after receipt of said written notice and demand, or said cure reasonably requires more than fifteen (15) days to complete and Covenantor fails to begin the cure within the fifteen (15) day period or fails

to continue diligently to complete the cure, then either USEPA may bring an action at law or in equity in a court of competent jurisdiction to enforce compliance by Covenantor with the terms of this Conservation Covenant, to recover any damages to which USEPA may be entitled for violation by Covenantor of the terms of this Conservation Covenant or for any injury to the conservation values of the Mitigation Property, to enjoin the violation, *ex parte* as necessary, by temporary or permanent injunction without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies, or for other equitable relief, including, but not limited to, the restoration of the Mitigation Property to the condition in which it existed prior to any such violation or injury. Without limiting Covenantor's liability therefore, either USEPA may apply any damages recovered to the cost of undertaking any corrective action on the Mitigation Property.

2.7. If USEPA, in its sole discretion, determines circumstances require immediate action to prevent or mitigate significant damage to the conservation values of the Mitigation Property, then USEPA may pursue its remedies under Section 2.6 without prior notice to Covenantor or without waiting for the period provided for cure to expire. The rights of USEPA under this section apply equally to actual or threatened violations of the terms of this Conservation Covenant. Covenantor agrees USEPA remedies at law for any violation of the terms of this Conservation Covenant are inadequate and that USEPA shall be entitled to the injunctive relief described in this section, both prohibitive and mandatory, in addition to such other relief to which USEPA may be entitled, including specific performance of the terms of this Conservation Covenant, without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies. The remedies of USEPA described in this section shall be cumulative and shall be in addition to all remedies now or hereafter existing at law or in equity, including, but not limited to, the remedies set forth in California Civil Code Section 815, *et seq.*, inclusive. The failure of USEPA to discover a violation or to take immediate legal action shall not bar the USEPA from taking such action at a later time.

2.8. If at any time in the future, Covenantor or any subsequent transferee uses or threatens to use the Mitigation Property for purposes inconsistent with this Conservation Covenantor, then appropriate enforcement agencies of the United States have standing to enforce this Conservation Covenant. These rights are in addition to, and do not limit, the rights of enforcement under any one or more of the Biological Opinion, or any of the various documents create thereunder or referred to therein.

2.9. Costs of Enforcement. Any costs incurred by USEPA where it is the prevailing party, in enforcing the terms of this Conservation Covenant against Covenantor, including, but not limited to, reasonable costs of suit and attorneys' fees, and any reasonable costs of restoration necessitated by Covenantor's violation or negligence under the terms of this Conservation Covenant shall be borne by Covenantor.

2.10. USEPA Discretion. Enforcement of the terms of this Conservation Covenant by USEPA shall be at the discretion of the USEPA, and any forbearance by USEPA to exercise its rights under this Conservation Covenant in the event of any breach of any term of the Conservation Covenant shall not be construed to be a waiver by USEPA of such terms or of any subsequent breach of the same or any other term of this Conservation Covenant

or of any of USEPA rights under this Conservation Covenant. No delay or omission by USEPA in the exercise of any right or remedy upon any breach by Covenantor shall impair such right or remedy or be construed as a waiver. Further, nothing in this Conservation Covenant creates a non-discretionary duty upon the USEPA to enforce its provisions, nor shall deviation from these terms and procedures, or failure to enforce its provisions give rise to a private right of action against USEPA by any third parties.

2.11. Acts Beyond Covenantor's Control. Nothing contained in this Conservation Covenant shall be construed to entitle USEPA to bring any action against Covenantor for any significant injury to or change in the Mitigation Property resulting from natural causes beyond Covenantor 's control, including, but not limited to, fire not caused by Covenantor, flood, storm, and earth movement, or from any prudent action taken by Covenantor under emergency conditions to prevent, abate, or mitigate significant injury to the Mitigation Property resulting from such causes. Such excuse from performance by Covenantor shall only be allowed if such event beyond Covenantor's control has caused a substantial failure of or degradation of the conservation and environmental values on the Mitigation Property. Notwithstanding the foregoing, even actions undertaken during emergency conditions must receive prior authorization from the USEPA (through expedited procedures, if appropriate) if the action involves discharge of dredged of fill material into jurisdictional "waters of the United States." The lack of such authorization may result in an enforcement action by the USEPA.

2.12. Installation and Maintenance of Signage. Covenantor shall post and maintain appropriate signage identifying the Conservation Covenant. Such signage shall be subject to the prior written approval of USEPA, which shall not be unreasonably withheld.

2.13. Access. This Conservation Covenant does not convey a general right of access to the public.

2.14. Costs and Liabilities. Covenantor retains all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep, and maintenance of the Mitigation Property. Covenantor agrees that USEPA shall have no duty or responsibility for the operation or maintenance of the Property, the monitoring of hazardous conditions thereon, or the protection of Covenantor, the public or any third parties from risks relating to conditions on the Mitigation Property. Covenantor remains solely responsible for obtaining any applicable governmental permits and approvals for any activity or use permitted by this Conservation Covenant, and any activity or use shall be undertaken in accordance with all applicable federal, state, local and administrative agency statutes, ordinances, rules, regulations, orders or requirements.

2.15. Taxes. Covenantor shall pay before delinquency all taxes, assessments, fees, and charges of whatever description levied on or assessed against the Mitigation Property by competent authority (collectively "taxes"), including any taxes imposed upon, or incurred as a result of, this Conservation Covenant, and shall furnish USEPA with satisfactory evidence of payment upon request.

2.16. Indemnity. (a) Covenantor shall hold harmless, indemnify, protect and defend

USEPA and its respective directors, officers, employees, agents, contractors, and representative (collectively "Indemnified Parties") from and against any and all liabilities, penalties, costs, losses, damages, expenses, causes of action, claims, demands, or judgments, including without limitation, reasonable attorneys' fees (collectively "Claims"), arising from or in any way connected with: (1) injury to or the death of any person, or physical damage to any property occurring on or about the Mitigation Property, regardless of cause, except that Covenantor shall not be obligated to indemnify a particular USEPA if the injury or damage is due to the negligent or willful act or omission of that USEPA (2) the obligations specified in Sections 4, 9, and 9.1; or (3) the existence or administration of this Conservation Covenant.

2.17. Condemnation. The purposes of the Conservation Covenant are presumed to be the best and most necessary public use as defined at California Code of Civil Procedure Section 1240.680 notwithstanding Code of Civil Procedure Sections 1240.690 and 1240.700.

2.18. [RESERVED]

2.19. Subsequent Transfers. Covenantor agrees to incorporate the terms of this Conservation Covenant in any deed or other legal instrument by which Covenantor conveys or divests itself of any interest in all or any portion of the Property, including without limitation, a leasehold interest. Covenantor further agrees to give written notice to USEPA of the intent to transfer any interest at least fifteen (15) days prior to the date of such transfer. The failure of Covenantor to perform any act provided in this section shall not impair the validity of this Conservation Covenant or limit its enforceability in any way.

2.20. Notices. Any notice, demand, request, consent, approval, or communication that any party desires or is required to give to any other party or parties shall be in writing and be served personally or sent by recognized overnight courier that guarantees next-business-day delivery or by first class mail, postage prepaid, addressed as follows:

To Covenantor:
City Clerk
City of Morro Bay
595 Harbor Street
Morro Bay, CA 93442

To USEPA:
U.S. Environmental Protection Agency
Water Infrastructure Division
Office of Wastewater Management
1301 Constitution Ave., N.W.
Room #6210G
Washington, DC 20004

or to such other address as a party shall designate by written notice to the other parties. Notice shall be deemed effective upon delivery in the case of personal delivery or delivery by overnight

courier or, in the case of delivery by first class mail, five (5) days after deposit into the United States mail.

2.21. Amendment. This Conservation Covenant may be amended by Covenantor only with written approval of the USEPA. Any such amendment shall be consistent with the purposes of this Conservation Covenant and shall not affect its perpetual duration. Any such amendment shall be recorded in the official records of San Luis Obispo County, State of California.

2.22. General Provisions.

2.22.1. Controlling Law. The interpretation and performance of this Conservation Covenantor shall be governed by the laws of the United States and the State of California.

2.22.2. Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Conservation Covenant shall be liberally construed to affect the purposes of this Conservation Covenant. If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purposes of this Conservation Covenant that would render the provision valid shall be favored over any interpretation that would render it invalid.

2.22.3. Severability. If a court of competent jurisdiction voids or invalidates on its face any provision of this Conservation Covenant, such action shall not affect the remainder of this Conservation Covenant. If a court of competent jurisdiction voids or invalidates the application of any provision of this Conservation Covenant to a person or circumstance, such action shall not affect the application of the provision to other persons or circumstances.

2.22.4. Entire Agreement. This instrument together with the attached exhibits and any documents referred to herein sets forth the entire agreement of the parties with respect to the Conservation Covenant and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Conservation Covenant. No alteration or variation of this instrument shall be valid or binding unless contained in an amendment in accordance with Section 2.21.

2.22.5. No Forfeiture. Nothing contained herein will result in a forfeiture or reversion of Covenantor's title in any respect.

2.22.6. Successors. The covenants, terms, conditions, and restrictions of this Conservation Covenant shall be binding upon and inure to the benefit of Covenantor and it respective personal representatives, heirs, successors, and assigns and shall constitute a servitude running in perpetuity with the Mitigation Property.

2.22.7. Termination of Rights and Obligations. A party's rights and obligations under this Conservation Covenant terminates upon transfer of the party's interest in the Conservation Covenant or Property, except that liability for acts or omissions

occurring prior to transfer shall survive transfer.

2.22.8. Captions. The captions in this instrument have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon its construction or interpretation

2.23. No Hazardous Materials Liability. Covenantor represents and warrants that it has no knowledge of any release or threatened release of Hazardous Materials (defined below) in, on, under, about or affecting the Property. Without limiting the obligations of Covenantor under Section 2.16, Covenantor agrees to indemnify, protect, defend and hold harmless the Indemnified Parties (defined in Section 2.16) against all Claims (defined in Section 2.16) arising from or connected with any Hazardous Materials present, alleged to be present, or otherwise associated with the Mitigation Property at any time, except that Covenantor shall not be obligated to indemnify USEPA if the Hazardous Materials were placed, disposed or released by USEPA.

2.24. Despite any contrary provision of this Conservation Covenant, the parties do not intend this Conservation Covenant to be, and this Conservation Covenant shall not be, construed such that it creates in or gives to USEPA any of the following:

2.24.1. The obligations or liabilities of an "owner" or "operator", as those terms are defined and used in Environmental Laws (defined below), including, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 U.S.C. Section 9601, et seq.; hereinafter "CERCLA"); or

2.24.2. The obligations or liabilities of a person described in 42 U.S.C. Section 9607(a)(3) or (4); or

2.24.3. The obligations of a responsible person under any applicable Environmental Laws; or

2.24.4. The right to investigate and remediate any Hazardous Materials associated with the Mitigation Property; or

2.24.5. Any control over Covenantor's ability to investigate, remove, remediate or otherwise clean up any Hazardous Materials associated with the Mitigation Property.

2.25. The term "Hazardous Materials" includes, without limitation, (a) material that is flammable, explosive or radioactive; (b) petroleum products, including by-products and fractions thereof; and (c) hazardous materials, hazardous wastes, hazardous or toxic substances, or related materials defined in CERCLA, the Hazardous Materials Transportation Act (49 U.S.C. Section 6901, et seq.); the Hazardous Waste Control Law (California Health & Safety Code Section 25100, et seq.); the Hazardous Substance Account Act (California Health & Safety Code Section 25300, et seq.), and in the regulations adopted and publications promulgated pursuant to them, or any other applicable federal, state or local laws, ordinances, rules, regulations or orders now in effect or enacted after the date of this Conservation Covenant.

2.26. The term "Environmental Laws" includes, without limitation, any federal, state, local or administrative agency statute, ordinance, rule, regulation, order or requirement relating to pollution, protection of human health or safety, the environment or Hazardous Materials. Covenantor represents, warrants and covenants to USEPA Covenantor's activities upon and use of the Mitigation Property will comply with all Environmental Laws.

IN WITNESS WHEREOF Covenantor has executed this Conservation Covenant the day and year first above written.

COVENANTOR:

CITY OF MORRO BAY

By: _____
John Headding, Mayor

Attest:

_____
Dana Swanson, City Clerk

Approved as to Form:

_____
Chris Neumeyer, City Attorney

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Luis Obispo)

On October 5, 2021 before me, Heather Suzanne Goodwin, Notary Public
(insert name and title of the officer)

personally appeared John Headding,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

HEATHER SUZANNE GOODWIN
Notary Public · California
San Luis Obispo County
Commission # 2359219
My Comm. Expires Jun 21, 2025

Signature Heather Suzanne Goodwin (Seal)

EXHIBIT "A-1" - WRF PARCEL DESCRIPTION

A portion of Parcel 2 of Parcel Map No. CO/MB 89-363 in the County of San Luis Obispo, State of California, as shown on map recorded in Book 48, at Page 13 of Parcel Maps in the Office of the San Luis Obispo County Recorder, described as follows:

Beginning at a point on the south line of said Parcel 2, distant thereon N 56°43'00" W, 93.00 feet from a 1-1/2" iron pipe at the southeast corner of said Parcel as shown on said map;

thence, leaving said south line, N 21°25'57" E, 408.00 feet;

thence N 15°10'57 E, 291.24 feet;

thence N 34°55'57" E, 195.04 feet;

thence N 0°00'57" E, 256.79 feet;

thence N 19°34'03" W, 702.95 feet;

thence S 70°25'57" W, 229.10 feet;

thence S 49°47'18" W, 698.48 feet;

thence S 6°51'42" W, 734.75 feet to the south line of said Parcel 2;

thence, along said south line, S 56°43'00" E, 879.66 feet to the Point of Beginning.

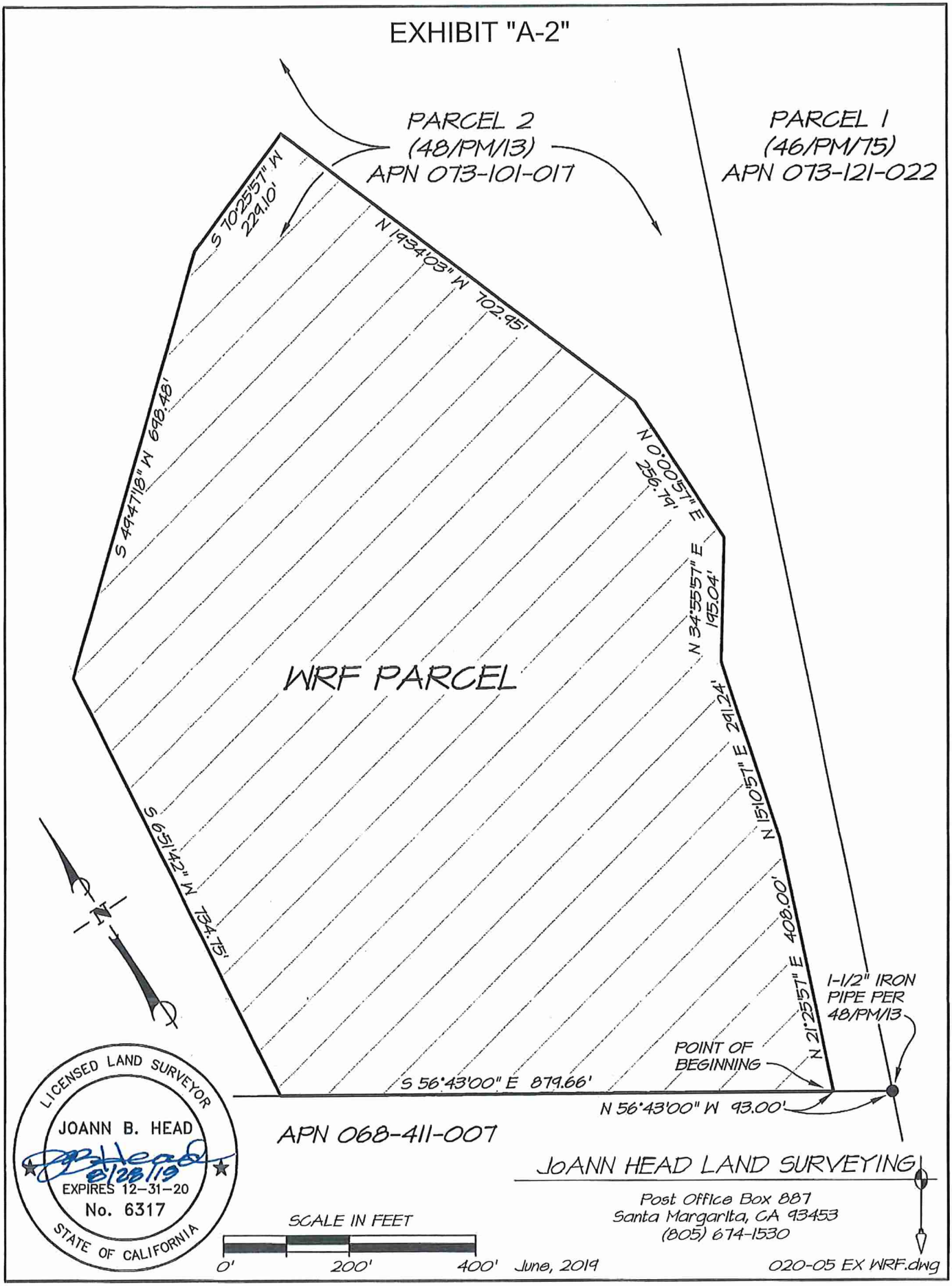
End of Description.

8/28/13

JoAnn B. Head

LICENSED LAND SURVEYOR
JOANN B. HEAD
No. 6317
STATE OF CALIFORNIA

EXHIBIT "A-2"



JoANN HEAD LAND SURVEYING
Post Office Box 887
Santa Margarita, CA 93453
(805) 674-1530

020-05 EX WRF.dwg

EXHIBIT B-1 – WRF Conservation Covenant Area Description

A portion Parcel 2 of Parcel Map CO/MB89-363 in the County of San Luis Obispo State of California, as shown on the Parcel Map recorded in Book 48, at Page 13 of Parcel Maps in the Office of the San Luis Obispo County Clerk-Recorder, more particularly described as follows:

All of the WRF Parcel described in Document Number 2020043763, Recorded on August 19, 2020 in the Office of the San Luis Obispo County Clerk-Recorder excepting the following:

Beginning at a point on the South line of said parcel 2, distant thereon S 56° 43' 00" E, 107.85 feet from an 1-1/2 iron pipe at the southeast corner of Parcel Map No. 89-363 also being the True Point of Beginning (TPOB);

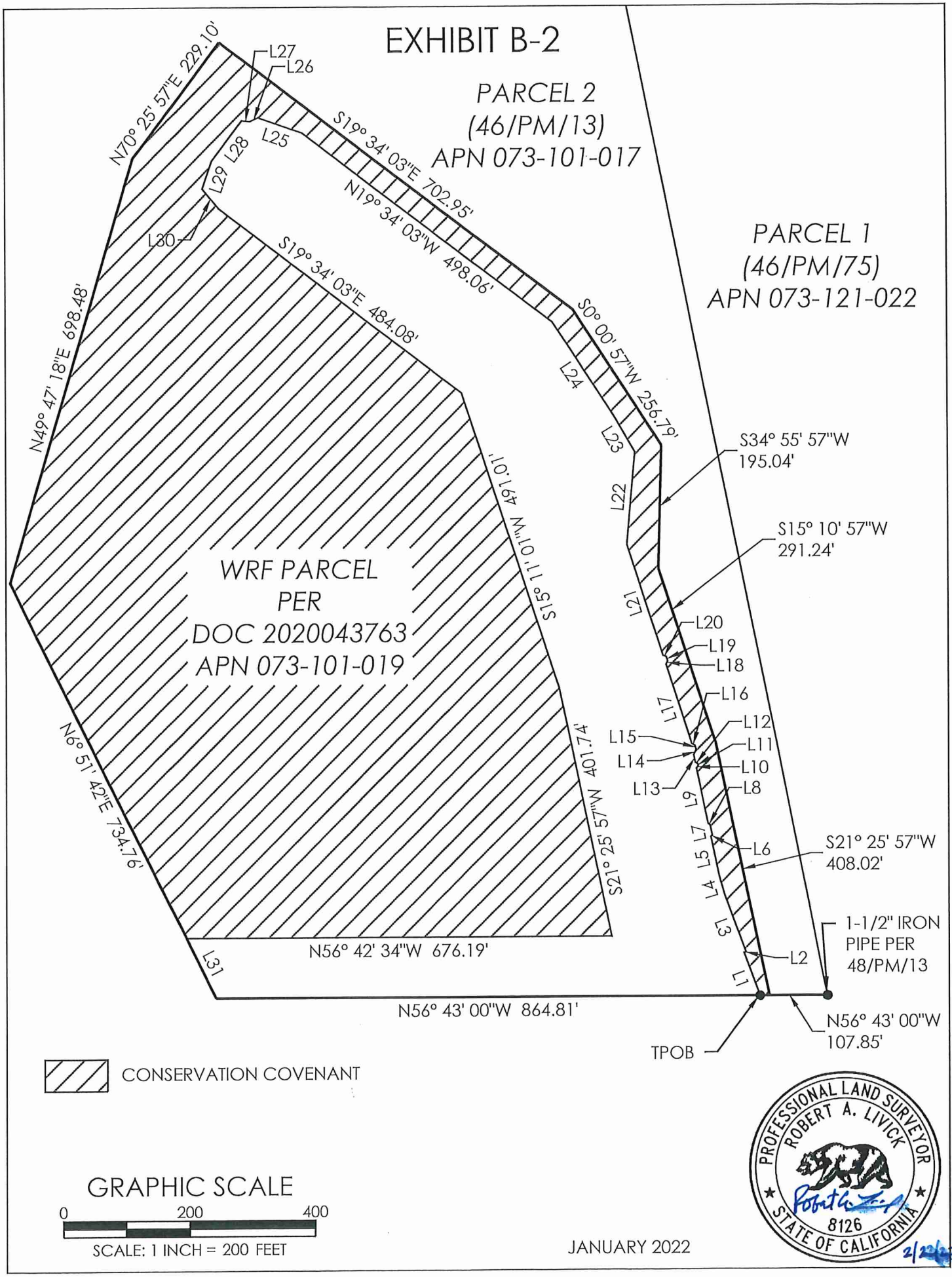
thence along the Water Reclamation Facility fence line 72.50 ft, S 12° 58' 30.0" E;
thence 3.33 ft, S 77° 1' 30.0" E;
thence 95.61 ft, S 12° 58' 30.0" E;
thence 31.12 ft, N 17° 30' 17.1" E;
thence 63.94 ft, N 21° 25' 57.0" E;
thence 3.76 ft, N 66° 25' 57.2" E;
thence 15.90 ft, N 21° 25' 57.2" E;
thence 3.76 ft, N 23° 33' 31.5" W;
thence 89.11 ft, N 21° 25' 57.0" E;
thence 4.84 ft, N 66° 22' 1.6" E;
thence 3.10 ft, N 21° 22' 1.6" E;
thence 4.83 ft, N 23° 29' 35.9" W;
thence 12.16 ft, N 21° 56' 54.2" E;
thence 9.05 ft, N 60° 10' 57.0" E;
thence 7.16 ft, N 15° 10' 57.0" E;
thence 5.19 ft, N 29° 49' 3.0" W;
thence 132.44 ft, N 15° 10' 57.0" E;
thence 5.63 ft, N 60° 10' 57.0" E;
thence 7.16 ft, N 15° 10' 57.0" E;
thence 5.63 ft, N 29° 49' 3.0" W;
thence 184.81 ft, N 15° 10' 57.0" E;
thence 146.82 ft, N 38° 28' 55.6" E;
thence 67.50 ft, N 3° 12' 22.2" E;
thence 176.05 ft, N 0° 1' 1.3" E;
thence 498.06 ft, N 19° 34' 3.0" W;
thence 74.19 ft, N 37° 40' 27.7" W;
thence 14.11 ft, N 80° 46' 44.9" W;
thence 12.92 ft, N 50° 54' 45.4" W;
thence 79.89 ft, S 70° 25' 57.0" W;
thence 46.76 ft, S 52° 19' 32.3" W;
thence 41.21 ft, S 6° 59' 37.4" E;
thence 484.08 ft, S 19° 34' 3.0" E;
thence 491.01 ft, S 15° 11' 1.3" W;
thence 401.74 ft, S 21° 25' 57.0" W to the line on the WRF Parcel boundary;
thence 106.09 ft, S 6° 51' 41.6" W;
thence 864.81 ft, S 56° 43' 0.0" E to the TPOB;

Being 19.5 acres more or less.

2/22/22

Prepared by;
Rob Livick, PE/PLS/QSD
Interim City Engineer
City of Morro Bay

EXHIBIT B-2



CONSERVATION COVENANT

GRAPHIC SCALE

0 200 400

SCALE: 1 INCH = 200 FEET

JANUARY 2022

PROFESSIONAL LAND SURVEYOR
ROBERT A. LIVICK
8126
STATE OF CALIFORNIA

2/22/22

EXHIBIT B-3

Parcel Line Table		
Line #	Length	Direction
L1	72.50	N12° 58' 30"E
L2	3.33	S77° 01' 30"E
L3	95.61	N12° 58' 30"E
L4	31.12	N17° 30' 17"E
L5	63.94	N21° 25' 57"E
L6	3.76	N66° 25' 57"E
L7	15.90	N21° 25' 57"E
L8	3.76	N23° 33' 32"W
L9	89.11	N21° 25' 57"E
L10	4.84	N66° 22' 02"E
L11	3.10	N21° 22' 02"E
L12	4.83	N23° 29' 36"W
L13	12.16	N21° 56' 54"E
L14	9.05	N60° 10' 57"E
L15	7.16	N15° 10' 57"E
L16	5.19	N29° 49' 03"W
L17	132.44	N15° 10' 57"E
L18	5.63	N60° 10' 57"E
L19	7.16	N15° 10' 57"E
L20	5.63	N29° 49' 03"W

Parcel Line Table		
Line #	Length	Direction
L21	184.81	N15° 10' 57"E
L22	146.82	N38° 28' 56"E
L23	67.50	N3° 12' 22"E
L24	176.05	N0° 01' 01"E
L25	74.19	N37° 40' 28"W
L26	14.11	N80° 46' 45"W
L27	12.92	N50° 54' 45"W
L28	79.89	S70° 25' 57"W
L29	46.76	S52° 19' 32"W
L30	41.21	S6° 59' 37"E
L31	106.09	S6° 51' 42"W

2/22/22

JANUARY 2022

Exhibit C

United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE
Ecological Services
Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003

IN REPLY REFER TO:
08EVEN00-2020-F-0010

February 20, 2020

Alaina McCurdy
U.S. Environmental Protection Agency
William Jefferson Clinton West Building
1301 Constitution Ave., N.W.
Room # 6210G
Washington, DC 20004

Subject: Biological Opinion of the City of Morro Bay's Water Reclamation Facility Project

This document transmits the U.S. Fish and Wildlife Service's (Service) biological opinion based on our review of the U.S. Environmental Protection Agency's (EPA) proposed funding of a new Water Reclamation Facility (project) for the City of Morro Bay and its effects on the federally threatened California red-legged frog (*Rana draytonii*) and its critical habitat in accordance with section 7 of the Endangered Species Act of 1973, as amended (Act) (16 U.S.C. 1531 et seq.). We received your October 22, 2019 request for formal consultation on October 22, 2019.

We have based this biological opinion on information that accompanied your request for consultation, including the Biological Resources Assessment, South Bay Boulevard Site (Merk 2017), the Biological Resources Supplemental Information for the Morro Bay Wastewater Reclamation Facility Project (Merk 2019), the Morro Bay Water Reclamation Facility Final Environmental Impact Report (ESA Consultants 2018) and additional information provided throughout the consultation process on September 10, 2019, October 22, 2019, November 14, 2019, December 4, 2019, and December 13, 2019. These documents, and others relating to the consultation, are located at the Ventura Fish and Wildlife Office.

The Service published a final rule on August 27, 2019 (84 Federal Register 44976) that changed the definitions of some of the terms that we use in section 7(a)(2) consultations. The changes became effective on October 28, 2019. We developed this biological opinion in accordance with the changes in the final rule.

You have also requested our concurrence that the project may affect, but is not likely to adversely affect the federally endangered tidewater goby (*Eucyclogobius newberryi*) and the federally endangered Morro shoulderband snail (*Helminthoglypta walkeriana*). We provide our response to your informal consultation request below.

Additionally, you have requested our concurrence with your determination that the proposed action would have "no effect" on the federally endangered giant kangaroo rat (*Dipodomys ingens*), Morro Bay kangaroo rat (*Dipodomys heermanni morroensis*), San Joaquin kit fox (*Vulpes macrotis mutica*), California clapper rail (*Rallus longirostris obsoletus*), California condor (*Gymnogyps californianus*), California least tern (*Sterna antillarum browni*), least Bell's vireo (*Vireo bellii pusillus*), southwestern willow flycatcher (*Empidonax trallii extimus*), blunt-nosed leopard lizard (*Gambelia silus*), and the federally threatened southern sea otter (*Enhydra lutris nereis*), marbled murrelet (*Brachyramphus marmoratus marmoratus*), western snowy plover (*Charadrius nivosus nivosus*), California tiger salamander (*Ambystoma californiense*), Kern primrose sphinx moth (*Euproserpinus euterpe*), and vernal pool fairy shrimp (*Branchinecta lynchi*). The regulations implementing section 7(a)(2) of the Act (50 CFR 402) do not require our concurrence with a "no effect" determination made by a Federal agency.

Informal Consultation

Tidewater goby

Tidewater gobies may be present within the project area. Suitable habitat is present for tidewater gobies in the Morro Creek lagoon, downstream of the proposed pipeline bridge crossing of Morro Creek. Suitable habitat is also present in the Morro Bay estuary and Chorro Creek, where there are historic occurrences of tidewater goby from 1984 and 1999 (CNDDB 2019). Tidewater gobies can migrate upstream from estuaries up to one kilometer (Service 2005, pp. 12-13). Depending on water volume and season, gobies may be present in the unnamed drainages near the proposed pipeline route.

The project will not require any work directly in waterways. The pipeline will cross Morro Creek via a pipeline bridge, and will pass under Willow Camp Creek drainage along Quintana Road. If present, tidewater gobies may be exposed to effects of the project if construction debris, liquids, or disturbed substrate washes into waterways. This could negatively affect water quality in tidewater goby habitat, either in the immediate area, or downstream. The applicant has proposed the following measures to avoid effects of the project to tidewater gobies:

1. The applicant will implement erosion and sedimentation control measures (e.g., silt fences, straw bales or wattles) in all areas where disturbed substrate may potentially wash into waters via rainfall or runoff, particularly around stockpiled material and at the downstream end of each project reach. Such measures will remain in place and be inspected periodically until the project is complete and exposed soils are stabilized. Diversion structures, sediment traps/basins and associated equipment (e.g., pumps, lines) will be maintained in optimal working condition for the entire duration of the preparation and construction periods.
2. Prior to the start of work, the applicant will prepare a spill prevention plan to ensure prompt and effective response to any accidental spills. The applicant will inform all workers of the importance of preventing spills and of the appropriate measures to take should a spill occur. All project-related hazardous materials spills within the project site will be cleaned up

immediately. Spill prevention and cleanup materials will be on-site at all times during the course of the project.

3. All refueling, maintenance, and washing of equipment and vehicles will occur on paved areas in a location where a spill would not travel into a drainage feature or storm drain inlet. This fueling and staging area will conform to Best Management Practices applicable to attaining zero discharge of stormwater runoff into waters of the U.S. and State of California. At a minimum, all equipment and vehicles must be checked and maintained on a daily basis to ensure proper operation and avoid potential leaks or spills. Workers will washing equipment only in a location where polluted water and materials can be contained for subsequent removal from the site.
4. The applicant will designate a concrete washout location onsite, in an area at least 50 feet from any drainage feature or storm drain inlet. The applicant will maintain and inspect the washout weekly, and cover it prior to and during any rain event. If a container is used, the applicant will remove concrete debris whenever the washout container reaches the half-full mark.
5. Best Management Practices for dust abatement will be a component of the project's construction documents. The applicant will carefully implement dust control requirements to prevent water used for dust abatement from transporting pollutants to storm drains leading to the creek channel.
6. The applicant will prepare a frac-out contingency plan prior to initiation of construction activities that involve horizontal direction drilling activities. The applicant will implement the frac-out contingency plan during horizontal directional drilling construction activities. At a minimum, the plan will include the following:

    a. Measures to minimize the potential for a frac-out associated with horizontal directional drilling activities;
    b. Provide for the timely detection of frac-outs;
    c. Protect areas that are considered environmentally sensitive (streams, wetlands, other biological resources, cultural resources);
    d. Ensure an organized, timely, and "minimum-impact" response in the event a frac-out and the release of drilling mud occurs; and
    e. Ensure that all appropriate notifications are made to the appropriate environmental specialists immediately (e.g., qualified biological monitor), and to appropriate regulatory agencies within 24 hours and that documentation is completed.

We concur with you determination that the project may affect, but is not likely to adversely affect the tidewater goby. We based our determination on the following:

1. The project does not involve any work directly in waterways where tidewater gobies may be present, either in the immediate area or downstream of the project area.
2. The applicant proposes numerous measures to avoid runoff of chemicals, sediment, or materials into waterways within the project area.

As a reminder, in the unlikely event of a frac-out during horizontal directional drilling, the EPA and applicant must contact our office immediately to assess whether formal consultation for tidewater goby may be necessary.

Morro shoulderband snail

Morro shoulderband snail may be present within the project area. Morro shoulderband snails inhabit coastal dune scrub and maritime chaparral plant communities in stabilized dune systems. They typically occur on dune lands, as well as Baywood fine sand soils (Service 1998, p. 3). They have also been found in iceplant (*Carpobrotus sp.*) and other non-native vegetation that occurs on Baywood fine sand or dune lands.

Approximately one third of the pipeline route of the project would occur on Baywood fine sand soils and dune lands. However, the project would largely occur in disturbed areas that are currently developed and devoid of suitable habitat. Morro shoulderband snails have been previously identified in an undeveloped lot adjacent to the project, between Atascadero Road and Morro Bay High School (Merk 2017, p. 30). If present within the project area, Morro shoulderband snails may be harmed by ground disturbance, vegetation clearing, and staging of materials and equipment. Ground disturbance and vegetation clearing activities could result in snails becoming trapped in work materials or equipment or crushed by equipment or human activity. The applicant has proposed the following measures to avoid adverse effects of the project to Morro shoulderband snails:

1. A Service-approved biologist will survey for Morro Bay shoulderband snails no more than 48 hours before initial ground-disturbing and vegetation-clearing activities that occur on dune land or Baywood fine sand. The Service-approved biologist will monitor all construction activities occurring on dune land or Baywood fine sand. If the species is located during any of these pre-activity surveys or during subsequent project activities, the Service will be contacted immediately and activities will halt in that particular area until it is determined what actions may be necessary to avoid take of the snail.
2. Any equipment use, materials stockpiling, lift station construction, or any other uses proposed on the north side of Atascadero Road opposite the existing treatment plant will be setback from any potentially suitable habitat. If construction adjacent to potentially suitable Morro shoulderband snail habitat occurs during the winter rain season, a Service-approved biologist will survey the work area immediately following rain events or dense fog conditions to ensure that no Morro shoulderband snails have entered the site.
3. Silt fence will not be used to exclude Morro shoulderband snails from work areas where suitable sandy soils and habitat may be present. Work areas in sandy soils near potential Morro shoulderband snail habitat will be clearly delineated with flagging and/or stakes to limit the boundaries of work areas and confine them to developed and paved areas. If silt fencing must be used for other reasons in areas near potential Morro shoulderband snail habitat, additional measured developed by a Service-approved biologist will be implemented to avoid harm to the Morro shoulderband snail.

We concur with your determination that the project may affect, but is not likely to adversely affect the Morro shoulderband snail. We have based our concurrence on the following:

1. The parts of the project that occur on dune lands and Baywood fine sand soils would affect very little potential Morro shoulderband snail habitat, as the project occurs largely on disturbed surfaces.
2. The applicant proposes measures to avoid injury, entrapment, or death to the Morro shoulderband snail through setbacks of equipment from potentially suitable habitat; pre-activity surveys and biological monitoring on dune land and Baywood fine sand soils; and if snails are present and in harm's way, all work activity that may result in take of snails will cease.

Consultation History

The EPA submitted a request for concurrence that the project may affect, but is not likely to adversely affect the California red-legged frog on July 29, 2019. The Service requested that EPA provide additional information on project effects to the California red-legged frog, which the EPA provided responses to on September 10, 2019. On October 4, 2019, the Service provided their non-concurrence with EPA's determination of project effects to the California red-legged frog, and recommended that EPA initiate formal consultation.

On October 22, 2019, the EPA requested to initiate formal consultation on project effects to the California red-legged frog. The Service, EPA, and representatives from the City of Morro Bay participated in conference calls on November 1, 2019 and November 15, 2019 to address concerns about the risk of California red-legged frogs entering the project area, wildlife exclusion fencing, construction during the wet season, and compensatory mitigation.

The EPA determined that the project was not likely to adversely affect critical habitat of the California red-legged frog on September 18, 2019. We did not concur with this determination, therefore we include the effects of the project to California red-legged frog critical habitat in formal consultation of this biological opinion.

On December 4, 2019, the EPA requested an expedited timeline and requested that the Service complete the biological opinion by January 20, 2020. We did not have sufficient information to initiate formal consultation until December 13, 2019, and thus were not able to meet the EPA's request.

On January 31, 2020, the EPA requested a draft of the biological opinion by February 13, 2020, which the Service provided on February 13, 2020.

BIOLOGICAL OPINION

DESCRIPTION OF THE PROPOSED ACTION

The EPA proposes to fund a new Water Reclamation Facility (WRF) for the City of Morro Bay to improve reuse of advanced treated recycled water and replenish groundwater for indirect potable reuse. The City of Morro Bay (applicant) would construct the WRF, pump stations, injection wells, a water pipeline between the WRF and injection wells, and a pipeline between the WRF and lift stations. The applicant would also decommission the existing Wastewater Treatment Plant.

The WRF and operations and maintenance buildings would be located adjacent to the City of Morro Bay, north of the northern terminus of South Bay Boulevard. A paved road would connect the WRF to South Bay Boulevard, lying parallel to an unnamed drainage referred to as Drainage 3 (Merk 2017, Figure 3). A pipeline would run primarily from the WRF along Quintana Road to the lift stations at the existing Wastewater Treatment Plant. The applicant proposes injection well sites to the east and west of Quintana Road. The Biological Resources Supplemental Information provides more detail on project layout (Merk 2019, p. 8), and is hereby incorporated by reference.

To construct the WRF, the applicant would excavate and grade at the site, construct buildings and water retention ponds, install night lighting around the facility, install fence around the WRF perimeter, pave parking areas and the road to the facility, and revegetate and landscape areas of temporary disturbance. The permanent fencing will include a concrete exclusion barrier along the eastern boundary of the site that extends 24 inches above grade. The top of the concrete exclusion barrier will include a six-inch lip that will serve as a climbing barrier for the California red-legged frog. Affixed to the top of the concrete exclusion barrier will be a six-foot chain link fence with privacy slats. The remaining perimeter of the site will include a six-foot chain link fence with privacy slats. Permanent night lighting will be minimal with low intensity to prevent spillover into open space areas. The applicant expects construction of the WRF to take approximately 24 months.

The applicant would install the pipeline underground mostly along the disturbed right-of-way along Quintana Road. The pipeline would cross Morro Creek via a pipe bridge. The pipeline bridge would require the applicant to remove riparian vegetation for the bases of the pipeline bridge. No work will occur in the creek. The applicant would install the pipeline underneath Willow Camp Creek via horizontal directional drilling, thus no work in the waterway would occur. The applicant would construct two lift stations, which involves installing piping and electrical equipment, and constructing the pump house. The applicant estimates constructing the lift stations would take six to eight months.

Four injection well sites would be installed, either in the east injection well field or west injection well field (Merk 2019, p. 9). The applicant would drill and construct the well, and

conduct water testing. The applicant would convey water discharged during well drilling to onsite temporary settling basins and then to the storm drain under a permit from the Regional Water Quality Control Board.

The applicant would decommission the existing Wastewater Treatment Plant by demolishing and removing structures and equipment, above and below grade. The applicant would backfill trenches with clean structural fill and grade the site to fit the basic drainage pattern of the surrounding facility. The applicant expects demolition will take approximately three months to complete.

After construction is completed and the facility is operating, there would be traffic associated with worker commute and facility operations. Lift stations and pipelines would require general mechanical maintenance on an approximately quarterly basis. Refer to the Morro Bay Water Reclamation Facility Final Environmental Impact Report for more project details (Environmental Science Associates 2018, pp. 2-1—2-33).

The project would occur on approximately 17 acres of critical habitat for the California red-legged frog. The applicant proposes to mitigate for the loss of California red-legged frog critical habitat through the conservation of 19.5 acres of critical habitat. These acres would be located on the same parcel as the Water Reclamation Facility. The applicant will achieve protection through a conservation easement or another appropriate and feasible mechanism. The applicant will develop the protection in coordination with the Service and complete protection within 12 months of initiating project activities. The construction process will disturb nine acres of the proposed mitigation area by grading and installing fourteen drainage swales. The drainage swales would be concrete-lined with sides at a 1:1 slope. The applicant will revegetate the disturbed areas and return them to grassland.

The applicant's Coastal Development Permit, issued by the Coastal Commission of California, obligates the applicant to restore and enhance 1.5 acres of riparian zone. These acres are located between the Water Reclamation Facility's eastern fence line and the property boundary parallel to Drainage 3. The applicant will plant native trees, shrubs, and grasses to enhance the riparian area. A restoration ecologist will monitor the riparian restoration zone for five years or until restored areas have met success criteria. The proposed riparian restoration zone connects with the proposed compensatory mitigation acres at the north end of the facility.

The applicant proposes to implement the following avoidance and minimization measures:

1. Only Service-approved biologists will participate in activities associated with the capture, handling, and relocation of California red-legged frogs.
2. The applicant will submit the names and resumes of a qualified biologist and qualified biological monitor for approval by the Service at least 14 days prior to the start of work. Ground disturbance will not begin until written approval is received from the Service that project biologist(s) are qualified to conduct the work.

3. A Service-approved biologist will survey the project site no more than 48 hours before the onset of work activities. The Service-approved biologist will survey a 500-foot buffer zone upstream and downstream of the construction area for California red-legged frogs, as feasible, in consideration of the private property in the area. The Pre-Construction Survey will include a description of any standing or flowing water present in the drainage feature in proximity to the WRF construction area. If any life stage of the California red-legged frog is found and these individuals are likely to be killed or injured by work activities, the approved biologist will be allowed sufficient time to move them from the site before work begins. The Service-approved biologist will relocate the California red-legged frogs the shortest distance possible to a location that contains suitable habitat and that will not be affected by activities associated with the project. The relocation site will be in the same drainage to the extent practicable. The Service-approved biologist will coordinate with the Service on the relocation site prior to the capture of any California red-legged frogs.
4. A Service-approved biologist will be present at the work site until all California red-legged frogs have been relocated out of harm's way, workers have been instructed, and disturbance of habitat has been completed. After this time, the Service-approved biological monitor will ensure and document on-site compliance with all minimization measures. Biological monitoring will occur for all initial disturbance activities, and then will be scaled back to an as-needed basis once all habitat was removed for any activity occurring near a drainage feature or other environmentally sensitive habitat area. Biological monitoring will occur on a daily basis during the rainy season, defined as between October 15 and April 15, for any construction related activities at the WRF site. The Service-approved biologist will ensure that this monitor receives training on the minimization measures. If the Service-approved biological monitor or the Service-approved biologist recommends that work be stopped because California red-legged frogs would be affected in a manner not anticipated by the EPA and the Service during review of the proposed action, they will notify the project manager (the manager that is directly overseeing and in command of construction activities) immediately. The project manager will either resolve the situation by eliminating the adverse effect immediately or require that all actions causing these effects be halted. At this time, the Service-approved biologist will be called to relocate the California red-legged frog(s) out of harm's way.
5. Before the start of any construction activities at the Water Reclamation Facility, the applicant will erect a combination silt, safety, and wildlife exclusion fence around the entire site. The entire site will include all disturbed areas and areas utilized by the applicant and its contractors for temporary construction laydown and stockpiling. The fence will have a minimum height of 36 inches above ground, a trench depth of at least six inches, and a minimum five-inch overhang that will serve as a climbing barrier for California red-legged frogs. To allow for site access, a temporary chain link fence gate will be erected at the head of the access road at Teresa Road. The exclusion fencing material will be affixed to the chain link fence gate and will be equipped with ground sweeps. The temporary construction fence will be monitored on a daily basis during the winter rain season (October 15 through April 15) and will remain in place until after substantial completion of the Water Reclamation Facility following the completion of the permanent exclusion fencing system.

6. Prior to the commencement of construction-related activities, and for the duration of proposed construction activities, all construction workers will attend an Environmental Awareness Training and Education Program, developed and presented by the Service-approved biologist. The program will include information such as identification, habitat description, and protection under the Federal Endangered Species Act. The training will include detailed information about California red-legged frog and its habitat, the specific measures that are being implemented to conserve the California red-legged frog for the project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session as determined by the Service-approved biologist. Workers will be required to sign an acknowledgement form and will receive a hard hat sticker documenting their completion of the environmental awareness training.
7. Before ground disturbing work activities begin each day, the Service-approved biological monitor will conduct a pre-construction survey and inspect under construction equipment and materials to look for California red-legged frogs. If a California red-legged frog is found during these checks or during construction, the Service-approved biological monitor will halt work that may affect the animal until the Service-approved biologist can move it out of harm's way.
8. The Service-approved biologist will be present at the work site during initial site disturbance activities, including installation of exclusion fencing, erosion and sediment controls, and until the applicant has completed all surface disturbance. For work during the rainy season, defined as between October 15 and April 15, when California red-legged frogs may be moving through the project area, the biological monitor will conduct daily clearance surveys each morning prior to the start of work to ensure California red-legged frogs have not moved into the area and the wildlife exclusion fence is in good condition. If a California red-legged frog is observed within the biological monitoring area, the biological monitor will immediately contact the construction superintendent and evaluate the location of the frog in relation to ongoing work. If the frog is located within the work area, all work within 200 feet of the individual will be halted, and the individual will be allowed to leave the area under its own volition, or the Service-approved biologist may be called to capture and relocate the individual. The biological monitor will also provide additional training to the project's key construction management personnel on all environmental requirements associated with the project, so they can ensure all avoidance and minimization measures for biological resources are followed when the biological monitor is not present.
9. Prior to the start of work, the contractor will prepare a Spill Prevention Plan to ensure prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur. All project-related hazardous materials spills within the project site will be cleaned up immediately. Spill prevention and cleanup materials will be on-site at all times during the course of the project. During construction/ground disturbing activities, all refueling, maintenance, and staging of equipment and vehicles will be located at least 100 feet from a drainage feature in a protected location where any potential spill would be contained and not

drain directly toward aquatic habitat. The construction superintendent with support from the biological monitor will ensure contamination of habitat does not occur during such operations.

a. All refueling, maintenance, and washing of equipment and vehicles will be located on paved areas in a location where a spill will not travel into a drainage feature or storm drain inlet. This fueling/staging area will conform to Best Management Practices (BMPs) applicable to attaining zero discharge of stormwater runoff into waters of the U.S. and State of California. At a minimum, all equipment and vehicles must be checked and maintained on a daily basis to ensure proper operation and avoid potential leaks or spills. Washing of equipment will occur only in a location where polluted water and materials can be contained for subsequent removal from the site.

b. A designated concrete washout location will be established onsite, in an area at least 50 feet from any drainage feature or storm drain inlet. The washout will be maintained and inspected weekly, and will be covered prior to and during any rain event. If a container is used, concrete debris will be removed whenever the washout container reaches the 1/2 full mark.

c. BMPs for dust abatement will be a component of the project's construction documents. Dust control requirements will be carefully implemented to prevent water used for dust abatement from transporting pollutants to storm drains leading to the creek channel.

10. To prevent inadvertent entrapment during construction, all excavated, steep-walled holes or trenches will be covered with plywood or similar materials at the close of each work day, or provided with one or more escape ramps constructed of earth fill or wooden planks. If trapped California red-legged frogs are observed, the Service-approved biologist will relocate the California red-legged frog.
11. During project activities, all trash that may attract predators will be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris will be removed from work areas.
12. Spoils will be stockpiled in disturbed areas that lack native vegetation. BMPs will be employed to prevent erosion in accordance with the project's approved Stormwater Pollution Prevention Plan.
13. Vehicular traffic to and from the WRF construction site will use existing routes of travel. Cross-country vehicle and equipment use outside designated work areas will be prohibited.
14. Areas of disturbance will be minimized to the maximum extent practicable. Parking areas, new roads, staging, storage, excavation access routes, and disposal or temporary placement of spoils will be confined to the smallest areas possible. These areas will be flagged and disturbance activities, vehicles, and equipment will be confined to these flagged areas. Construction-related activities outside of the impact zone will be avoided.
15. Nighttime lighting during construction of the WRF will be minimized to the maximum extent practicable. While regular nighttime work is not anticipated, nighttime lighting may be

required during construction, but mitigation measures are required to ensure the lighting is shielded and pointed away from sensitive receptors such as the surrounding open space areas.

16. Workers will be prohibited from bringing pets and firearms to the project site and from feeding wildlife.
17. To ensure that diseases are not conveyed between work sites by the Service-approved biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force will be followed at all times (Appendix A).
18. The project proponent will conduct regular inspections and maintenance of the slatted chain link fence in order to ensure slats are in good condition to prevent entry of California red-legged frogs. This will occur at least twice yearly, with one inspection occurring within one month of the onset of the rainy season. The rainy season is defined as between October 15 and April 15.
19. The applicant will develop and implement a revegetation plan that includes: location of the restoration, plant species to be used, restoration techniques, time of year the work will be done, identifiable success criteria for completion, and remedial actions if the success criteria are not achieved. All areas of temporary disturbance will be revegetated with an assemblage of native species, and locally collected plant materials will be used to the extent practical. All areas revegetated due to temporary disturbance will be monitored by a qualified biologist/restoration ecologist for five years following seeding and planting activities or until the final success criteria have been met.
20. Any use of herbicides during the routine maintenance landscaping and revegetated areas which occurs outside Water Reclamation Facility fence will be minimized. The applicant will implement the following additional protective measures for the California red-legged frog:

    a. The applicant will not use herbicides during the breeding season for the California red-legged frog.
    b. All precautions will be taken to ensure that no herbicide is applied to native vegetation.
    c. Herbicides will not be applied on or near open water surfaces (no closer than 60 feet from open water).
    d. Foliar applications of herbicide will not occur when wind speeds are in excess of 3 miles per hour.
    e. No herbicides will be applied within 24 hours of forecasted rain.
    f. Application of all herbicides will be done by qualified personnel or contractors to ensure that overspray is minimized, that all application is made in accordance with label recommendations, and with implementation of all required and reasonable safety measures. A safe dye will be added to the mixture to visually denote treated sites. Application of herbicides will be consistent with the EPA's Office of Pesticide Programs, Endangered Species Protection Program county bulletins [https://www.epa.gov/endangered-species].

ANALYTICAL FRAMEWORK FOR THE JEOPARDY AND ADVERSE MODIFICATION DETERMINATIONS

Jeopardy Determination

Section 7(a)(2) of the Endangered Species Act requires that Federal agencies ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of listed species. "Jeopardize the continued existence of" means "to engage in an action that reasonably would be expected, directly or indirectly, to reduce appreciably the likelihood of both the survival and recovery of a listed species in the wild by reducing the reproduction, numbers, or distribution of that species" (50 CFR 402.02).

The jeopardy analysis in this biological opinion relies on four components: (1) the Status of the Species, which describes the rangewide condition of the California red-legged frog, the factors responsible for that condition, and its survival and recovery needs; (2) the Environmental Baseline, which analyzes the condition of the California red-legged frog in the action area, the factors responsible for that condition, and the relationship of the action area to the survival and recovery of the California red-legged frog; (3) the Effects of the Action, which determines the direct and indirect impacts of the proposed Federal action on the California red-legged frog; and (4) the Cumulative Effects, which evaluates the effects of future, non-Federal activities, that are reasonably certain to occur in the action area, on the California red-legged frog.

In accordance with policy and regulation, the jeopardy determination is made by evaluating the effects of the proposed Federal action in the context of the current status of the California red-legged frog, taking into account any cumulative effects, to determine if implementation of the proposed action is likely to reduce appreciably the likelihood of both the survival and recovery of the California red-legged frog in the wild by reducing the reproduction, numbers, and distribution of that species.

Adverse Modification Determination

Section 7(a)(2) of the Act requires that Federal agencies insure that any action they authorize, fund, or carry out is not likely to destroy or to adversely modify designated critical habitat. A final rule revising the regulatory definition of "destruction or adverse modification" was published on February 11, 2016 (81 FR 7214). The final rule became effective on March 14, 2016. The revised definition states:

> "Destruction or adverse modification means a direct or indirect alteration that appreciably diminishes the value of critical habitat for the conservation of a listed species. Such alterations may include, but are not limited to, those that alter the physical or biological features essential to the conservation of a species or that preclude or significantly delay development of such features."

The destruction or adverse modification analysis in this biological opinion relies on four components: (1) the Status of Critical Habitat, which describes the rangewide condition of the critical habitat for the California red-legged frog, the factors responsible for that condition, and the intended function of critical habitat overall; (2) the Environmental Baseline, which evaluates the condition of the critical habitat in the action area, the factors responsible for that condition, and the recovery role of the critical habitat in the action area; (3) the Effects of the Action, which are all consequences to critical habitat caused by the proposed action that are reasonably certain to occur; and (4) Cumulative Effects, which evaluate the effects of future non-Federal activities in the action area on critical habitat that are reasonably certain to occur.

For the section 7(a)(2) determination regarding destruction or adverse modification, the Service begins by evaluating the effects of the proposed Federal action and the cumulative effects. The Service then examines those effects against the condition of all critical habitat described in the listing designation to determine if the proposed action's effects are likely to appreciably diminish the value of critical habitat as a whole for the conservation of the species.

STATUS OF THE SPECIES AND ITS CRITICAL HABITAT

Legal Status

The California red-legged frog was federally listed as threatened on May 23, 1996 (61 Federal Register (FR) 25813). Revised critical habitat for the California red-legged frog was designated on March 17, 2010 (75 FR 12816, Service 2010). The Service issued a recovery plan for the species on May 28, 2002 (Service 2002).

Natural History

The California red-legged frog uses a variety of habitat types, including various aquatic systems, riparian, and upland habitats. They have been found at elevations ranging from sea level to approximately 5,000 feet. California red-legged frogs use the environment in a variety of ways, and in many cases, they may complete their entire life cycle in a particular area without using other components (i.e., a pond is suitable for each life stage and use of upland habitat or a riparian corridor is not necessary). Populations appear to persist where a mosaic of habitat elements exists, embedded within a matrix of dispersal habitat. Adults are often associated with dense, shrubby riparian or emergent vegetation and areas with deep (greater than 1.6 feet) still or slow-moving water; the largest summer densities of California red-legged frogs are associated with deep-water pools with dense stands of overhanging willows (*Salix* spp.) and an intermixed fringe of cattails (*Typha latifolia*) (Hayes and Jennings 1988, p. 147). Hayes and Tennant (1985, p. 604) found juveniles to seek prey diurnally and nocturnally, whereas adults were largely nocturnal.

California red-legged frogs breed in aquatic habitats; larvae, juveniles, and adult frogs have been collected from streams, creeks, ponds, marshes, deep pools and backwaters within streams and creeks, dune ponds, lagoons, and estuaries. They frequently breed in artificial impoundments such as stock ponds, given the proper management of hydro-period, pond structure, vegetative cover, and control of exotic predators. While frogs successfully breed in streams and riparian systems, high spring flows and cold temperatures in streams often make these sites risky egg and tadpole environments. An important factor influencing the suitability of aquatic breeding sites is the general lack of introduced aquatic predators. Accessibility to sheltering habitat is essential for the survival of California red-legged frogs within a watershed and can be a factor limiting population numbers and distribution.

During periods of wet weather, starting with the first rains of fall, some individual California red-legged frogs may make long-distance overland excursions through upland habitats to reach breeding sites. In Santa Cruz County, Bulger et al. (2003, p. 90) found marked California red-legged frogs moving up to 1.7 miles through upland habitats, via point-to-point, straight-line migrations without regard to topography, rather than following riparian corridors. Most of these overland movements occurred at night and took up to 2 months. Similarly, in San Luis Obispo County, Rathbun and Schneider (2001, p. 1302) documented the movement of a male California red-legged frog between two ponds that were 1.78 miles apart in less than 32 days; however, most California red-legged frogs in the Bulger et al. (2003, p. 93) study were non-migrating frogs and always remained within 426 feet of their aquatic site of residence (half of the frogs always stayed within 82 feet of water). Rathbun et al. (1993, p. 15) radio-tracked three California red-legged frogs near the coast in San Luis Obispo County at various times between July and January; these frogs also stayed close to water and never strayed more than 85 feet into upland vegetation. Scott (2002, p. 2) radio-tracked nine California red-legged frogs in East Las Virgenes Creek in Ventura County from January to June 2001, which remained relatively sedentary as well; the longest within-channel movement was 280 feet and the farthest movement away from the stream was 30 feet.

After breeding, California red-legged frogs often disperse from their breeding habitat to forage and seek suitable dry-season habitat. Cover within dry-season aquatic habitat could include boulders, downed trees, and logs; agricultural features such as drains, watering troughs, spring boxes, abandoned sheds, or hay-ricks, and industrial debris. California red-legged frogs use small mammal burrows and moist leaf litter (Rathbun et al. 1993, p. 15; Jennings and Hayes 1994, p. 64); incised stream channels with portions narrower and deeper than 18 inches may also provide habitat (61 FR 25814). This type of dispersal and habitat use, however, is not observed in all California red-legged frogs and is most likely dependent on the year-to-year variations in climate and habitat suitability and varying requisites per life stage.

Although the presence of California red-legged frogs is correlated with still water deeper than approximately 1.6 feet, riparian shrubbery, and emergent vegetation (Jennings and Hayes 1994, p. 64), California red-legged frogs appear to be absent from numerous locations in its historical range where these elements are well represented. The cause of local extirpations does not appear

to be restricted solely to loss of aquatic habitat. The most likely causes of local extirpation are thought to be changes in faunal composition of aquatic ecosystems (i.e., the introduction of non-native predators and competitors) and landscape-scale disturbances that disrupt California red-legged frog population processes, such as dispersal and colonization. The introduction of contaminants or changes in water temperature may also play a role in local extirpations. These changes may also promote the spread of predators, competitors, parasites, and diseases.

Rangewide Status

The historical range of the California red-legged frog extended coastally from southern Mendocino County and inland from the vicinity of Redding, California, southward to northwestern Baja California, Mexico (Storer 1925, p. 235; Jennings and Hayes 1985, p. 95; Shaffer et al. 2004, p. 2673). The California red-legged frog has sustained a 70 percent reduction in its geographic range because of several factors acting singly or in combination (Davidson et al. 2001, p. 465).

Over-harvesting, habitat loss, non-native species introduction, and urban encroachment are the primary factors that have negatively affected the California red-legged frog throughout its range (Jennings and Hayes 1985, pp. 99-100; Hayes and Jennings 1988, p. 152). Habitat loss and degradation, combined with over-exploitation and introduction of exotic predators, were important factors in the decline of the California red-legged frog in the early to mid-1900s. Continuing threats to the California red-legged frog include direct habitat loss due to stream alteration and loss of aquatic habitat, indirect effects of expanding urbanization, competition or predation from non-native species including the bullfrog, catfish (*Ictalurus* spp.), bass (*Micropterus* spp.), mosquito fish (*Gambusia affinis*), red swamp crayfish (*Procambarus clarkii*), and signal crayfish (*Pacifastacus leniusculus*). Chytrid fungus (*Batrachochytrium dendrobatidis*) is a waterborne fungus that can decimate amphibian populations, and is considered a threat to California red-legged frog populations.

Critical Habitat

The Service first designated critical habitat for the California red-legged frog on March 13, 2001 (66 FR 14626). We revised the designation in a final rule published on March 17, 2010 (75 FR 12816). The final rule describes 48 separate units, encompassing approximately 1,636,609 acres, in 27 counties in California. The designation includes lands supporting those features necessary for the conservation of the California red-legged frog. In addition, the Service finalized a special rule pursuant to section 4(d) of the Act, associated with final listing of the California red-legged frog as threatened, for existing routine ranching activities (71 FR 19244). A detailed discussion of the history and methods used in developing critical habitat can be found in the final rule (75 FR 12816).

In accordance with section 3(5)(A)(i) of the Act and Federal regulations at 50 CFR 424.12, in determining which areas to designate as critical habitat, we identified the physical or biological

features (PBFs) essential to the conservation of the species which may require special management considerations or protection. Because not all life history functions require all the PBFs, not all areas designated as critical habitat will contain all of the PBFs. Based on our current knowledge of the life history, biology, and ecology of the California red-legged frog, we determined the California red-legged frog's PBFs to consist of: (1) aquatic breeding habitat; (2) aquatic non-breeding habitat; (3) upland habitat, and (4) dispersal habitat. Detailed descriptions of these PBFs can be found in the final rule (75 FR 12816). The following is a brief summary of the PBFs:

1. Aquatic breeding habitat consists of standing bodies of fresh water (with salinities less than 4.5 parts per thousand), including natural and manmade (stock) ponds, slow moving streams or pools within streams and other ephemeral or permanent water bodies that typically become inundated during winter rains and hold water for a minimum of 20 weeks in all but the driest of years.

2. Aquatic non-breeding habitat consists of the freshwater habitats as described for aquatic breeding habitat but which may or may not hold water long enough for the species to complete the aquatic portion of its lifecycle but which provide for shelter, foraging, predator avoidance, and aquatic dispersal habitat of juvenile and adult California red-legged frogs.

3. Upland habitat consists of upland areas adjacent to or surrounding breeding and non-breeding aquatic and riparian habitat up to a distance of one mile in most cases (i.e., depending on surrounding landscape and dispersal barriers), including various vegetation types such as grassland, woodland, forest, wetland; or riparian areas that provide shelter, forage, and predator avoidance for California red-legged frogs. Upland habitat should contain structural features such as boulders, rocks and organic debris (e.g., downed trees, logs), small mammal burrows, or moist leaf litter.

4. Dispersal habitat consists of accessible upland or riparian habitat within and between occupied or previously occupied sites that are located within 1 mile of each other, and that support movement between such sites. Dispersal habitat includes various natural habitats, and altered habitats such as agricultural fields that do not contain barriers (e.g., heavily traveled roads without bridges or culverts) to dispersal. Dispersal habitat does not include moderate- to high-density urban or industrial developments with large expanses of asphalt or concrete, nor does it include large lakes or reservoirs over 50 acres in size, or other areas that do not contain those features identified in PBFs 1, 2, or 3 as essential to the conservation of the species.

Recovery

The 2002 recovery plan for the California red-legged frog (Service 2002) states that the goal of recovery efforts is to reduce threats and improve the population status of the California red-

legged frog sufficiently to warrant delisting. The recovery plan describes a strategy for delisting, which includes: (1) protecting known populations and reestablishing historical populations; (2) protecting suitable habitat, corridors, and core areas; (3) developing and implementing management plans for preserved habitat, occupied watersheds, and core areas; (4) developing land use guidelines; (5) gathering biological and ecological data necessary for conservation of the species; (6) monitoring existing populations and conducting surveys for new populations; and (7) establishing an outreach program. The California red-legged frog will be considered for delisting when:

1. Suitable habitats within all core areas are protected and/or managed for California red-legged frogs in perpetuity, and the ecological integrity of these areas is not threatened by adverse anthropogenic habitat modification (including indirect effects of upstream/downstream land uses).

2. Existing populations throughout the range are stable (i.e., reproductive rates allow for long-term viability without human intervention). Population status will be documented through establishment and implementation of a scientifically acceptable population monitoring program for at least a 15-year period, which is approximately 4 to 5 generations of the California red-legged frog. This 15-year period should coincide with an average precipitation cycle.

3. Populations are geographically distributed in a manner that allows for the continued existence of viable metapopulations despite fluctuations in the status of individual populations (i.e., when populations are stable or increasing at each core area).

4. The species is successfully reestablished in portions of its historical range such that at least one reestablished population is stable/increasing at each core area where California red-legged frog are currently absent.

5. The amount of additional habitat needed for population connectivity, recolonization, and dispersal has been determined, protected, and managed for California red-legged frogs.

The recovery plan identifies eight recovery units based on the assumption that various regional areas of the species' range are essential to its survival and recovery. The recovery status of the California red-legged frog is considered within the smaller scale of recovery units as opposed to the overall range. These recovery units correspond to major watershed boundaries as defined by U.S. Geological Survey hydrologic units and the limits of the range of the California red-legged frog. The goal of the recovery plan is to protect the long-term viability of all extant populations within each recovery unit.

Within each recovery unit, core areas have been delineated and represent contiguous areas of moderate to high California red-legged frog densities that are relatively free of exotic species such as bullfrogs. The goal of designating core areas is to protect metapopulations that combined

with suitable dispersal habitat, will support long-term viability within existing populations. This management strategy allows for the recolonization of habitat within and adjacent to core areas that are naturally subjected to periodic localized extinctions, thus assuring the long-term survival and recovery of the California red-legged frog.

ENVIRONMENTAL BASELINE

The implementing regulations for section 7(a)(2) (50 CFR 402.02) define the environmental baseline as "the condition of the listed species or its designated critical habitat in the action area, without the consequences to the listed species or designated critical habitat caused by the proposed action. The environmental baseline includes the past and present impacts of all Federal, State, or private actions and other human activities in the action area, the anticipated impacts of all proposed Federal projects in the action area that have already undergone formal or early section 7 consultation, and the impact of State or private actions which are contemporaneous with the consultation in process. The consequences to listed species or designated critical habitat from ongoing agency activities or existing agency facilities that are not within the agency's discretion to modify are part of the environmental baseline."

Action Area

The implementing regulations for section 7(a)(2) of the Act (50 CFR 402.02) define the "action area" as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action. The action area for this biological opinion includes the footprint of the project, including the Water Reclamation Facility, pipeline route, pump stations, injection well sites, and the existing Wastewater Treatment Facility. It also includes all areas used for staging construction equipment and materials, temporary ground disturbance, revegetation, restoration of the creek corridor, and mitigation lands.

Habitat Characteristics of the Action Area

The proposed Water Reclamation Facility and mitigation area would be located in an undeveloped lot that sits on a mix of Cropley clay, Diablo and Cibo clays, Zaca clay, Los Osos loam, and Obispo-Rock outcrop complex soils. Annual grassland dominates the lot with a mix of wilds oats and annual brome grasslands and non-native grasslands. Large areas of black mustard (*Brassica nigra*) are present. Surveyors also identified a small patch of riparian scrub and a small patch of native bunchgrass grassland on site. Two seasonal drainages flow through the lot and merge to drain towards Highway 1. The lot is currently grazed by cattle, and much of the vegetation along the drainage corridors has been denuded by animal use.

The pipeline route mostly follows a road right-of-way. The action area of the pipeline sits on Diablo clay, Baywood fine sand, Psamments and Fluvents, and dune land soils. The surface is comprised of pavement, ruderal/disturbed areas, iceplant, ornamental vegetation, and some

sections of riparian scrub. It runs near three unnamed drainages, referred to as Drainage 1, Drainage 2A, and Drainage 2B in the biological resources assessment (Merk 2017, Figure 3). A small wetland exists along Drainage 1, and is adjacent to the pipeline route. The western end of the pipeline would cross over Morro Creek via a pipeline bridge. At this location, part of the south bank of Morro Creek is stabilized with rip rap, which is over grown by cape ivy (*Delairea odorata*) and other non-native plants. There is a patch of riparian scrub along the existing bike path bridge. The north bank of Morro Creek does not have rip rap and is vegetated with weedy upland vegetation. The ordinary high water mark for Morro Creek is 25 feet wide.

One lift station is located on the south side of Atascadero Lane, near the existing Wastewater Treatment Plant. This area is disturbed and/or paved, and provides no habitat for California red-legged frog. The other lift station would be located in a paved lot owned by the applicant at the corner of Main Street, Quintana Road, and Highway 1.

Both the east and west injection well areas include annual grassland, coastal scrub, riparian scrub, riverine and pockets of wetland habitat along Morro Creek and Little Morro Creek. There is significant ruderal/disturbed areas in both injection well areas. Both drainage features are disturbed from homeless encampments and the presence of non-native invasive species such as cape ivy.

Condition (Status) of the Species in the Action Area

While the applicant contracted general surveillance surveys of the action area to document habitat types, they did not conduct protocol-level surveys for California red-legged frogs to determine their presence or absence. Based on the information presented below, California red-legged frogs likely use the action area for dispersal or movement between sites.

As discussed in the Status of the Species section, California red-legged frogs can move up to 1.7 miles in search of breeding opportunities during the rainy season (Bulger et al. 2003, p. 90). While dispersing, California red-legged frogs may use waterways for dispersal that would otherwise be unsuitable for breeding or non-breeding occupation and may make straight-line migrations across the landscape, without apparent regard for topographic features. According to the California Natural Diversity Database (CNDDB), there is an observation of an adult California red-legged frog approximately 1.02 miles from the proposed Water Reclamation Facility in 1996 (CNDDB 2019).

Additionally, there are numerous records of California red-legged frogs in Chorro Creek and its tributaries. Chorro Creek flows into the Morro Bay estuary, passing within 0.4 mile of the pipeline route, and within 0.5 mile of the proposed Water Reclamation Facility. Based on aerial imagery, Chorro Creek provides contiguous habitat between the known locations, approximately 5.5 miles to the southwest, and the nearest location to the project. Between Chorro Creek and the project, there is an estimated 65 acres of mapped freshwater emergent wetland and freshwater forested/shrub wetland. Based on the proximity of potential habitat and a known location within

dispersal distance, we conclude that the portion of the project within critical habitat provides dispersal habitat for the California red-legged frog.

There are no recorded occurrences of California red-legged frogs near the portion of the project outside of critical habitat for the California red-legged frog, including most of the pipeline route and Morro Creek (CNDDB 2019). However, there are multiple records of California red-legged frogs within dispersal distance of Morro Creek, and its tributary, Little Morro Creek. Thus, the Morro Creek watershed may be occupied, but we do not know whether California red-legged frogs occur in the specific reach of Morro Creek where the project would take place.

Based on the presence of California red-legged frogs within dispersal distance of the action area, the fact that a large portion of the action area is designated critical habitat for this species, and that the applicant did not conduct protocol-level surveys to confirm their absence from the action area, we conclude that California red-legged frogs are likely present in the action area, especially during periods of wet weather when frogs are likely to move through the area.

Recovery

The action area is within the Estero Bay Core Area of Recovery Unit 5 (Central Coast) identified within the recovery plan for the California red-legged frog (Service 2002). The Estero Bay Core Area was identified as important to the recovery of California red-legged frogs because it is currently occupied, it may provide a source population for California red-legged frogs to colonize nearby areas, and because it provides necessary connectivity between known populations. The recovery plan identified several threats to the Recovery Unit 5, which include: urbanization, agriculture, water management (water impoundments, channelization and flood control), livestock grazing, timber harvest, recreation and off-road vehicles, and mining. The recovery plan did not identify specific goals for Recovery Unit 5. However, the recovery plan did identify specific goals for the Estero Bay Core Area. The recovery goals for the Estero Bay Core Area, and thus the action area, are to protect existing populations, protect habitat connectivity, control non-native predators, and reduce water diversions to ensure adequate flows.

Condition (Status) of Critical Habitat in the Action Area

The action area is located partially within California red-legged frog Critical Habitat Unit SLO-3 and the Estero Bay Core Area, beginning approximately 150 feet east of La Loma Avenue towards South Bay Boulevard and including the footprint of the Water Reclamation Facility. The pipeline would run along Quintana Road and then up South Bay Boulevard, which is in critical habitat. As the pipeline would run through disturbed road right-of-way areas, the critical habitat along these roads does not provide aquatic breeding or non-breeding habitat or upland habitat. California red-legged frogs could potentially disperse through this area, but the already developed areas do not provide the function of dispersal.

The WRF site would be located in upland habitat adjacent to Drainage 3. The upland area is dominated by annual grassland with large areas of non-native black mustard and other non-native plants. This grassland has been grazed by cattle for many years. Grazing can be beneficial to California red-legged frog upland habitat, depending on the intensity of grazing. Grazing can keep vegetation short, which is thought to be easier for frogs to move through (Ford et al. 2013, p. 40). We do not have any additional information about the intensity of grazing or the height of vegetation at the WRF site.

Small mammals are frequently present in annual grasslands and their associated burrows are likely to be present. These burrows can be an important source of refuge for California red-legged frogs in terrestrial habitat, depending on the availability of other moist refuges (Managing Rangelands). The applicant did not specifically survey for small mammal burrows at the WRF site, but it is likely they are present.

The WRF site and the adjacent Drainage 3 is unlikely to provide aquatic breeding or non-breeding habitat, but may provide upland habitat and dispersal habitat. California red-legged frogs may use Drainage 3 and nearby upland habitat as a dispersal corridor for moving to or from Chorro Creek, Little Morro Creek, San Bernardo Creek, or through the undeveloped upland area north of Highway 1. Drainage 3A and Drainage 3B flow into Drainage 3. These drainages contain water seasonally, and are not expected to hold water year round. The vegetation along these drainages mostly consists of annual grasses, shrubs such as coyote brush, and other non-wetland species. A small portion of Drainage 3B contains a low canopy of arroyo willow and riparian scrub. The vegetation along these drainages may provide cover for dispersing California red-legged frogs, especially when water is present.

EFFECTS OF THE ACTION

The implementing regulations for section 7(a)(2) define effects of the action as "all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action" (50 CFR 402.02).

Effects of the Proposed Action on the California red-legged frog

Construction

We expect the construction phase to be the period that poses the greatest threat to California red-legged frogs. However, we expect project impacts would be reduced with implementation of the proposed conservation measures to avoid and minimize temporary and permanent effects to California red-legged frogs.

All California red-legged frogs that occur within the action area could be adversely affected by project activities. Injury or mortality could occur from animals being crushed by heavy equipment, vehicles, debris, and worker foot traffic and activities such as excavation, stockpiling of materials and fill, and vegetation clearing. Individuals could become trapped and die in sheltering habitat or exposed to predators if burrows are crushed or covered. California red-legged frogs may experience a disruption of normal behavioral patterns from worker foot traffic and activities and their associated noise and vibration to the point that reaches the level of harm. This disruption could cause individuals to leave or avoid suitable habitat and may increase the potential for predation, desiccation, competition for food and shelter, or strike by vehicles. Pre-construction surveys, placing exclusion fencing around the work site during wet periods following site grading, and the relocation of individuals from work areas by a Service-approved biologist would reduce these impacts.

California red-legged frogs may be affected by the exclusion fencing put in place during project construction. While the fence will greatly reduce the risk of individuals entering the immediate work area, the fence may create a movement barrier that they must navigate. Fencing that is improperly installed or improperly maintained may entangle California red-legged frogs or force them into less suitable areas, increasing the risk of injury or death to frogs. Predators may more easily discover California red-legged frogs along the fence, increasing their risk of predation. These risks will be minimized by having a Service-approved biologist oversee the installation of exclusion fencing, having a Service-approved biological monitor check the fencing on a daily basis to ensure proper maintenance and having a Service-approved biologist capture and relocate any California red-legged frog that may be entangled along the fence.

California red-legged frogs could become trapped and die in excavated or backfilled trenches or holes. Examination of trenches and holes before the start of work, the capture and relocation of trapped frogs by the Service-approved biologist, use of exclusion fencing, and creation of escape ramps or covers should minimize this impact.

Soil stockpiles and erosion control materials stored onsite can attract California red-legged frogs seeking upland refugia, and lead to injury or death if individuals become entrapped or are present when these materials are moved. Covering stockpiles at night with tarps or surrounding them with exclusion fencing and keeping erosion control materials in closed containers or elevated above the ground would discourage habitation by animals, inspecting these materials for California red-legged frogs prior to disturbance, and checking installed erosion control materials daily for frogs during the rainy season and prior to their removal should minimize these effects.

Accidental spills of hazardous materials or careless fueling or oiling of vehicles or equipment could degrade water quality or upland habitat to a degree where California red-legged frogs are injured or killed. The potential for this effect to occur would be reduced by thoroughly informing workers of the importance of preventing hazardous materials from entering the environment, locating staging and fueling areas away from aquatic habitat, and by having an effective spill response plan in place.

California red-legged frogs can disperse overland in mesic conditions if substantial rainfall (greater than 0.5 inch of rain in a 24-hour period) occurs. During such periods of rainfall, we expect a higher likelihood of California red-legged frogs occurring within the action area. Any amphibians moving through the project site would be at risk of injury or death caused by vehicles, equipment, or workers, and fencing and excavation of linear trenches could entrap frogs and interfere with their movement. Having a Service-approved biological monitor on site during the winter rain season would reduce effects from these impacts.

Capture and relocation of California red-legged frogs could result in injury or death as a result of improper handling, containment, transport, or release into unsuitable habitat. Although survivorship for translocated California red-legged frogs has not been estimated, survivorship of translocated wildlife in general is reduced due to intraspecific competition, lack of familiarity with the location of potential breeding, feeding, and sheltering habitats, and increased risk of predation. Using Service-approved biologists, limiting the duration of handling, and requiring proper transport of individuals should reduce these impacts, and overall the relocation of individuals from work areas should reduce the level of mortality that otherwise would occur if individuals were not removed.

Biologists frequently observe diseased and parasite-infected amphibians. Releasing amphibians following a period of captivity, during which time they can be exposed to infections, may cause an increased risk of mortality in wild populations. Amphibian pathogens and parasites can also be carried between habitats on the hands, footwear, or equipment of fieldworkers, which can spread them to localities containing species that have had little or no prior contact with such pathogens or parasites. Chytrid fungus is a water-borne fungus that can spread through direct contact between aquatic animals and by a spore that can move short distances through the water. The fungus only attacks the parts of an animal's skin that have keratin (thickened skin), such as the mouthparts of tadpoles and the tougher parts of adults' skin, such as the toes. It can decimate amphibian populations, causing fungal dermatitis, which usually results in death in 1 to 2 weeks. Infected animals may spread the fungal spores to other ponds and streams before they die. Once a pond has become infected with chytrid fungus, the fungus stays in the water for an undetermined amount of time. Relocation of individuals captured from the project area could contribute to the spread of chytrid fungus. In addition, infected equipment or footwear could introduce chytrid fungus into areas where it did not previously occur. Having EPA and applicant follow the Declining Amphibian Populations Task Force's Fieldwork Code of Practice should minimize the spread of chytrid fungus and other pathogens during the project.

Trash left during or after project activities could attract predators to the work site, which could in turn prey upon California red-legged frogs. For example, raccoons (*Procyon lotor*) and feral cats (*Felis catus*) are attracted to trash and also prey opportunistically on the California red-legged frog. This potential impact would be reduced or avoided by the control of waste products at all work sites.

Uninformed workers could disturb, injure, or kill California red-legged frogs. The potential for this to occur would be reduced by educating workers on the presence and protected status of these species and the measures that are being implemented to protect them during project activities. The use of flagging to demarcate work areas would further reduce these potential impacts by preventing workers from encroaching into environmentally sensitive habitat.

Operations and Maintenance

Operations and maintenance of the Water Reclamation Facility will pose some risk to California red-legged frogs in the action area. Dispersing individuals may be injured or killed by vehicle traffic on the road that runs parallel to Drainage 3, but the operational traffic along the road is estimated at only 320 vehicle trips per month. Most trips would be during daylight hours and outside of the winter rain season, when California red-legged frogs are much less likely to move through the area.

California red-legged frogs may be attracted to the water retention ponds located within the WRF or the drainages swales located within the proposed conservation acres. However, we expect that the well-maintained fencing around the facility will be sufficient to exclude California red-legged frogs from the WRF. California red-legged frogs may use the drainage swales when there is water in them, but we expect that they will be able to readily enter or exit them at will. We do not expect that other operations and maintenance of pipelines and facilities will adversely affect the California red-legged frog.

On-site Conservation

The 19.5 acres that the applicant proposed to protect on-site would provide similar dispersal habitat to the 7.1 acres removed by the Water Reclamation Facility. Grazing will continue on these acres, and California red-legged frogs will be able to freely move through the acres from the north and west. Nine of the conservation acres will be disturbed during the construction phase, however the applicant will revegetate these areas with native plants. In the long term, restoration efforts will improve the function of the dispersal habitat for California red-legged frogs in the temporarily disturbed area, as we assume that at least some of those nine acres is currently occupied by non-native plants.

The applicant will enhance 1.5 acres of riparian habitat along Drainage 3 as a condition of their Coastal Development Permit. This area will connect with the on-site conservation acres at the north end of the Water Reclamation Facility, which will facilitate dispersal for California red-legged frogs along Drainage 3. We expect that the riparian enhancement zone will provide California red-legged frogs with improved cover as the move along the drainage, allowing them to more easily move up the drainage and into the conservation area.

Effects of the Proposed Action on Critical Habitat of the California red-legged frog

Critical Habitat Unit SLO-3 for the California red-legged frog comprises approximately 116,517 acres, of which approximately 17 acres are in the action area. We expect proposed activities to

result in 7.1 acres of permanent loss of California red-legged frog critical habitat. This represents a very small portion of Critical Habitat in Unit SLO-3. The affected area includes primarily dispersal (PCE 4) habitat. The Project would have a small negative effect on dispersal habitat, as California red-legged frogs would have to navigate around the Water Reclamation Facility if they disperse through the area. The restoration of the riparian zone would partially compensate for this negative impact to dispersal habitat by creating a corridor along Drainage 3, which California red-legged frogs could use as cover as they move through the area. We expect that California red-legged frogs would continue to be able to disperse through the area of the Project that affects Critical Habitat Unit SLO-3.

Effects on Recovery

We anticipate that effects on recovery of the California red-legged frog would be minimal. As stated above in the Status of the Species in the Action Area section, the action area lies within the SLO-3 Critical Habitat Unit and within the Estero Bay Core Area. The proposed project would not increase the threats posed by urbanization, agriculture, water management, livestock grazing, timber harvest, recreation and off-road vehicles, and mining which currently affect the California red-legged frog in this Recovery Unit. The project would not reduce the important characteristics of the Estero Bay Core Area, which are that it is currently occupied, it provides a source population for California red-legged frogs to colonize nearby areas, and that it provides necessary connectivity between known populations. The project would not preclude the Service's ability to implement recovery actions (Service 2002, p. 45), or to protect existing populations, protect habitat connectivity, control non-native predators, or reduce water diversions within the Estero Bay Core Area. Project impacts would be primarily during the construction phase, and with implementation of the proposed conservation measures, would result in minimal change in population numbers and distribution.

Summary of Effects

The proposed project would affect all California red-legged frogs moving through the action area, and we cannot determine whether this will be few or many individuals, in the absence of protocol-level surveys conducted for this species. However, with the implementation of the proposed avoidance and minimization measures, especially relocating California red-legged frogs out of harm's way by a Service-approved biologist, we expect that few individuals would be killed or injured. We anticipate no long-term effects to the overall population, or the breeding and reproductive capacity of the California red-legged frog due to the proposed activities. We do not expect that the proposed project would reduce the likelihood of recovery within the Estero Bay Core Area or rangewide.

The effects of the proposed action on designated critical habitat for the California red-legged frog would affect a small portion of Critical Habitat Unit SLO-3. We do not expect long-term adverse effects to the primary constituent elements of dispersal habitat from the proposed action. The function of dispersal habitat in the action area may decrease slightly if California red-legged

frogs must navigate around the Water Reclamation Facility. The existing conservation function of critical habitat for the California red-legged frog in the action area will be maintained due to the small area of impact and the protection of 19.5 acres which serve as dispersal habitat within Critical Habitat Unit SLO-3. Thus we expect no long-term adverse effects to Critical Habitat Unit SLO-3 to result from the action.

CUMULATIVE EFFECTS

Cumulative effects include the effects of future State, tribal, local or private actions that are reasonably certain to occur in the action area considered in this biological opinion. We do not consider future Federal actions that are unrelated to the proposed action in this section because they require separate consultation pursuant to section 7 of the Act. We are unaware of any other projects reasonably certain to occur in any other part of the action area.

CONCLUSION

California red-legged frog

The regulatory definition of "to jeopardize the continued existence of the species" focuses on assessing the effects of the proposed action on the reproduction, numbers, and distribution, and their effect on the survival and recovery of the species being considered in the biological opinion. For that reason, we have used those aspects of the California red-legged frog's status as the basis to assess the overall effect of the proposed action on the species.

Reproduction

Construction activities in dispersal habitat could injure or kill adult California red-legged frogs dispersing through the project area. The loss of reproductive individuals could temporarily lower the reproductive capacity of the local population. However, we expect such impacts to be small due to the absence of aquatic breeding habitat in the action area and the measures the applicant has proposed to protect California red-legged frogs surveying for and relocating California red-legged frogs out of harm's way. Therefore, we expect the proposed project to result in minimal impacts to breeding California red-legged frogs and conclude that the project will not appreciably reduce the reproduction of the species locally or rangewide.

Numbers

Potentially suitable habitat and records of California red-legged frog occur within dispersal distance of the action area. Without protocol-level surveys of the action area, it is unknown how many California red-legged frogs may be in the action area. However, we anticipate that most individuals moving through the action area will be captured and relocated by a Service-approved biologist, thus we expect only a small number of California red-legged frogs would be injured or killed as a result of the project. Any individuals lost as a result as a result of project activities are

likely to be replaced in the population during the next breeding cycle. Therefore, we conclude that the loss of the small number of individuals which may occur during the proposed project would not appreciably reduce the local or rangewide population of the California red-legged frog.

Distribution

The proposed project could injure, kill, or temporarily displace a small number of California red-legged frogs. The applicant has proposed conservation measures to minimize the risk of adverse effects on individuals. Construction activities would remove a small amount of dispersal habitat, but California red-legged frogs will still be able to disperse through the project area, thus their distribution would not be reduced or negatively impacted. Therefore, we conclude that the project will not appreciably reduce the distribution of the California red-legged frog at the local or rangewide level.

Recovery

The proposed project would not increase the threats currently impacting the California red-legged frog in Recovery Unit 5 and Estero Bay Core Area or preclude the Service's ability to implement recovery actions. Although the project would adversely affect dispersal habitat for the California red-legged frog and may injure or kill a small number of individuals, impacts would mostly occur during the construction phase and would be mitigated through on-site protection and restoration of habitat. Thus, we do not expect project effects to be of a magnitude that would affect the ability of the Estero Bay Core Area to remain occupied by the species, provide connectivity between occupied areas, or provide dispersing individuals to colonize other areas as specified in the recovery plan.

Conclusion for the California red-legged frog:

After reviewing the current status of California red-legged frog, the environmental baseline for the action area, the effects of the proposed Water Reclamation Facility Project and the cumulative effects, it is the Service's biological opinion that the proposed action is not likely to jeopardize the continued existence of the California red-legged frog because:

1. The project would not appreciably reduce reproduction of the species either locally or rangewide.
2. The project would not appreciably reduce numbers of the California red-legged frog either locally or rangewide.
3. The project would not appreciably reduce the species' distribution either locally or rangewide.
4. The project would not cause any effects that would preclude our ability to recover the species.

Conclusion for Critical Habitat of the California red-legged frog:

We expect that the proposed action will result in small permanent impacts on Critical Habitat Unit SLO-3. The 10 acres of temporary impacts will be revegetated and restored to equal or better condition than before the project. The 7.1 acres of permanent impacts will have a minor negative effect on the dispersal function (PCE 4) in the action area, and will have an insignificant effect on PCE 4 of the critical habitat unit as a whole. The on-site conservation efforts will partially compensate for the negative effects on PCE 4, and facilitate dispersal around the area of permanent structures of the project.

After reviewing the current status of the critical habitat of California red-legged frog, the environmental baseline of critical habitat for the action area, the effects of the proposed project on critical habitat, and the cumulative effects, it is the Service's biological opinion that the project action is not likely to result in the destruction or adverse modification of critical habitat of the California red-legged frog because:

1. The effects on PCE 4 will be minor and will be partially compensated for by on-site conservation efforts.

2. The overall function and conservation value of PCE 4 would not be appreciably reduced by the project locally or in Critical Habitat Unit SLO-3.

INCIDENTAL TAKE STATEMENT

Section 9 of the Act and Federal regulation pursuant to section 4(d) of the Act prohibit the take of endangered and threatened wildlife species, respectively, without special exemption. Take is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. Harm is further defined by the Service to include significant habitat modification or degradation that results in death or injury to wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. Incidental take is defined as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. Under the terms of section 7(b)(4) and section 7(o)(2), taking that is incidental to and not the purpose of the agency action is not considered to be prohibited taking under the Act provided that such taking is in compliance with the terms and conditions of this incidental take statement.

In June 2015, the Service finalized new regulations implementing the incidental take provisions of section 7(a)(2) of the Act. The new regulations also clarify the standard regarding when the Service formulates an Incidental Take Statement [50 CFR 402.14(g)(7)], from "...if such take may occur" to "...if such take is reasonably certain to occur." This is not a new standard, but merely a clarification and codification of the applicable standard that the Service has been using and is consistent with case law. The standard does not require a guarantee that take will result;

only that the Service establishes a rational basis for a finding of take. The Service continues to rely on the best available scientific and commercial data, as well as professional judgment, in reaching these determinations and resolving uncertainties or information gaps.

AMOUNT OR EXTENT OF TAKE

We anticipate that some California red-legged frogs could be taken as a result of the proposed action. We expect the incidental take to be in the form of capture, injury, and death. We cannot quantify the precise number of California red-legged frogs that may be taken as a result of the action that EPA and applicant have proposed because California red-legged frogs move over time; for example, animals may have entered or departed the action area since the time of pre-construction surveys. Other individuals may not be detected due to their cryptic nature, small size, and low mobility. The protective measures proposed by EPA and applicant are likely to prevent mortality or injury of most individuals. In addition, finding a dead or injured California red-legged frog is unlikely.

Consequently, we are unable to reasonably anticipate the actual number of California red-legged frogs that would be taken by the proposed project; however, we must provide a level at which formal consultation would have to be reinitiated. The Environmental Baseline and Effects Analysis sections of this biological opinion indicate that adverse effects to California red-legged frogs would primarily occur during the construction period, and most take would be in the form of capture, which would further minimize adverse effects to California red-legged frogs. We anticipate that take in the form of injury or mortality would be low. We also recognize that for every California red-legged frog found dead or injured, other individuals may be killed or injured that are not detected, so when we determine an appropriate take level we are anticipating that the actual take would be higher and we set the number below that level.

Similarly, for estimating the number of California red-legged frog that would be taken by capture, we cannot predict how many may be encountered for reasons stated earlier. While the benefits of relocation (i.e., minimizing mortality) outweigh the risk of capture, we must provide a limit for take by capture at which consultation would be reinitiated because high rates of capture may indicate that some important information about the species' in the action area was not apparent (e.g., it is much more abundant than thought). Conversely, because capture can be highly variable, depending upon the species and the timing of the activity, we do not anticipate a number so low that reinitiation would be triggered before the effects of the activity were greater than what we determined in the Effects Analysis.

Therefore, if 4 adult, subadult, or juvenile California red-legged frogs are found dead or wounded or if 30 are captured, EPA must contact our office immediately to reinitiate formal consultation. Project activities that are likely to cause additional take should cease as the exemption provided pursuant to section 7(o)(2) may lapse and any further take could be a violation of section 4(d) or 9.

REASONABLE AND PRUDENT MEASURES

The measures described below are non-discretionary, and must be undertaken by the EPA or made binding conditions of any grant or permit issued to the (applicant), as appropriate, for the exemption in section 7(o)(2) to apply. The EPA has a continuing duty to regulate the activity covered by this incidental take statement. If the EPA (1) fails to assume and implement the terms and conditions or (2) fails to require the applicant to adhere to the terms and conditions of the incidental take statement through enforceable terms that are added to the permit or grant document, the protective coverage of section 7(o)(2) may lapse. To monitor the impact of incidental take, the EPA or applicant must report the progress of the action and its impact on the species to the Service as specified in the incidental take statement [50 CFR 402.14(i)(3)].

The Service believes the following reasonable and prudent measures are necessary and appropriate to minimize the impacts of the incidental take of California red-legged frogs:

1. The EPA or applicant will provide the qualifications of all biologists and biological monitors employed to conduct project activities to the Service.
2. A Service-approved biologist must identify appropriate locations to receive California red-legged frogs from the action area prior to the onset of project-related activities.
3. Biological monitoring for the California red-legged frog will occur in the action area on a daily basis during the winter rain season, and on an as-needed basis throughout the rest of the year.

TERMS AND CONDITIONS

To be exempt from the prohibitions of section 9 of the Act, the EPA must comply with the following terms and conditions, which implement the reasonable and prudent measures described above and outline reporting and monitoring requirements. These terms and conditions are non-discretionary.

1. The following term and condition implements reasonable and prudent measure 1:

The EPA or applicant must request our approval of any biologists or biological monitors that they, the City, or their contractors employ to conduct project activities associated with the California red-legged frog pursuant to this biological opinion. Such requests must be in writing, and be received by the Ventura Fish and Wildlife Office at least 14 days prior to any such activities being conducted. Please be advised that possession of a 10(a)(1)(A) permit for the California red-legged frog does not substitute for the implementation of this measure. Authorization of Service-approved biologists is valid for this project only.

2. The following term and condition implements reasonable and prudent measure 2:

Prior to the onset of any project-related activities, a Service-approved biologist must identify appropriate locations to receive California red-legged frogs from the action area in the event that any need to be relocated. These locations must be in proximity to the action area, contain suitable habitat for the species, not be affected by project activities, and be free of exotic predatory species (i.e., bullfrogs, crayfish) to the best of the Service-approved biologist's knowledge.

3. The following term and condition implements reasonable and prudent measure 3:

A Service-approved biological monitor will be present in work areas on a daily basis during the winter rain season, defined as from October 15 to April 15. Outside of the winter rain season, the Service-approved biological monitor may provide biological monitoring on an as-needed basis. Situations which would constitute monitoring on an as-needed basis include the following:

a. During or within 24 hours after any rain. A rain event is considered any precipitation resulting in 0.2 inch or greater of precipitation. A Service-approved biological monitor will survey the action area immediately before resuming project activities.
b. Any other situation which the applicant or Service-approved biologist believe to be at an increased risk of encountering a California red-legged frog during project activities.

REPORTING REQUIREMENTS

Pursuant to 50 CFR 402.14(i)(3), EPA must report the progress of the action and its impact on the species to the Service as specified in this incidental take statement. The applicant, through a qualified botanist, will monitor the success of revegetation actions on areas of temporary disturbance for a period of 5 years after revegetation takes place. The EPA or applicant will provide yearly reports to the Service by January 31 of each year during the construction phase of the project. These reports will include the number and age class of California red-legged frogs that have been captured and relocated, and that have been found injured or dead. These reports will also include the dates and results of inspections of the chain link fence, as well as any repairs that were made to the fence, an analysis of whether the chain link fence is successful in excluding California red-legged frogs, and any suggestions to improve the efficacy of the fence.

DISPOSITION OF DEAD OR INJURED SPECIMENS

As part of this incidental take statement and pursuant to 50 CFR 402.14(i)(1)(v), upon locating a dead or injured California red-legged frog, initial notification within 3 working days of its finding must be made by telephone and in writing to the Ventura Fish and Wildlife Office (805-644-1766). The report must include the date, time, location of the carcass, a photograph, cause of death or injury, if known, and any other pertinent information.

The applicant must take care in handling injured animals to ensure effective treatment and care, and in handling dead specimens to preserve biological material in the best possible state. The EPA or the applicant must transport injured animals to a qualified veterinarian. Should any treated California red-legged frogs survive, the EPA or the applicant must contact the Service regarding the final disposition of the animal(s).

The remains of California red-legged frogs found in the Project area must be placed with the Santa Barbara Natural History Museum (Contact: Paul Collins, Santa Barbara Natural History Museum, Vertebrate Zoology Department, 2559 Puesta Del Sol, Santa Barbara, California 93460, (805) 682-4711, extension 321). The EPA or applicant must make arrangements regarding proper disposition of potential museum specimens prior to implementation of any actions conducted pursuant to this biological opinion.

CONSERVATION RECOMMENDATIONS

Section 7(a)(1) of the Act directs Federal agencies to use their authorities to further the purposes of the Act by carrying out conservation programs for the benefit of endangered and threatened species. Conservation recommendations are discretionary agency activities to minimize or avoid adverse effects of a proposed action on listed species or critical habitat, to help implement recovery plans, or to develop information.

1. We recommend that the Service-approved biologist(s) relocate any other native reptiles or amphibians found within work areas to suitable habitat outside of project areas if such actions are in compliance with State laws.
2. We recommend that dead California red-legged frogs and identified in the action area be tested for amphibian disease.

The Service requests notification of the implementation of any conservation recommendations so we may be kept informed of actions minimizing or avoiding adverse effects or benefitting listed species or their habitats.

REINITIATION NOTICE

This concludes formal consultation on the action(s) outlined in the request. As provided in 50 CFR 402.16, reinitiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been retained (or is authorized by law) and if: (1) the amount or extent of incidental take is exceeded; (2) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion; (3) the agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not considered in this opinion; or (4) a new species is listed or critical habitat designated that may be affected by the action. In instances where the amount or extent of incidental take is exceeded, the exemption issued pursuant to

section 7(o)(2) may have lapsed and any further take could be a violation of section 4(d) or 9. Consequently, we recommend that any operations causing such take cease pending reinitiation.

If you have any questions about this biological opinion, please contact Danielle Fagre of my staff at 805-677-3339 or by electronic mail at danielle_fagre@fws.gov.

Sincerely,

Stephen P. Henry
Field Supervisor

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APPENDIX A

The Declining Amphibian Populations Task Force Fieldwork Code of Practice

1. Remove mud, snails, algae, and other debris from nets, traps, boots, vehicle tires, and all other surfaces. Rinse cleaned items with sterilized (e.g., boiled or treated) water before leaving each work site.
2. Boots, nets, traps, and other types of equipment used in the aquatic environment should then be scrubbed with 70 percent ethanol solution and rinsed clean with sterilized water between study sites. Avoid cleaning equipment in the immediate vicinity of a pond, wetland, or riparian area.
3. In remote locations, clean all equipment with 70 percent ethanol or a bleach solution, and rinse with sterile water upon return to the lab or "base camp" Elsewhere, when washing-machine facilities are available, remove nets from poles and wash in a protective mesh laundry bag with bleach on the "delicates" cycle.
4. When working at sites with known or suspected disease problems, or when sampling populations of rare or isolated species, wear disposable vinyl1 gloves and change them between handling each animal. Dedicate sets of nets, boots, traps, and other equipment to each site being visited. Clean them as directed above and store separately at the end of each field day.
5. When amphibians are collected, ensure that animals from different sites are kept separately and take great care to avoid indirect contact (e.g., via handling, reuse of containers) between them or with other captive animals. Isolation from unsterilized plants or soils which have been taken from other sites is also essential. Always use disinfected and disposable husbandry equipment.
6. Examine collected amphibians for the presence of diseases and parasites soon after capture. Prior to their release or the release of any progeny, amphibians should be quarantined for a period and thoroughly screened for the presence of any potential disease agents.
7. Used cleaning materials and fluids should be disposed of safely and, if necessary, taken back to the lab for proper disposal. Used disposable gloves should be retained for safe disposal in sealed bags.

The Fieldwork Code of Practice has been produced by the Declining Amphibian Populations Task Force with valuable assistance from Begona Arano, Andrew Cunningham, Tom Langton, Jamie Reaser, and Stan Sessions.

For further information on this Code, or on the Declining Amphibian Populations Task Force, contact John Wilkinson, Biology Department, The Open University, Walton Hall, Milton Keynes, MK7 6AA, UK. E-mail: DAPTF@open.ac.uk Fax: +44 (0) 1908-654167

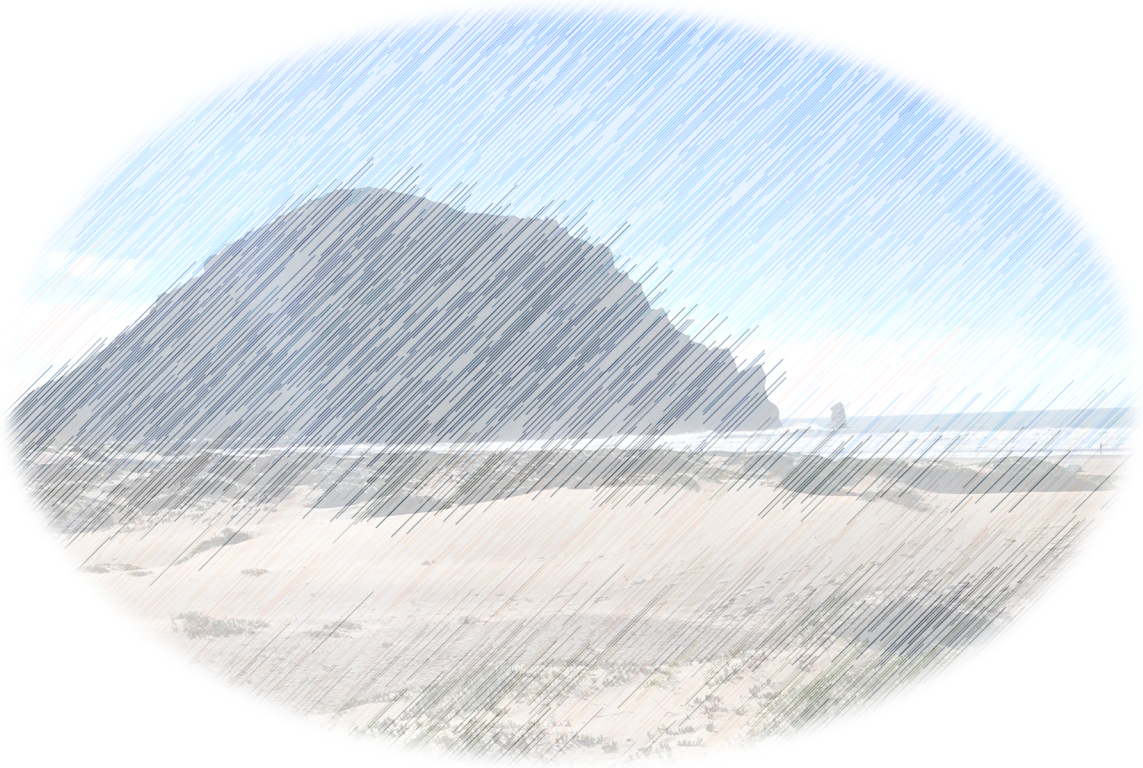
1 Do not use latex gloves. Latex is toxic to amphibians.

Attachment 3

Year Two Riparian Enhancement Area Monitoring Report

CITY OF MORRO BAY
WATER RECLAMATION FACILITY,
SAN LUIS OBISPO COUNTY, CALIFORNIA
Coastal Development Permit #3-19-0463

RIPARIAN ENHANCEMENT PLAN
ANNUAL MONITORING REPORT – YEAR 2



Prepared for:

City of Morro Bay
595 Harbor Street
Morro Bay, California 93442

Prepared by:

Kevin Merk Associates, LLC
P.O. Box 318
San Luis Obispo, California 93406

December 2024

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APPENDICES

1.0 INTRODUCTION

As part of implementation of the City of Morro Bay's Water Reclamation Facility Project (WRF or project), the City of Morro Bay (City) is restoring and enhancing native habitat conditions along the eastern property line of the WRF as detailed in the Riparian Enhancement Plan (Kevin Merk Associates, 2021; REP). While the project was designed to avoid impacts to drainage features and associated wetland and riparian habitats, Special Condition 3 of the project's Coastal Development Permit #3-19-0643 issued by the California Coastal Commission required the REP be prepared to mitigate impacts to biological resources within the project's disturbance footprint. The REP is also an important component of the project's efforts to mitigate impacts to critical habitat of the federal threatened California red-legged frog (*Rana draytonii*). The REP is being implemented consistent with the terms and conditions of the Biological Opinion 2020-F-0010 issued to the Environmental Protection Agency by the U.S. Fish and Wildlife Service to allow construction of the project in designated critical habitat (identified as Critical Habitat Unit SLO-3). It is also being implemented consistent with Streambed Alteration Agreement #1600-2020-00410-R4 issued by the California Department of Fish and Wildlife for impacts to the erosion/drainage feature impacted at the WRF site. Lastly, the REP was developed to provide suitable locations to replace trees removed or impacted by the project's conveyance element.

The primary goal of the REP is to enhance and buffer the drainage corridor (referred to as Drainage 3 in background reports) adjacent to the WRF by restoring and creating native habitat areas between the WRF and property line. This includes introducing native species by seed and container stock in an effort to increase the abundance and diversity of native habitats within the WRF property. It also includes specific management elements such as removing non-native plants and caring for young container plants until they are successfully established on the site. The intent is to create a mosaic of upland and riparian habitats consisting of grassland, coastal scrub, and coast live oak woodland that can also help function to provide long-term screening of the WRF. REP implementation is helping push the ecological system forward and jump start the trend towards becoming a self-sustaining community of native plants.

The City retained Kevin Merk Associates (KMA) to prepare the REP and oversee its implementation on an approximate 1.9 acre part of the WRF property located along the eastern edge of the constructed treatment facility. Please refer to Figures 1, 2, 3, and 4 contained herein for site location information. The first Annual Monitoring Report prepared in 2023 documented the Year 1 baseline site conditions, identified photo-documentation points (Figure 4), and summarized restoration activities conducted in 2022-2023. This Year 2 report details the restoration maintenance activities conducted in 2024 and documents the health of container plantings, as well as the extent of native plant cover on the site. Figures 4A-4E are the As-built planting maps that identify container plants installed in 2022-2023 compared to the initially proposed container planting zones shown in the REP and on Figure 4. Consistent with the Year 1 report, the 2024 Year 2 report provides both quantitative and qualitative monitoring results as they relate to the success criteria established in the REP. The Year 2 report provides a summary of maintenance and biological monitoring activities completed in 2024, as well as adaptive management strategies employed and recommendations for Year 3.

KEVIN MERK ASSOCIATES

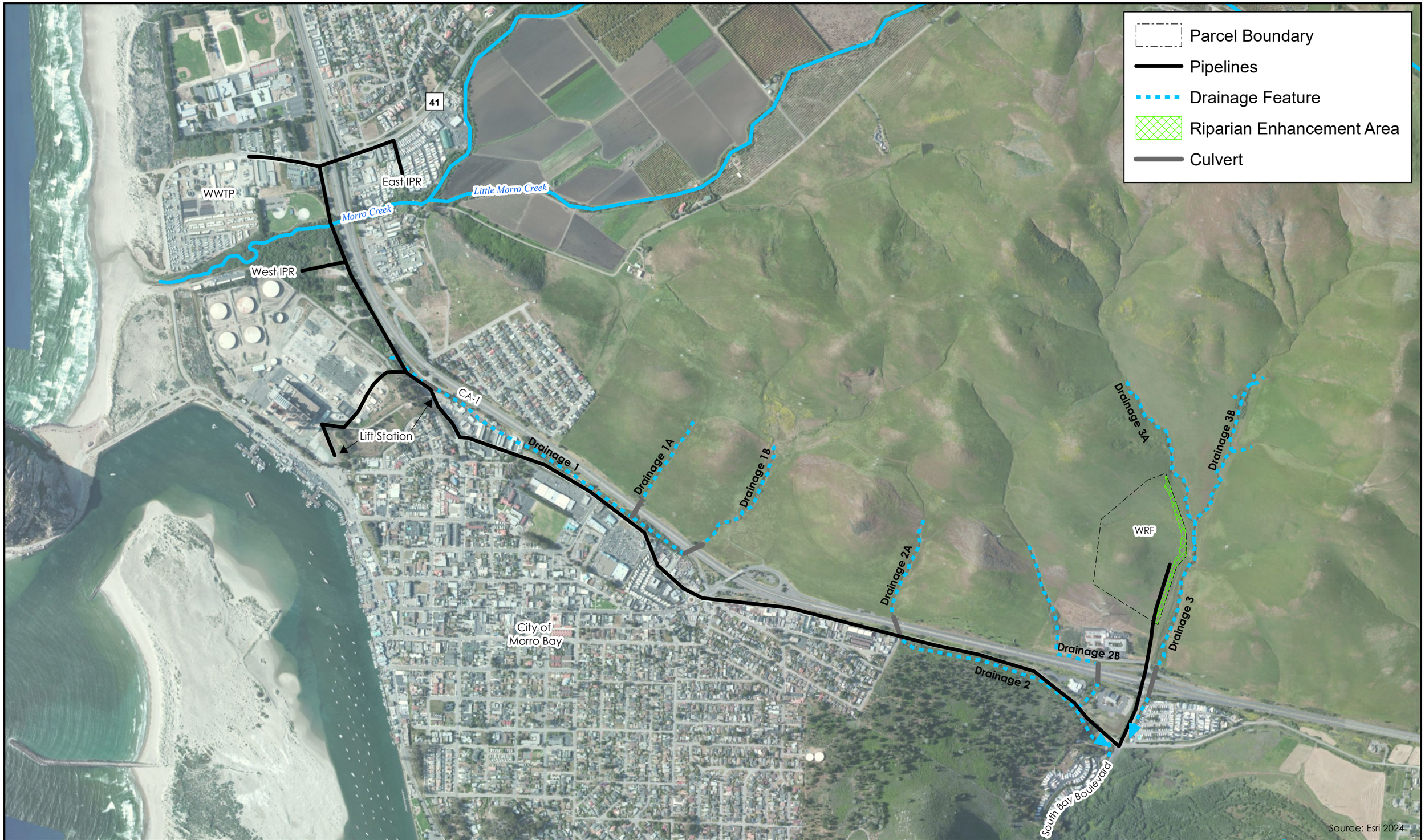
1 inch = 10,000 feet

Morro Bay Water Reclamation Facility

City of Morro Bay

Figure 1

Site Location Map



KEVIN MERK ASSOCIATES

N W E S

1 in = 1,000 ft

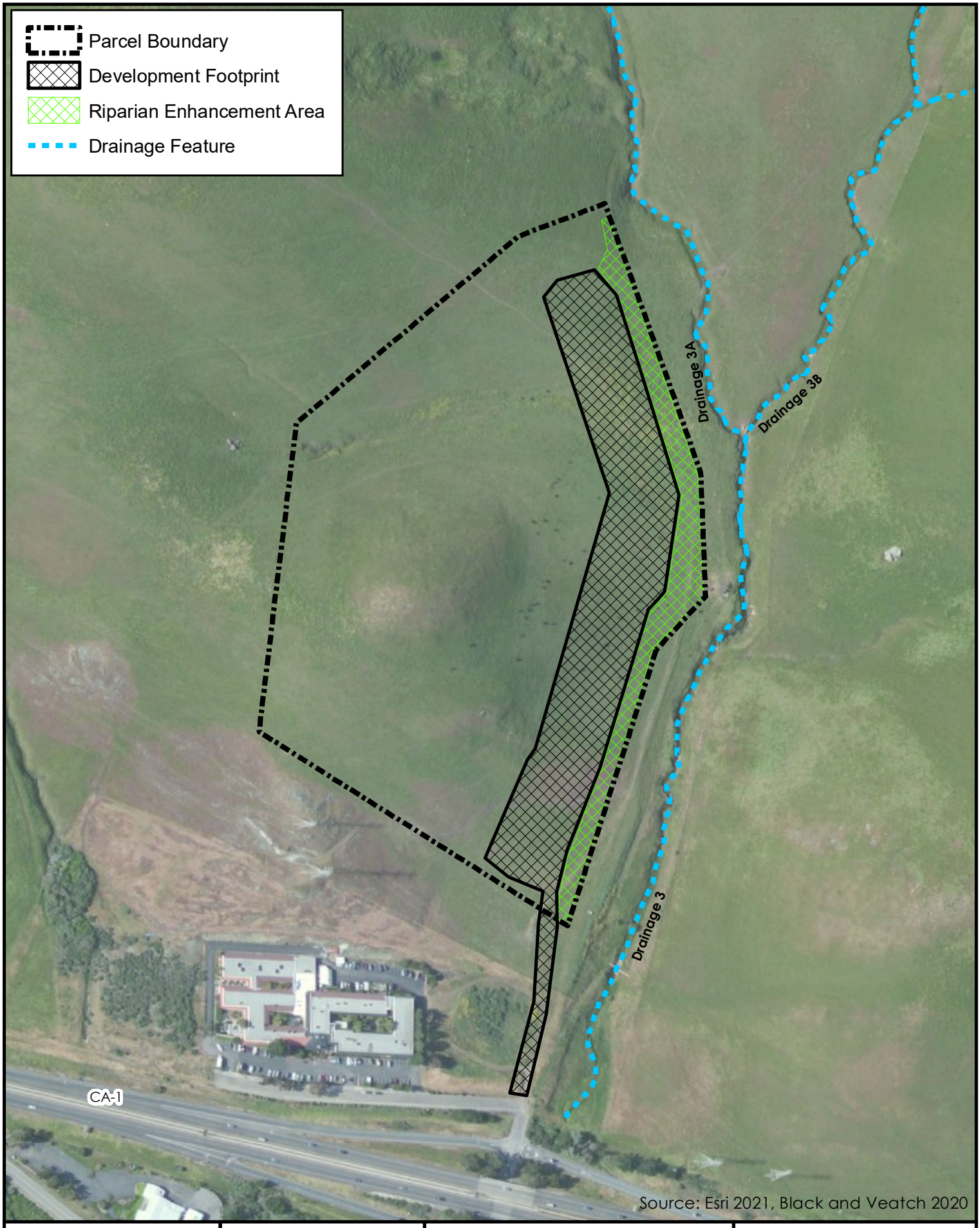
0 250 500 1,000 Feet

Morro Bay Water Reclamation Facility

City of Morro Bay

Figure 2

Aerial Overview



KEVIN MERK ASSOCIATES

N
W E
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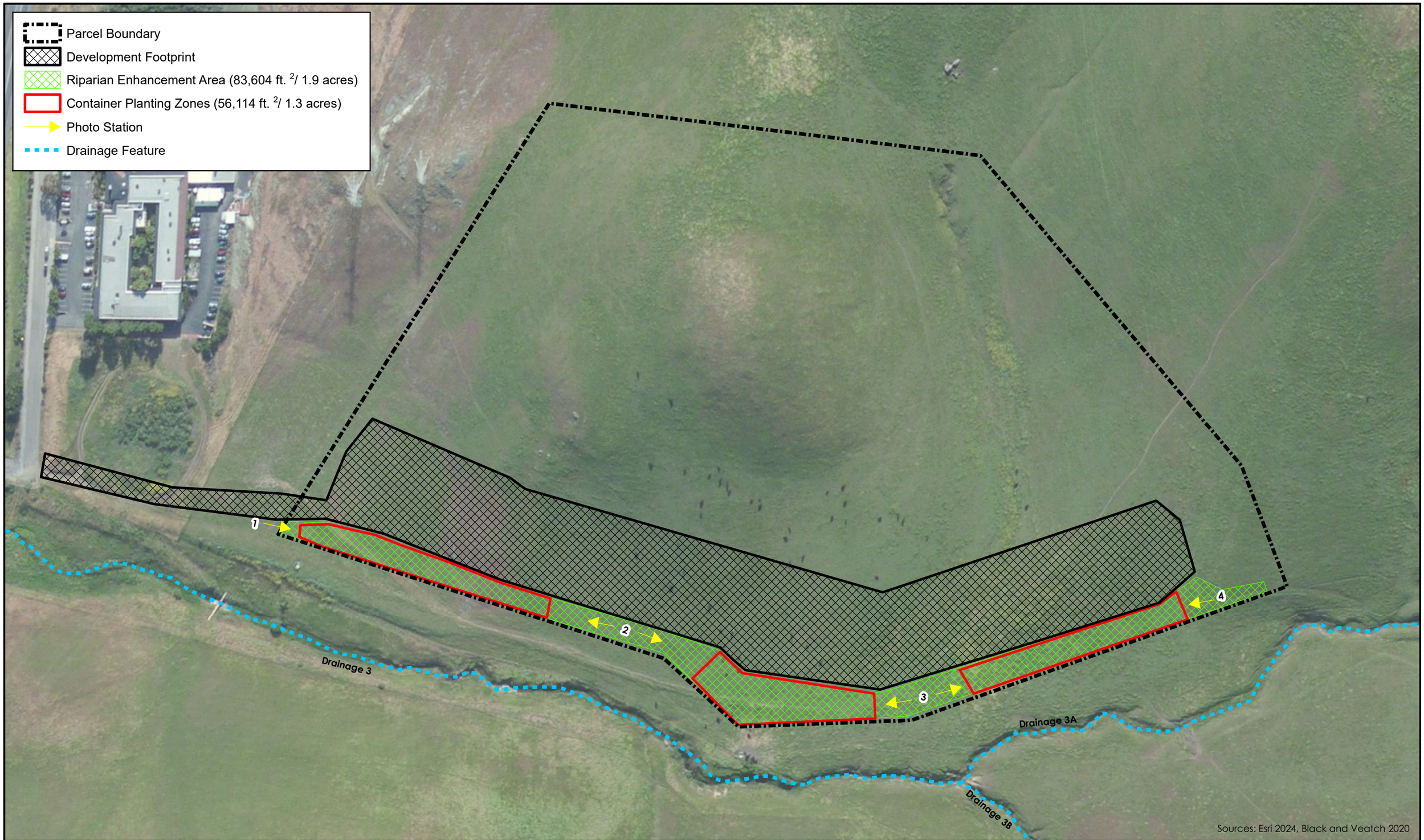
1 inch = 300 feet

Morro Bay Water Reclamation Facility

City of Morro Bay

Figure 3

REP Overview Map



KEVIN MERK ASSOCIATES

1 in = 150 ft

0 37.5 75 150 Feet

Morro Bay Water Reclamation Facility

City of Morro Bay

Figure 4

Riparian Enhancement Planting Plan

KEVIN MERK ASSOCIATES

1 inch = 25 feet

0 5 10 20 Feet

WRF Riparian Enhancement Plan

City of Morro Bay

Figure 4A

As-Built Planting Map

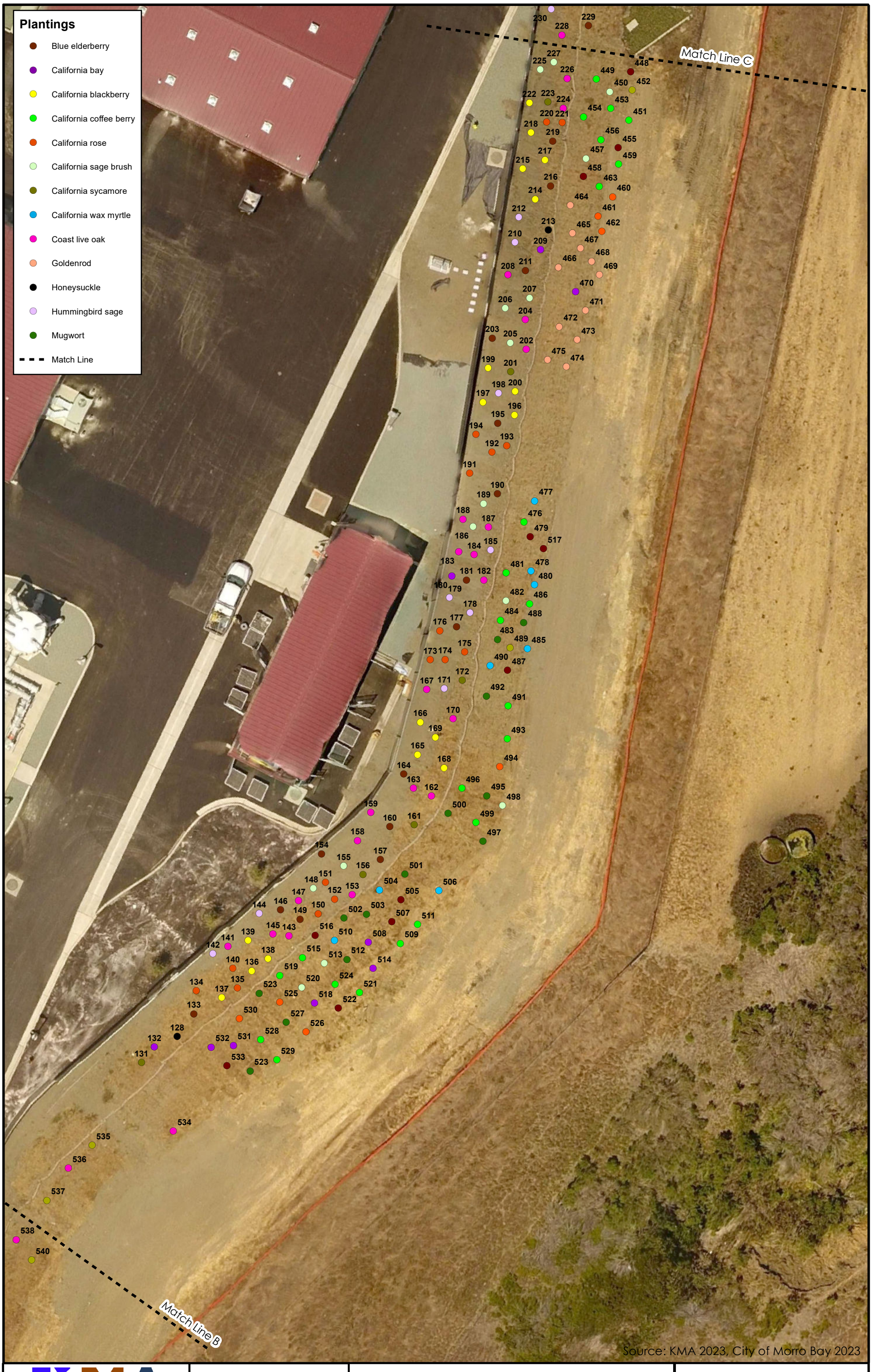
KEVIN MERK ASSOCIATES

WRF Riparian Enhancement Plan

City of Morro Bay

Figure 4B

As-Built Planting Map



KEVIN MERK ASSOCIATES

1 inch = 25 feet

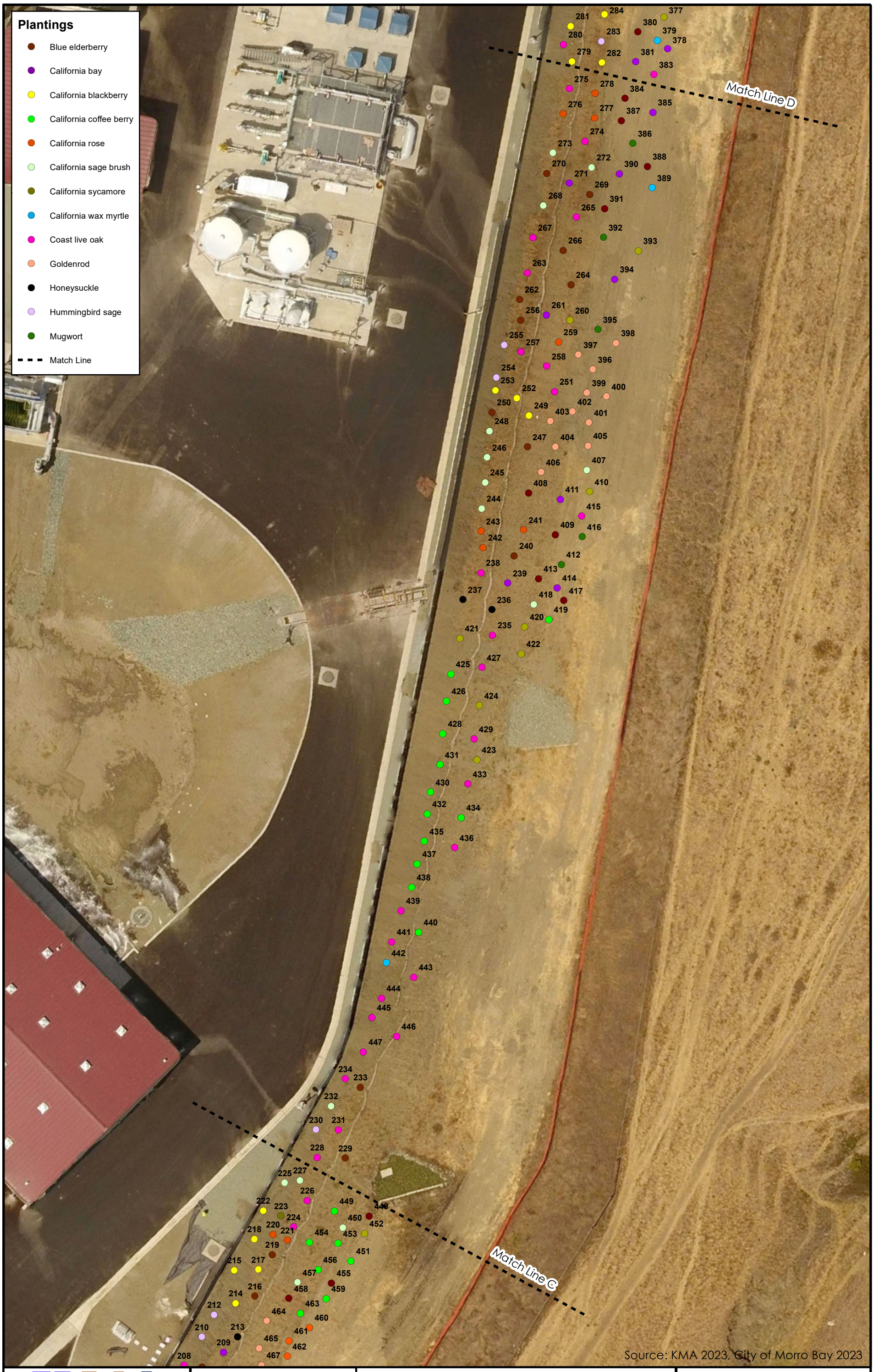
0 5 10 20 Feet

WRF Riparian Enhancement Plan

City of Morro Bay

Figure 4C

As-Built Planting Map



KEVIN MERK ASSOCIATES

1 inch = 25 feet

0 5 10 20 Feet

WRF Riparian Enhancement Plan

City of Morro Bay

Figure 4D

As-Built Planting Map

KEVIN MERK ASSOCIATES

1 inch = 25 feet

0 5 10 20 Feet

WRF Riparian Enhancement Plan

City of Morro Bay

Figure 4E

As-Built Planting Map

1.1 2024 Restoration Activity Summary

Construction activities completed grading work at the WRF and prepared final contours on the slope below the facility for the native erosion control seeding and subsequent container plantings. Initial hydroseeding efforts occurred to stabilize bare soils around the WRF in the fall-winter 2021/2022. The temporary irrigation system was installed at the top of slope and container plant installation following the methods and techniques detailed in the REP. Initial planting was completed in August 2022. However, after container plantings were installed, a heat wave occurred that resulted in the loss of approximately 50% of the plants. The seed application provided excellent plant cover on the new slopes, which was able to stabilize the soils prior to heavy rains that fell in the winter 2022-2023. Still, some minor slope repairs were needed where erosion was observed. Slope repair work was completed in spring/summer 2023, and additional hydroseed was applied to cover the disturbance areas. Seed was also applied to zones with poor plant establishment, and then the entire REP area was watered using the temporary irrigation system. The replacement container plants were acquired and installed by the landscape contractor in October 2023 in the same general locations as the plants lost due to the heat wave in fall 2022. KMA then surveyed (tagged and GPS-ed) all container plants and prepared Figures 4A through 4E to track their establishment during the five year monitoring period.

The irrigation system was maintained regularly in 2024 and was modified as needed during the summer with sprinkler heads adjusted to ensure thorough coverage. Regular maintenance of the REP was completed by the landscape contractor to combat non-native weeds growing on the slope around container plantings. Care was taken to allow the native grasses and wildflowers to grow, flower and set seed. Areas of deer browse were also noted and specific plantings were treated with Liquid Fence™ to deter deer from those areas. Ground squirrels (*Otospermophilus beecheyi*) are present offsite to the east, and in 2024 were observed foraging and burrowing onsite. These areas were also treated with Liquid Fence™ in an effort to discourage them from the site. KMA worked with the City and landscape contractor during maintenance activities, and conducted monitoring visits on a quarterly basis. Quantitative and qualitative data collection occurred in the spring and fall to assess container plantings and the extent of vegetation cover in the REP zone. Table 1 below provides a summary of restoration activities conducted in 2024.

Table 1. Restoration Activities Conducted in 2024

Activity	Date	Location	Personnel
Maintenance including Hand Weeding/Weed-Whacking	Monthly	REP	City Landscape Contractor (IGL)
Liquid Fence™ Application	April and May	REP	KMA
Site Monitoring	Feb, May, July, Oct, Dec	REP	KMA
Annual Report Preparation	December	NA	KMA

2.0 PLANT AND SEED SOURCES

As detailed in the Year 1 report, all seed and container plantings used for this project are native species acquired from local and regional sources. Supplemental seeding in the REP zone also occurred and consisted of KMA staff collecting native plants such as California poppy (*Eschscholzia californica*), sky lupine (*Lupinus nanus*), and purple needlegrass (*Stipa pulchra*) from neighboring grasslands and hand broadcasting the seed into open areas prior to the start of the fall rain season.

3.0 PRE-ACTIVITY SURVEYS AND BIOLOGICAL MONITORING

KMA biologists conducted surveys of the site prior to more intensive maintenance activities that took place in the late winter and early spring of 2024. Surveys were conducted to ensure special status species such as the California red-legged frog or western pond turtle (*Emys marmorata*) were not present while the maintenance crew was onsite. No special status species were observed during the pre-activity surveys. The City's landscape contractor also received environmental awareness training to help avoid impacts to native plants and wildlife. KMA also conducted spot checks during the course of maintenance activities.

4.0 WEED ABATEMENT AND MAINTENANCE ACTIVITIES

Weed abatement and maintenance activities in 2024 were conducted on a monthly basis given the supplemental irrigation and presence of weedy species. Maintenance consisted of manual removal of non-native species such as wild oats (*Avena barbata*), Italian ryegrass (*Festuca perennis*), and prickly ox-tongue (*Helminthotheca = Picris echioides*). Sweet clover (*Melilotus indicus*) was also abundant around container plantings in 2024 and was targeted by weed abatement efforts. Weeding was done by hand around container plantings to protect the young establishing plan, and weed whacking using gas powered weed-eaters occurred in the open areas on the slope. As detailed in the Year 1 report, the entire REP area was graded and disturbed during construction of the WRF. Prior to the application of the native hydroseed mix, the WRF site was dominated by non-native species, including some that are highly invasive. Offsite to the east, these species were still visibly present, and locations of container plantings were the ground was disturbed resulted in a flush of species such as sweet clover. While an effort was made to allow the native grasses and forbs applied via hydroseed to flower and set seed, removal of vigorous growing non-native plants required a substantial amount of work in 2024. As stated above, the use of supplemental irrigation required weed abatement throughout the summer to combat species like prickly ox-tongue that continued to flush.

Container plantings also received regular monthly maintenance to remove regrowth of weeds. Mulch was used around plantings to help maintain soil moisture and control weed growth. Hand removal of fennel (*Foeniculum vulgare*) was successful in 2023 to remove this species, and very little fennel was present in 2024. Annual grasses such as wild oats and Italian ryegrass were also selectively removed to reduce their cover onsite, as well as to prevent seed set. However, as detailed in background reports prepared for the project, these two species are common throughout grasslands in the region, and will continue to be present onsite at low cover. The native and non-native grasses have root structures that have aided soil stabilization while the target vegetation is establishing.

Other maintenance activities consisted of trash and debris removal, re-establishing water wells around plantings, and application of bark mulch. Deer activity during the dry summer months increased due to the temporary irrigation keeping the grasses green onsite. As a result, browse damage was observed in the REP area with select container plants being topped. Rather than individually cage these container plants, Liquid Fence™ (an organic solution to deter herbivores) was sprayed on the more delectable species to deter deer browse from the restoration area. Liquid Fence was also used to deter ground squirrels from burrowing on the slope in several areas.

5.0 MONITORING RESULTS

The first year's monitoring efforts established the baseline conditions of the REP area and Figures 4A through 4E were developed to track the establishing container plants. Monitoring occurred in the spring and fall to collect data on vegetation cover and container plant health. Biological monitoring was also conducted to clear areas prior to intensive maintenance work and track the work of the landscape contractor. The qualitative data component of the monitoring program included establishing photo points to track the restoration activities, assessing wildlife use of the site, and identifying locations of non-native plants to be targeted during maintenance efforts. Select observation points were also established to collect information on species composition and vegetation cover of the REP area. Representative sample points were identified in the field in between container planting areas in an effort to characterize the dominant species from seed application, and document changes in vegetation overtime. The monitoring effort also evaluated the irrigation program and relayed that information to the landscape contractor to make adjustments as needed. Quantitative data were also collected in regards to vegetation cover on the slopes of the REP zone at observation points, and health (recorded as vigor) of container plants.

5.1 Qualitative Assessment Results

The REP is being implemented on a portion of the WRF site that was graded and disturbed resulting in bare soils that were seeded and planted with native species. The site was composed of bare soils that were highly disturbed from construction of the facility. Baseline conditions of the project area characterized the site as non-native grassland that consisted of a predominance of non-native species resulting from many years of intensive grazing. Prior to construction of the WRF, the REP area was dominated by Italian ryegrass, prickly ox tongue, fennel, black mustard (*Brassica nigra*), and wild oats. Ruderal or bare soil areas were also present in the general area as it was used as a watering and feeding location for cattle. The cattle trails and laydown areas supported very little vegetative growth with patches of non-native species such as prickly ox tongue, fennel and white-topped hoary cress (*Lepidium draba*) that were not eaten by cattle. Drainage 3, the intermittent drainage to the east of the WRF, continues to be dominated by coyote brush (*Baccharis pilularis*) scrub growing along a narrow incised channel with isolated occurrences of arroyo willows (*Salix lasiolepis*) in the lower reach.

The hydroseed application in the REP area has resulted in a predominance of native species between the WRF and property line. Vegetation cover in 2024 was similar to Year 1 observations and consisted primarily of meadow barley (*Hordeum brachyantherum*) and California brome (*Bromus carinatus*). Year 2 monitoring identified an increase in cover of purple needlegrass, and also documented the presence of other herbaceous native species such as California poppy and tomcat clover (*Trifolium willdenovii*). Several shrubs and

subshrubs such as deerweed (*Acmispon glaber*) were slow to germinate after the initial hydroseed application, but were more evident throughout the REP area in 2024. Similarly, California sagebrush that was included in the seed mix was slow to germinate, but is now visible in several areas of the site. KMA biologists also hand collected native seed from the site and surrounding areas and broadcast it onto select areas with lower areal cover. This included species such as blue-eyed grass (*Sisyrinchium bellum*), California poppy, sky lupine and purple needlegrass being applied to areas away from the container plantings. Overall, the qualitative assessments have shown that habitat conditions in the REP zone are now dominated by native plants mostly as a result of the hydroseed application. While the container plants are still young and small in size, the restoration efforts are moving the site toward the goal of establishing native riparian habitats that will enhance the Drainage 3 corridor and buffer it from the WRF. The REP zone has more native plant coverage than prior to project construction.

5.2 Quantitative Assessment Results

Per the REP, quantitative assessments are scheduled to be conducted in the spring and fall of each year to track vegetation establishment and survivorship of container plants. Three approximately 10x10 meter sampling points (100 square meter plot) were positioned in between the identified container planting zones shown on Figure 4 to characterize species composition from seed applications. In addition, all container plantings were individually counted, tagged and mapped using a GPS unit (Trimble GeoXH6000) to ensure the final success criteria identified in the REP are met. Annual performance standards and final success criteria in the REP are identified in the table below:

Table 2. Annual Performance Standards from REP.

Performance Standards	Year 1	Year 2	Year 3	Year 4	Year 5
Percent Native Cover of Seeded Areas	50%	60%	70%	75%	75%
Percent Surviving of Container Plants	90%	85%	80%	80%	80%
Average Vigor Rating of Container Plants	1.5	1.5	1.5	1.5	1.5

In May 2024, vegetation sampling determined that approximately 77% of the REP site was dominated by native species consisting primarily of herbaceous species introduced to the site via hydroseed. This exceeds the Year 2 performance standard set for percent native cover of seeded areas by over 17%. The primary species observed in hydroseed application areas were bunch grasses including California brome and meadow barley along with California poppy and tomcat clover. In addition, purple needlegrass has increased in areal cover over the last year, and several container stock species such as hummingbird sage, California sagebrush and California rose were observed spreading from their original planting locations. Non-native species, primarily prickly ox-tongue, sweet clover, and Italian ryegrass, composed approximately 15% of the site, which is a reduction from Year 1 monitoring observations and within the allowable threshold defined in the REP.

As detailed in the Year 1 report, initial container planting installed 640 one gallon container plants in the REP zone. Replanting due to high mortality occurred in 2023, and over 300 container plants were installed onsite. The 2024 monitoring effort observed 577 of the installed 640 container plants, which equates to an approximately 90% survival rating. These plants were alive and well with an average vigor rating of 2. Many of the plants received a vigor rating of 1 with some plants receiving a vigor rating of 3 due to browse

damage from deer. Refer to Table 3 below for a breakdown of native container plants proposed in the REP compared to what was observed during the first two monitoring years.

Table 3. Container Plant Summary for 2024 – Year 2

Scientific Name	Common Name	Number Proposed	Number Observed Year 1	Number Observed Year 2
Artemisia californica	California sagebrush	0	17	24
Artemisia douglasiana	mugwort	75	72	50
Frangula californica	California coffeeberry	50	44	40
Lonicera hispidula	honeysuckle	25	8	8
Mimulus aurantiacus	monkey flower	50	0	0
Myrica californica	California wax myrtle	50	29	28
Platanus racemosa	California sycamore	25	40	38
Quercus agrifolia	coast live oak	90	118	112
Rosa californica	California rose	50	66	65
Rubus ursinus	California blackberry	50	46	43
Salvia spathacea	hummingbird sage	75	33	26
Sambucus nigra ssp. caerulea	blue elderberry	50	78	69
Solidago californica	California goldenrod	0	40	40
Umbellularia californica	California bay	50	38	34
Totals		640	629	577

As shown above, California sagebrush has increased in numbers observed onsite from Year 1 to Year 2. Other plants doing well onsite included mugwort (*Artemisia douglasiana*), California coffeeberry (*Frangula californica*), and California goldenrod (*Solidago californica*). Monkey flower (*Mimulus aurantiacus*) was not readily available at the time of planting, and substitutions were made to accommodate for the original proposed amounts. This included the number of blue elderberry (*Sambucus nigra* ssp. *caerulea*), coast live oak and California sycamore (*Platanus racemosa*) planted onsite.

5.3 Compliance with Success Criteria

The WRF REP site is composed of historic non-native grassland habitat dominated by weeds that was graded to construct the facility. The soils between the WRF and eastern property line are stabilized by the native seed mix and supports a predominance of native grasses with a nice mix of wildflowers. No signs of erosion were observed in 2024 following a number of large storm events. 577 container plants of varying species are present, and this includes 184 young native trees composed of 38 California sycamores, 112 coast live oaks, and 34 California bays (refer to Figures 4A-4E). This equates to 90% of container plants alive at time of Year 2 monitoring. This surpasses the Year 2 performance standard of having 85% of the container plants alive and well on the site. The average vigor rating recorded in 2024 was 2, and this is consistent with the Year 1 monitoring results, and is consistent with REP success criteria. The majority of plants were in good condition in Year 2. The goal to have an increase in native vegetation cover consisting of a mix of trees, shrubs and grasses that will be self-sustaining by the end of the five year monitoring period is being met. The REP implementation effort has reduced the amount of bare soil and extent of non-native species present on the site compared to conditions prior to project construction. In addition, REP implementation has reduced the erosion potential in the

eastern part of the site, and is promoting the transition over time from disturbed non-native grassland to a mosaic of upland and riparian habitats that co-mingle with the drainage corridor to the east.

The Year 2 monitoring observations have confirmed that the project is removing invasive and non-native species in the enhancement area, and restoration with native species is underway. The native seed mix applied to the REP area was the most effective at increasing the habitat functions and values of the site by introducing native plant propagules in the project area. With the developing container stock, a more varied habitat structure will be created overtime that will also provide visual screening between the WRF and surrounding undeveloped lands. The REP implementation effort has also enhanced habitat connectivity around the WRF for a variety of wildlife including the California red-legged frog. It has also provided a location to plant native trees to compensate for the 27 non-native trees impacted along the conveyance element of the project. Please refer to Table 4 provided in Appendix B for a summary of the success criteria established in the REP for monitoring years 1 and 2.

6.0 PROBLEMS IDENTIFIED AND CORRECTIVE ACTIONS TAKEN

Historic ranching activities on the WRF site and neighboring property to the east have created areas of dense non-native species cover that will continue to spread propagules onto the site. As part of the initial restoration activities conducted in the first two years of the project, KMA worked with the landscape contractor and City to develop maintenance standards to identify noxious weeds to target for removal during plant establishment. The use of mycorrhizal inoculum on the slope during seeding and planting has also helped native plants establish onsite. Regular site maintenance has also helped these native plants compete with the extensive non-native weed occurrences that were originally present. Regular monitoring and seasonal maintenance will continue to implement Best Management Practices on an as-needed basis and remove non-native plants while the target vegetation becomes self-sustaining.

Permanent barbed wire fencing is in now place along the property boundary, and the facility is surrounded with chain link fence along with an amphibian exclusion wall along the site entrance road. Deer and ground squirrels have been attracted to the green grasses being maintained by the temporary irrigation system. While not all of the container plants are palatable to deer, some browse damage was observed, and KMA biologists have installed reflective tape and applied Liquid Fence™ in an effort to deter deer and ground squirrels from the REP area at the WRF.

7.0 CONCLUSIONS AND RECOMMENDATIONS

The implementation of the REP on the WRF site is off to a good start. Seed application and initial planting has been accomplished consistent with the methods and techniques described in the REP, which has resulted in an increase in native species cover on the site. Maintenance activities have targeted non-native grasses, prickly ox tongue, fennel, and white topped hoary cress. Monitoring confirmed these species are being successfully managed throughout the site. Given the long agricultural history of the site, additional seed bank was expressed during the 2024 growing season, and spring and summer maintenance activities helped prevent these species from going to seed and spreading further throughout the site.

As the quantitative and qualitative data show, the restoration efforts have been successful at introducing native plants and reducing non-native species cover on the site. The adaptive approach to site restoration will continue to use broadcast seeding of native grasses and forbs collected onsite, coupled with care of container plants and control of non-native species. Approximately 1.3 acres of upland habitat were planted with container stock, and the entire REP area (1.9 acres) had native seed applied by hydroseed and hand broadcast methods. Although the container stock is young, the seed application has resulted in stabilized soils with a predominance of native species. Restoration work to date has resulted in positive changes relative to native species composition onsite and monitoring confirmed that the Year 2 goals and objectives detailed in the REP are being met.

The following are recommendations for 2025:

- Monitor the site consistent with the schedule included in the REP for Year 3. Monitoring should evaluate erosion and slope stability during winter rain season - apply additional seed and install erosion controls as needed until the target vegetation is established and the erosion potential reduced;
- Continue weed abatement program including hand/mechanical removal and select use of herbicide to control target non-native species with a focus on prickly ox-tongue, fennel and white topped hoary cress;
- Conduct regular maintenance and monitoring consistent with the REP and install additional container stock as needed to ensure the final success criteria defined in the REP are met by the end of the monitoring program;
- Continue seed collection efforts onsite and apply collected native seed to areas of poor germination or “holes” in the REP area to increase species diversity and habitat structure; and,
- Continue data collection, reporting program, and implementing adaptive management strategies as needed for Year 3.

APPENDIX A

Photo Plate

KMA

Appendix A - Photo Plate

Photo 1. Northerly view of REP zone from Photo Point 1 showing established vegetation including California goldenrod in the foreground that was planted in 2023 and has flowered and set seed.

Photo 2. Close-up view of vegetation cover in the southern REP area during spring monitoring showing establishing bunchgrasses such as California brome and purple needlegrass. Also note the dark green vegetation, which is the non-native sweet clover that was subsequently removed during weed abatement activities in late spring and summer.

Photo 3. Photo Point 2 looking north showing the site during spring weed abatement activities. Note composition of grassland on neighboring property to the right, which is composed of a predominance of non-native species including the invasive white topped hoary cress.

Photo 4. Southerly view from Photo Point 2 showing ongoing weed abatement activities. The amphibian exclusion fencing is visible to the right at the bottom of the site's perimeter chain link fence and a drainage level spreader is visible at the toe of slope to the left. Drainage 3 is visible in far left beyond the property's barbed wire fence.

Photo 5. Photo Point 3 showing ongoing site management with established ground cover consisting of a predominance of native grasses and forbs that were applied by hydroseed. Flagging identifies locations of container plantings.

Photo 6. View of the central container planting zone near Photo Point 3 showing established bunchgrasses and young container stock. Several western sycamore plantings are establishing well with many in the four to six foot range.

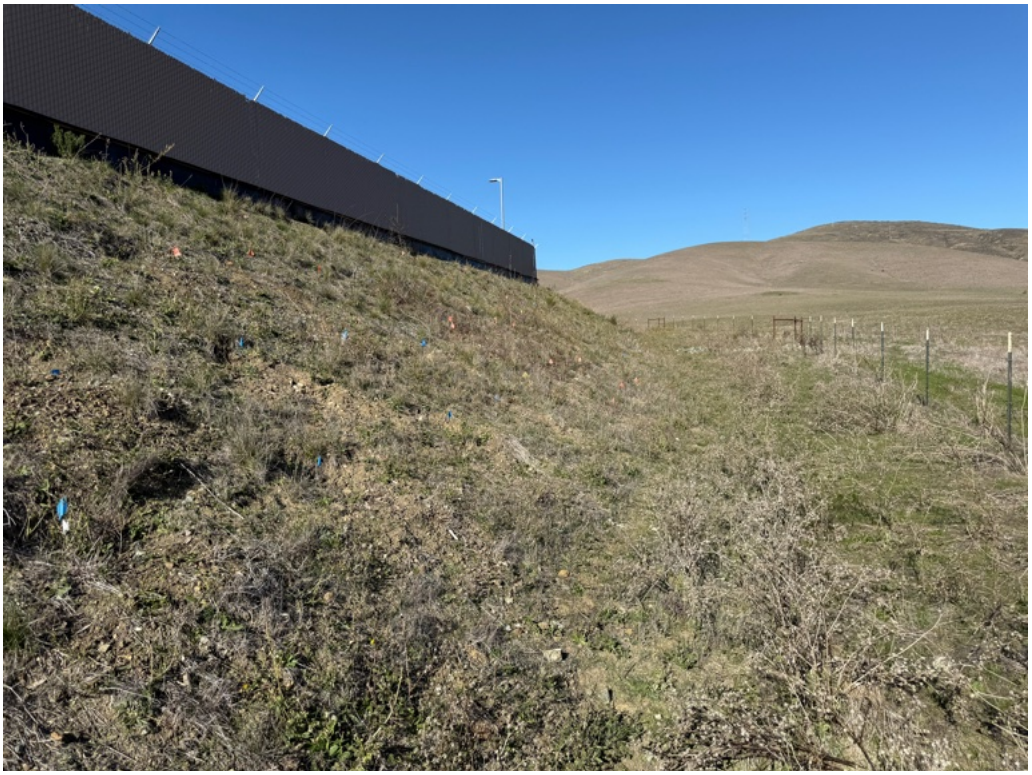


Photo 7. Representative view of the central container planting zone in fall 2024. The flagging identifies the locations of container plants. This zone exhibited higher browse damage from deer compared to other areas and Liquid fence™ was used in an effort to deter deer from the area.

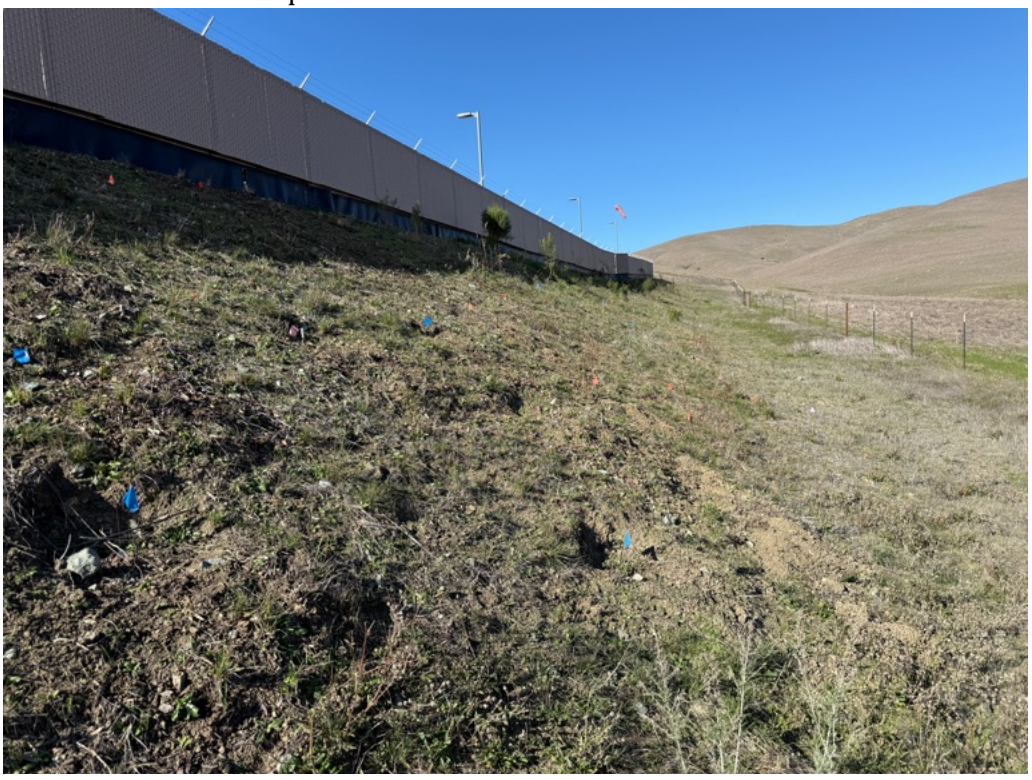


Photo 8. Photo Point 3 looking north over the central container planting zone showing established vegetation on slope with container plants visible with orange and blue pin flags. No signs of erosion were observed on the slope in 2024.

Photo 9. Northerly view of the container planting zone near Photo Point 4 showing a mix of coast live oak, California rose and California blackberry establishing with native bunchgrasses.

Photo 10. Photo Point 4 looking south showing seeded and planted material in the northern part of the REP area. Note the established grass cover from hydroseed mix and container plantings including young western sycamore and coast live oak trees.

Photo 11. A representative photo of a western sycamore that has grown to over six feet tall in the northern part of the REP area. A coast live oak tree visible along the fenceline has also grown close to six feet tall.

Photo 12. Representative view of establishing bunchgrass cover in the REP area with native species such as California brome and purple needlegrass applied via hydroseed. Container stock including coast live oak and California rose are also present in this area, and the roses are spreading from the initial planting location.

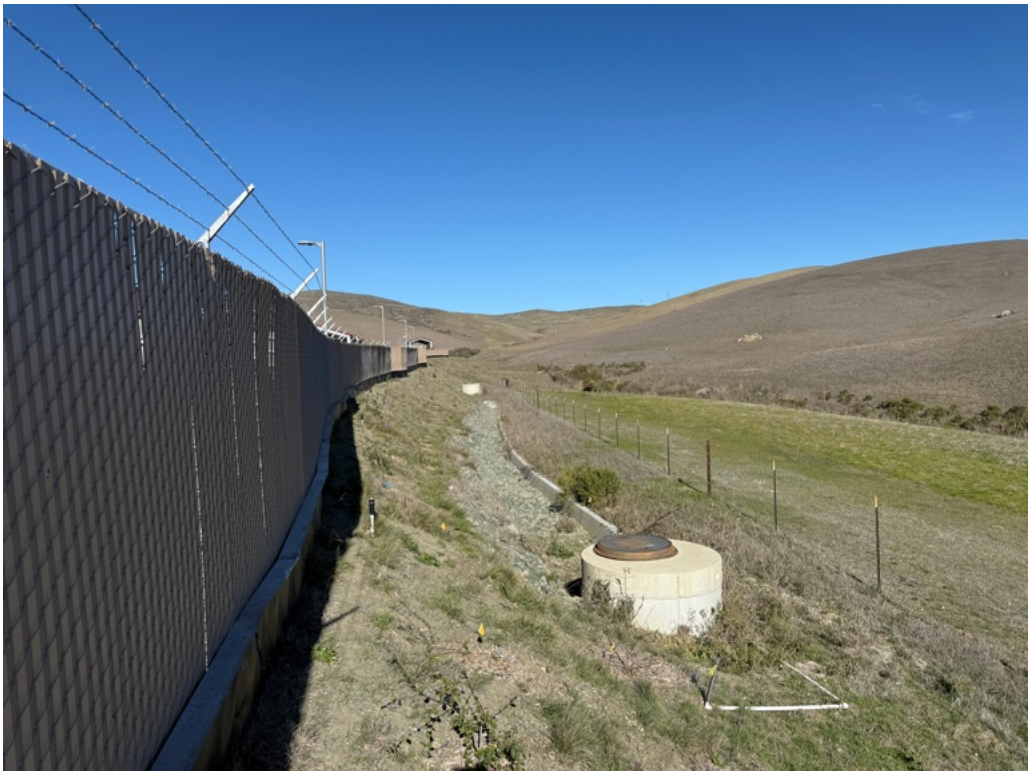


Photo 13. Northerly view of the REP area near the WRF entrance showing temporary irrigation rotors and pipes, and the drainage level spreaders are also visible in this photo. Note conditions of surrounding grazed grasslands.

Photo 14. Southerly view of the REP zone near the WRF entrance. Temporary overhead irrigation has aided vegetation establishment onsite.

Photo 15. Representative view of vegetation in the REP area during spring 2024 monitoring showing native bunchgrasses in flower and a western sycamore breaking dormancy with new growth. Also present was the non-native annual sweet clover that along with prickly ox-tongue were the focus of weed abatement activities in 2024.

Photo 16. Representative photo of a coast live oak tree being browsed by deer (note prostrate growth habit). Liquid Fence™ was used on select plantings to deter deer browse. Mulch was also applied around container plantings to promote establishment.

APPENDIX B

Table 4. REP Success Criteria Summary

Table 4. REP Success Criteria Summary

Attribute		Year 1		Year 2		Comments
		Criteria	Actual	Criteria	Actual	
Quantitative	Percent Native Cover of Seeded Areas	50%	81%	60%	77%	Vegetation cover of sample areas in the REP zone in 2024 equated to approximately 77% areal cover of native species (primarily CA brome, meadow barley and purple needlegrass). Other native species present were CA sage brush, CA poppy, deerweed, six-weeks fescue and tomcat clover.
	Average Vigor Rating for Container Stock*	2	2	2	2	Container stock was alive and successfully establishing during 2024 monitoring with western sycamores and some coast live oak trees showing excellent growth with several plants over 6 feet tall. CA rose, CA blackberry, and hummingbird sage were also establishing well and spreading from the initial planting locations. CA sagebrush also increased onsite likely due to new plants establishing from seed. Browse damage from deer was present primarily on California bay, California coffeeberry, coast live oak and wax myrtle. These plants were treated with Liquid Fence in an effort to deter deer browse.
	Plant Survival	90%	98%	85%	90%	577 of the 640 container plants specified in REP were alive and well during 2024 monitoring period.
	Have at least 27 trees establishing in the REP area to mitigate tree removal for the conveyance element.	27 trees needed	Met - 196 trees present	27 trees needed	Met – 184 trees present	REP implementation resulted in 184 trees alive in specified areas (38 sycamore, 112 coast live oak, and 34 CA bay).
	Percent of Non-Native Species Cover	<50%	19%	<40%	23%	Criterion met with 23% areal cover of non-native species primarily composed of Italian ryegrass and prickly ox-tongue with patches of sweet clover.

Attribute		Year 1		Year 2		Comments
		Criteria	Actual	Criteria	Actual	
Qualitative	Maintain a dominant, multi-level cover of native woodland and scrub plant species, with exotic weed percentages constituting no more than 25% of the total plant coverage by the end of 5 year monitoring.	Met	Met	Met	Met	Native grasses from hydroseed application were dominant in Year 2 and increased overall native species diversity compared to the baseline conditions observed prior to construction of the WRF. Non-native plant cover was 23% which is below the target threshold at the end of the five year monitoring period. Container stock is young and small, and will continue to develop into varied structure habitats overtime.
	Evaluate site conditions with overall habitat conditions along the Drainage 3 corridor and surrounding grasslands to evaluate climatic influences on plant associations.	Met	Met	Met	Met	Project construction avoided the Drainage 3 corridor, and the REP zone has now established with native grasses and forbs introduced by seed. No areas of erosion were observed during 2024 monitoring. Container plants consisting of native trees, shrubs, and herbaceous species are establishing in specified planting areas, and will continue to grow and create a mosaic of plant communities of higher quality habitat than were present onsite prior to construction activities. Neighboring grasslands are dominated by non-native species and will continue to be grazed by cattle maintaining an overall low vegetation height.

*Plant health and vigor were measured for container plants as follows: 1 = excellent – vigorous healthy plant (no necrotic or chlorotic leaves); 2 = good – plant healthy with limited signs of vigorous growth; 3 = adequate – plant healthy, but with no signs of vigorous growth, and some necrosis or other damage present; 4 = poor – low vitality, or main stem dead but basal sprouts emerging; and, 5 = dead – no evidence of recovery.