



Denise Duffy & Associates, Inc.

PLANNING AND ENVIRONMENTAL CONSULTING

Memorandum

DATE: July 11, 2017

TO: Ahmad Kashkoli and Susan Stewart, State Water Resources Control Board Division of Financial Assistance

FROM: Denise Duffy and Associates, Inc.

RE: Amendment request for the Pure Water Monterey Groundwater Replenishment Project, Project No. C-06-8028-110

ENCLOSED	SENT BY	FOR
<input type="checkbox"/> Reports	<input type="checkbox"/> Hand	<input type="checkbox"/> Approval/ Signature
<input type="checkbox"/> Letter	<input type="checkbox"/> Regular Mail	<input checked="" type="checkbox"/> Per Your Request
<input type="checkbox"/> CD	<input type="checkbox"/> Express/Priority Mail	<input type="checkbox"/> Review/Comment
<input checked="" type="checkbox"/> Memorandum	<input type="checkbox"/> Overnight	<input type="checkbox"/> For Your Records
	<input checked="" type="checkbox"/> Email	<input type="checkbox"/> Other

The purpose of this memorandum is to advise the State Water Resources Control Board, Division of Financial Assistance (SWRCB) of minor refinements to the design of the Pure Water Monterey Groundwater Replenishment Project (Project) based on final engineering.

BACKGROUND

In April 2017, the SWRCB approved funding for the Project through the Clean Water State Revolving Fund (CWSRF). This approval was based on the Revised Environmental Package of the Financial Assistance Application submitted on November 18, 2015, and the CWSRF Environmental Summary Checklist submitted on January 9, 2017.

MINOR PROJECT REFINEMENTS

MRWPCA proposes: 1) a minor change to construction schedule for the Blanco Drain Diversion Facility; and, 2) minor amendments to a portion of the project's area of disturbance. The changes in the Project's area of disturbance would affect the Area of Potential Effect (APE) and the U.S. Fish and Wildlife Service (USFWS) Project Action Area. The APE was used by the State Historic Preservation Officer (SHPO) to make a determination on Project compliance with Section 106 of the National Historic Preservation Act (NHPA). The USFWS Project Action Area was used by USFWS to make a determination on the Project's compliance with Section 7 of the Endangered Species Act (ESA). The boundaries of the APE and the USFWS Project Action Areas are the same. The National Marine Fisheries Service (NMFS) used a separate Project Action Area to make a determination on the Project's compliance with Section 7 of ESA.¹ The

¹ The NMFS Project Action Area will not require any amendments to address the change in the Project's area of disturbance discussed herein.

proposed amendments are limited in scope and will not result in any new areas of impact or increase the severity of previously identified environmental impacts.

Amendment to Construction Schedule for the Blanco Drain Diversion Facility

The construction of the Blanco Drain Diversion Facility has been delayed due to time constraints as required by multiple permit conditions. In addition, the delay in the CWSRF authorization resulted in deferral of the initiation of a contract with construction contractors. The Blanco Drain Diversion Facility initially was authorized under Nationwide Permit (NWP) 12 and NWP 13 on January 18, 2017. This authorization covers work through the end of 2017, however, it is now anticipated that construction will continue in 2018 due to the change in construction schedule. Therefore, the Project requires reauthorization under NWP 12 and NWP 13 for the construction of the Blanco Drain. **Attachment 1** to this memorandum includes a copy of the NWP authorization as well as the application for reauthorization submitted to US Army Corps of Engineers on March 15, 2017.

Minor APE Amendments

An APE Map Booklet was submitted to SWRCB on November 18, 2015, as part of the CWSRF Environmental Package. Since that submittal, two minor project adjustments have been identified. MRWPCA requests that amendments to the APE be made to incorporate the adjustments described below.

The original APE needs to be revised to specify the access roads and routes to the Blanco Drain Diversion Facility. These access roads were not included in the original APE, but will be necessary during construction. MRWPCA requests that the roads shown in **Attachment 2 and Attachment 3** are included in the APE. There are no known cultural sites within the vicinity of the unpaved roads; the nearest known site is approximately 0.3 miles away (Pacific Legacy, 2015). Preliminary field review shows that these access roads are highly disturbed. These unpaved existing access roads are established routes which have been used on a daily basis for many years by heavy duty machinery and equipment on the landfill site or within an active agricultural area. Specifically, these unpaved roads are used regularly by both the Monterey Regional Waste Management District (MRWMD) vehicles (on the south side of the Salinas River) and by agricultural vehicles and equipment (on the north side of the Salinas River, near the diversion site). No improvements or changes are needed to the proposed access roads for the Project; thus, there will be no ground disturbing activities.

In addition, the APE needs to be modified to account for a minor change in the alignment of the Blanco Drain Pipeline. **Attachment 2 and Attachment 3** shows the proposed change. The proposed alignment was analyzed in the Final EIR and was then amended during the Section 106 consultation process due to easement negotiations with the land owners (MRWMD) of that site. Since that time, the original alignment covered in the Draft EIR has been selected in favor of the MRWMD alignment included in Section 106 consultation. Archeological surveys have been performed on the new alignment, and there are no known cultural resources within the vicinity of the proposed alignment.

Minor Amendments to USFWS Project Action Area

An Action Area Map Booklet was provided to SWRCB on March 2, 2016 as part of the Biological Assessment of the USFWS for the Project. The minor project adjustments identified in above would also affect the USFWS Project Action Area, as the two boundaries are the same. MRWPCA requests that amendments to the USFWS Project Action Area be made to incorporate these minor changes.

The addition of access roads during construction as described above would not affect biological resources. There are no known biological resources within the boundary of the access roads, and the roads would be classified as the ruderal/developed/active agricultural habitat type (Denise Duffy and Associates, 2016).

As described above, the change in pipeline alignment was analyzed in the Draft EIR. Biological surveys have been performed on the new alignment, and there are no known biological resources along this alignment

REQUESTED ACTIONS

In order to facilitate the Project amendments to the project schedule, the APE and the USFWS Project Action Area, it is requested that EPA, as the lead agency, notify USFWS, and SHPO regarding the proposed modifications to the Project construction schedule and changes to the Project area of disturbance. In addition, the NMFS will also need to be notified regarding the Project construction schedule. We understand that NMFS, USFWS, and SHPO will then assess the changes. We do not believe that the minor changes described in this memorandum will warrant re-initiation of consultation under Section 106 of NHPA nor Section 7 of the ESA as they would not change the scope of impacts to cultural or biological resources provided to the SWRCB in previous submittals. MRWPCA respectfully requests that SWRCB initiate this process with EPA.

ATTACHMENTS

1. Nationwide Permit Authorization and Application for Reauthorization
2. Project Overview Map
3. Requested Minor Amendments Map

REFERENCES

Denise Duffy and Associates, 2016. Biological Assessment for the U.S. Fish and Wildlife Service Pure Water Monterey Groundwater Replenishment Project, Monterey County. March 2, 2016.

Pacific Legacy, 2015. Addendum Cultural Resources Inventory for the Pure Water Monterey Groundwater Replenishment Project, Monterey County, California. November, 2015.

Attachment 1

Nationwide Permit Authorization and Application for Reauthorization



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
1455 MARKET STREET, 16TH FLOOR
SAN FRANCISCO, CALIFORNIA 94103-1398

RECEIVED
MRWPCA

JAN 23 2017

ADMINISTRATION

JAN 18 2017

Regulatory Division

Subject: File Number 2015-00418S

Mr. Michael McCullough
Monterey Regional Water Pollution Control Agency
5 Harris Court #D
Monterey, California 93940

Dear Mr. McCullough:

This correspondence is in reference to your submittal of November 4, 2015, concerning Department of the Army (DA) authorization for the Pure Water Monterey Groundwater Replenishment Project located from the City of Salinas to the City of Seaside, Monterey County, California.

Work within U.S. Army Corps of Engineers' (Corps) jurisdiction will include the construction of two surface water diversion structures that will result in discharge of fill material within the Reclamation Ditch and the Blanco Drain and the installation of the Blanco Drain diversion pipeline beneath the Salinas River. Approximately 100 feet of 18-inch diameter high density polyethylene (HDPE) pipe will be installed using horizontal directional drilling (HDD) technology. Work will require placement of 0.04 acres of fill within waters of the United States. All work shall be completed in accordance with the plans and drawings titled "USACE File ID: 2015-00418S, Pure Water Monterey Groundwater Replenishment, January 5, 2017, Figure 1 to 6" provided as enclosure 1.

Section 404 of the Clean Water Act (CWA) generally regulates the discharge of dredged or fill material below the plane of ordinary high water in non-tidal waters of the United States, below the high tide line in tidal waters of the United States, and within the lateral extent of wetlands adjacent to these waters. Section 10 of the Rivers and Harbors Act generally regulates construction of structures and work, including excavation, dredging, and discharges of dredged or fill material, occurring below the plane of mean high water in tidal waters of the United States; in former diked baylands currently below mean high water; outside the limits of mean high water but affecting the navigable capacity of tidal waters; or below the plane of ordinary high water in non-tidal waters designated as navigable waters of the United States. Navigable waters of the United States generally include all waters subject to the ebb and flow of the tide; and/or all waters presently used, or have been used in the past, or may be susceptible for future use to transport interstate or foreign commerce. A Preliminary Jurisdictional Determination (JD) has been completed for your site. Preliminary JDs are written indications that there may be waters of the U.S. on a parcel or indications of the approximate location(s) of waters of the U.S. on a parcel. Preliminary JDs are advisory in nature and may not be appealed. While this

preliminary jurisdictional determination was conducted pursuant to Regulatory Guidance Letter No. 08-02, *Jurisdictional Determinations*, it may be subject to future revision if new information or a change in field conditions becomes subsequently apparent. The basis for this preliminary jurisdictional determination is fully explained in the enclosed *Preliminary Jurisdictional Determination Form*. You are requested to sign and date this form and return it to this office within two weeks of receipt. Please see the enclosed Preliminary JD map titled, "Preliminary Jurisdictional Determination, Pure Water Monterey Groundwater Replenishment" and dated January 5, 2017 (enclosure 2).

Based on a review of the information in your submittal and the current condition of the site, as verified during a field investigation on date September 28, 2016, the project qualifies for authorization under Department of the Army Nationwide Permits (NWP) 12 for Utility Line Activities and 13 for Bank Stabilization, 77 Fed. Reg. 10,184 (Feb. 21, 2012) (enclosure 3), pursuant to Section 404 of the CWA of 1972, as amended (33 U.S.C. § 1344 *et seq.*) and Section 10 of the Rivers and Harbors Act (RHA) of 1899, as amended (33 U.S.C. § 403 *et seq.*). The project must be in compliance with the terms of the NWP, the general conditions of the Nationwide Permit Program

(http://www.spn.usace.army.mil/Portals/68/docs/regulatory/Nationwide/NWP_Gen_Cond.pdf), and the San Francisco District regional conditions cited on our website

(http://www.spn.usace.army.mil/Portals/68/docs/regulatory/Nationwide/Reg_Cond.pdf). You must also be in compliance with any special conditions specified in this letter for the NWP authorization to remain valid. Non-compliance with any term or condition could result in the revocation of the NWP authorization for your project, thereby requiring you to obtain an Individual Permit from the Corps. This NWP authorization does not obviate the need to obtain other State or local approvals required by law.

This verification will remain valid until March 18, 2017, unless the NWP authorization is modified, suspended, or revoked. Activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon a NWP will remain authorized provided the activity is completed within 12 months of the date of a NWP's expiration, modification, or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 C.F.R. § 330.4(e) and 33 C.F.R. § 330.5 (c) or (d). This verification will remain valid if, during the time period between now and March 18, 2017, the activity complies with any subsequent modification of the NWP authorization. The Chief of Engineers will periodically review NWPs and their conditions and will decide to modify, reissue, or revoke the permits. If a NWP is not modified or reissued within five years of its effective date, it automatically expires and becomes null and void. It is incumbent upon you to remain informed of any changes to the NWPs. Changes to the NWPs would be announced by Public Notice posted on our website

(<http://www.spn.usace.army.mil/Missions/Regulatory/Public-Notices.aspx>). Upon completion of the project and all associated mitigation requirements, you shall sign and return the Certification

of Compliance, enclosure 4, verifying that you have complied with the terms and conditions of the permit.

This authorization will not be effective until you have obtained a Section 401 water quality certification from the Central Coast Regional Water Quality Control Board (RWQCB). If the RWQCB fails to act on a valid request for certification within two months after receipt of a complete application, the Corps will presume a waiver of water quality certification has been obtained. You shall submit a copy of the certification to the Corps prior to the commencement of work.

General Condition 18 stipulates that project authorization under a NWP does not allow for the incidental take of any federally-listed species in the absence of a biological opinion (BO) with incidental take provisions. As the principal federal lead agency for this project, the United States Environmental Protection Agency (EPA) initiated consultation with the United States Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) to address project related impacts to listed species, pursuant to Section 7(a) of the Endangered Species Act of 1973, as amended (16 U.S.C. § 1531 *et seq.*). By letter of December 20, 2016, USFWS issued a BO (08EVEN00-2016-F-0523) (http://www.spn.usace.army.mil/Portals/68/docs/regulatory/BOs/NWP2012/SPN-2015-00418_USFWS_BO.pdf) with an incidental take statement for California red-legged frog (*Rana draytonii*), Monterey spineflower (*Chorizanthe pungens var. pungens*), Monterey gilia (*Gilia tenuiflora ssp. arenaria*), and designated critical habitat for these species. By letter of December 5, 2016 (http://www.spn.usace.army.mil/Portals/68/docs/regulatory/BOs/NWP2012/SPN-2015-00418_NMFS_LOC.pdf), NMFS concurred with the determination that the project was not likely to adversely affect South-Central California Coast steelhead Distinct Population Segment (DPS) (*Oncorhynchus mykiss*) and designated critical habitat for this species.

In order to ensure compliance with this NWP authorization, the following special conditions shall be implemented:

1. To remain exempt from the prohibitions of Section 9 of the Endangered Species Act, the non-discretionary Terms and Conditions for incidental take of federally-listed California red-legged frog (*Rana draytonii*), Monterey spineflower (*Chorizanthe pungens var. pungens*), Monterey gilia (*Gilia tenuiflora ssp. arenaria*), and designated critical habitat for these species shall be fully implemented as stipulated in the Biological Opinion entitled, "Biological Opinion for Pure Water Monterey Groundwater Replenishment Project, Monterey County (pages 1-48) dated December 20, 2016 (http://www.spn.usace.army.mil/Portals/68/docs/regulatory/BOs/NWP2012/SPN-2015-00418_USFWS_BO.pdf). Project authorization under the NWP is conditional upon compliance with the mandatory terms and conditions associated with incidental take.

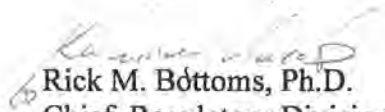
Failure to comply with the terms and conditions for incidental take, where a take of a federally-listed species occurs, would constitute an unauthorized take and non-compliance with the NWP authorization for your project. The USFWS is, however, the authoritative federal agency for determining compliance with the incidental take statement and for initiating appropriate enforcement actions or penalties under the Endangered Species Act.

2. Incidents where any individuals of South-Central California Coast steelhead (DPS) (*Oncorhynchus mykiss*) listed by NOAA Fisheries under the Endangered Species Act appear to be injured or killed as a result of discharges of dredged or fill material into waters of the United States or structures or work in navigable waters of the United States authorized by this NWP shall be reported to NOAA Fisheries, Office of Protected Resources at (301) 713-1401 and the Regulatory Office of the San Francisco District of the U.S. Army Corps of Engineers at (415) 503-6795. The finder should leave the plant or animal alone, make note of any circumstances likely causing the death or injury, note the location and number of individuals involved and, if possible, take photographs. Adult animals should not be disturbed unless circumstances arise where they are obviously injured or killed by discharge exposure, or some unnatural cause. The finder may be asked to carry out instructions provided by NOAA Fisheries, Office of Protected Resources, to collect specimens or take other measures to ensure that evidence intrinsic to the specimen is preserved.
3. The NMFS concurred with the determination that the project was not likely to adversely affect South-Central California Coast steelhead (DPS) (*Oncorhynchus mykiss*) and designated critical habitat for this species. This concurrence was premised, in part, on project work restrictions outlined in the letter of concurrence (http://www.spn.usace.army.mil/Portals/68/docs/regulatory/BOs/NWP2012/SPN-2015-00418_NMFS_LOC.pdf). These work restrictions are incorporated as special conditions to the NWP authorization for your project to ensure unauthorized incidental take of species and loss of critical habitat does not occur.
4. A post construction report shall be submitted 45 days after the conclusion of construction activities. The report shall document construction activities and contain as-built drawings (if different from drawings submitted with application) and include before and after photos.

You may refer any questions on this matter to Janelle Leeson of my Regulatory staff by telephone at (415) 503-6773 or by e-mail at Janelle.D.Leeson@usace.army.mil. All correspondence should be addressed to the Regulatory Division, South Branch, referencing the file number at the head of this letter.

The San Francisco District is committed to improving service to our customers. My Regulatory staff seeks to achieve the goals of the Regulatory Program in an efficient and cooperative manner, while preserving and protecting our nation's aquatic resources. If you would like to provide comments on our Regulatory Program, please complete the Customer Service Survey Form available on our website: <http://www.spn.usace.army.mil/Missions/Regulatory.aspx>

Sincerely,


Rick M. Bottoms, Ph.D.
Chief, Regulatory Division

Enclosures

Copy Furnished (w/ encls):

Denise Duffy and Associates, Monterey, CA (Attn.: Mr. Matt Johnson)

Copy Furnished (w/ encl 1 only):

CA RWQCB, San Luis Obispo, CA

Copy Furnished (w/o encls):

CA SWRCB, Sacramento, CA



Denise Duffy & Associates, Inc.

PLANNING AND ENVIRONMENTAL CONSULTING

March 14, 2017

Janelle Leeson
U.S. Army Corps of Engineers
San Francisco Office
1455 Market Street, 16th Floor
San Francisco, CA 94103

**Subject: Pure Water Monterey Groundwater Replenishment Project (Project Number 2015-00418)
Extension of NWP Authorization**

Dear Ms. Leeson,

On behalf of our client, Monterey Regional Water Pollution Control Agency (MRWPCA), we request a reauthorization under Nationwide Permits (NWPs) 12 (Utility Line Activities) and 13 (Bank Stabilization) under the Clean Water Act Section 404 for Project No. 2015-00418, the Pure Water Monterey Groundwater Replenishment Project (PWM Project).

On January 18, 2017 U.S. Army Corps of Engineers (Corps) provided authorization under Department of the Army Nationwide Permits (NWPs) 12 for Utility Line Activities and 13 for Bank Stabilization, 77 Fed. Reg. 10,184 (Feb. 21, 2012), pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. These NWPs are scheduled to expire on March 18, 2017, unless the activities have commenced or are under contract to commence by that date and the activities would be completed within 12 months after the date of the NWPs' expiration.

Based on the recent construction bidding process for the project, MRWPCA has determined that physical construction of the project will not commence by March 18, 2017¹, and would also not be completed within 12 months. The 2017 NWPs will take effect March 19, 2017, and replace the existing permits, which expire on March 18, 2017 82 Fed. Reg. 1,860 (January 6, 2017).

Specific modifications to the schedule submitted with the October 25, 2016 revised permit application include:

1. The Blanco Drain Diversion will require two construction work windows (June 1 to November 1) to be completed.
2. The Reclamation Ditch Diversion construction will be postponed until 2018.

The Blanco Drain Diversion construction may require slope stabilization shoring to remain within the areas identified as waters of the U.S. in the application. This will enable construction activities immediately adjacent to the waters of the U.S. to continue beyond the identified construction windows of June 1st through November 1st without adversely affecting the slopes and conditions of the ditch at the site and downstream during the wet season. The seasons for construction were established by the mitigation measures and permit conditions governing construction; therefore, MRWPCA intends to ensure that the site is fully protected from erosion, slope slippage, and other soil-water interaction such that habitat and water quality conditions of downstream waters of the U.S. will be protected during the wet season. The

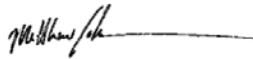
¹ Note: The construction contract for the facilities referenced in this letter has been awarded, and the contractor is commencing their submittals as of the date of this letter.

Janelle Leeson
U.S. Army Corps of Engineers

PWM Project's impacts remain consistent with the description presented in the revised application dated October 25, 2016. No new impacts to Corps jurisdictional waters are anticipated. The PWM Project's impacts remain consistent with the requirements of the 2017 NWP, and the project is still able to comply with the general conditions of the Nationwide Permit Program. Therefore, we are requesting that the Corps reauthorize the PWM Project under the 2017 NWP 12 (Utility Line Activities) and 13 (Bank Stabilization).

Thank you for your time and effort on this project. Please let me know if you require any additional information to process this request for extension. Feel free to contact me to discuss this project at (831)373-4341.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Johnson", followed by a horizontal line.

Matthew Johnson
Senior Environmental Scientist
DENISE DUFFY & ASSOCIATES, INC.

**U.S. ARMY CORPS OF ENGINEERS
APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT**
33 CFR 325. The proponent agency is CECW-CO-R.

*Form Approved -
OMB No. 0710-0003
Expires: 30-SEPTEMBER-2015*

Public reporting for this collection of information is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of the collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters, Executive Services and Communications Directorate, Information Management Division and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME First - Michael Middle - Last - McCullough Company - Monterey Regional Water Pollution Control Agency E-mail Address - MikeM@mrwpc.com			8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required) First - Matt Middle - Last - Johnson Company - Denise Duffy and Associates E-mail Address - mjohnson@ddaplanning.com		
6. APPLICANT'S ADDRESS: Address- 5 Harris Court # D City - Monterey State - CA Zip - 93940 Country - US			9. AGENT'S ADDRESS: Address- 947 Cass Street, Suite 5 City - Monterey State - CA Zip - 93940 Country - US		
7. APPLICANT'S PHONE NOs. w/AREA CODE a. Residence b. Business c. Fax NA 831-372-3367 831-372-6178			10. AGENTS PHONE NOs. w/AREA CODE a. Residence b. Business c. Fax NA 831-373-4341 x27 831-373-1417		

STATEMENT OF AUTHORIZATION

11. I hereby authorize, Matt Johnson to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.


SIGNATURE OF APPLICANT

 2017-03-15
DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions) Pure Water Monterey Groundwater Replenishment Project - Reclamation Ditch and Blanco Drain Diversions			
13. NAME OF WATERBODY, IF KNOWN (if applicable) Reclamation Ditch, Blanco Drain near the Salinas River		14. PROJECT STREET ADDRESS (if applicable) Address NA City - NA State- CA Zip- Rec Ditch: 93907 Blanco Drain: 93933	
15. LOCATION OF PROJECT Latitude: °N Rec Ditch: 36.68606 Longitude: °W Rec Ditch: 121.67415 Blanco Drain: 36.70842 Blanco Drain: 121.74616			
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID See Attachment 1 submitted on November 3, 2015, with supplemental information submitted on October 25, 2016. Municipality Monterey County, California Section - BD:16R; RD:30H Township - BD:14S; RD:14S Range - BD:2E; RD:3E			

17. DIRECTIONS TO THE SITE

Reclamation Ditch Diversion: from Highway 1 northbound, take the Imjin Blvd. exit in Marina, turn right on Imjin, drive 3 miles then turn right on Reservation Rd. Turn left on Blanco Road and travel for 4.5 miles, then turn left on South Davis Rd. After 1.5 miles exit right toward Market and turn left onto West Market. from parking lot at the northeast corner of the Davis Road bridge over market. Blanco Drain Diversion: from Highway 1 northbound, take the Imjin exit in Marina. After about 3 miles, make a right on Reservation Road and travel for about half a mile before making a left on Blanco Road. Travel on Blanco Road for about 1.5 miles, and then take a left onto Cooper Road. The private access road for the site is located about 2.5 miles down Cooper Road on the left. The diversion site is located about half a mile down the private access road, about 0.2 miles to the east of the Salinas River.

18. Nature of Activity (Description of project, include all features)

See Attachments 2 and 4 submitted on November 3, 2015, with supplemental information submitted on October 25, 2016.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

See Attachment 3 submitted on November 3, 2015, with supplemental information submitted on October 25, 2016.

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

See Attachments 2 and 4 submitted on November 3, 2015, with supplemental information submitted on October 25, 2016.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

Type Amount in Cubic Yards	Type Amount in Cubic Yards	Type Amount in Cubic Yards
Concrete/Rip Rap: 95 - RD and 275 - BD	Soil/excavation: 220 - RD and 175 - BD	

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres No wetlands; Other waters: Reclamation Ditch: 0.02 acre & Blanco Drain 0.02 acre, plus trenchless pipeline under Salinas River
or See wetland delineation report at <http://purewatermonterey.org/wp/wp-content/uploads/DEIR-Appendix-I.pdf>, and its supplement in Attachment 5.
Linear Feet NA

23. Description of Avoidance, Minimization, and Compensation (see instructions)

The site plan is designed to minimize fill of the waters of the U.S. by maintaining the existing grade of the channel bottom and banks to the extent possible. A mitigation monitoring and reporting program adopted by the MRWPCA Board on October 8, 2015 prescribes measures to avoid, minimize, and compensate for habitat loss and to prevent other impacts due to construction and operation of this facility. Key measures adopted related to other waters of the U.S. are in Attachment 6. No other measures would be needed because the project would not change the capacity, hydrologic characteristics, or hydraulic grade of these water bodies (Reclamation Ditch and Blanco Drain).

24. Is Any Portion of the Work Already Complete? Yes No IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

a. Address- See Attachment 7 submitted on November 3, 2015, with supplemental information submitted on October 25, 2016.

City - State - Zip -

b. Address-

City - State - Zip -

c. Address-

City - State - Zip -

d. Address-

City - State - Zip -

e. Address-


City - State - Zip -


26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
See Attachment 8 submitted on November 3, 2015, with supplemental information submitted on October 25, 2016.					

* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

 3/15/17
SIGNATURE OF APPLICANT DATE




 3/15/17
SIGNATURE OF AGENT DATE

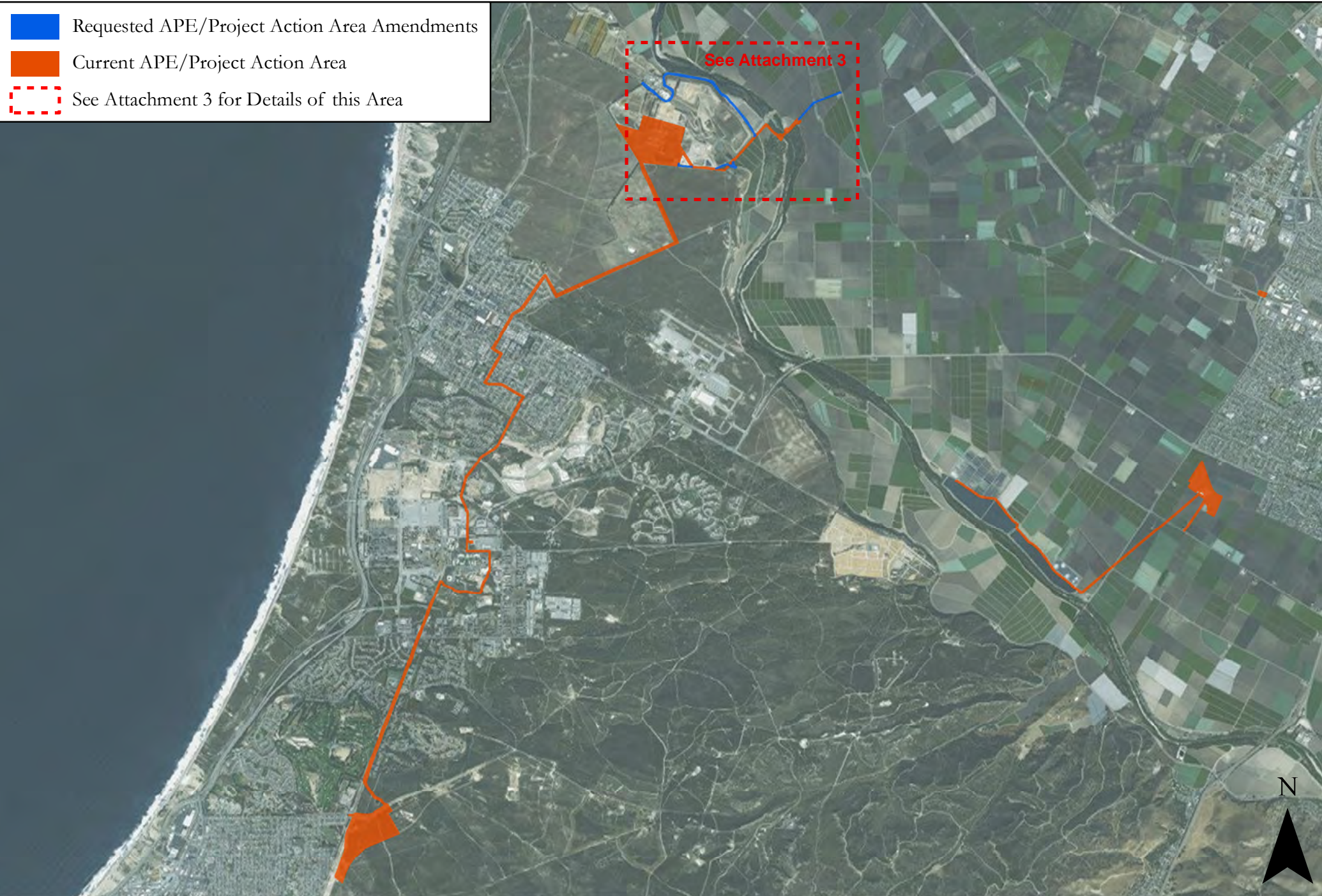
The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

Attachment 2

Project Overview Map

 Requested APE/Project Action Area Amendments
 Current APE/Project Action Area
 See Attachment 3 for Details of this Area



**Project Overview Map
Attachment 2**

Pure Water Monterey
Groundwater Replenishment Project

Date: 7/10/2017

CWSRF Project No. C-08-8028-110

Scale: 1 inch = 5,625.44 feet



Attachment 3

Requested Minor Amendments Map

Requested APE/Project Action Area Amendments
 Current APE/Project Action Area



Requested Minor Amendments Map
Attachment 3

Pure Water Monterey
 Groundwater Replenishment Project

Date: 7/10/2017

CWSRF Project No. C-08-8028-110

Scale: 1 inch = 986.51 feet



Alison Imamura

From: Stewart, Susan@Waterboards <Susan.Stewart@waterboards.ca.gov>
Sent: Friday, July 14, 2017 11:05 AM
To: Borowiec, Elizabeth
Cc: Alison Imamura; Diana Staines; Denise Duffy; Kashkoli, Ahmad@Waterboards
Subject: FW: to USEPA - PWM GWR Project Minor Refinements
Attachments: PWM GWR Minor Project Refinements Memo 07112017.pdf; FW: PWM GWR Project Minor Refinements ; NMFS BO signed (05DEC2016)_PureWaterMonterey GWR.pdf; USFWS BO (12-20-2016) (8028-110) Monterey GWR.pdf

Dear Ms. Borowiec,

I am forwarding a July, 11, 2017 Memo that I received from Denise Duffy & Associates, for the Pure Water Monterey Groundwater Replenishment Project, defining changes to the Project's area of disturbance, and construction schedule changes for the Blanco Drain site.

Monterey Regional Water Pollution Control Agency (MRWPCA) proposes: 1) a minor change to the construction schedule for the Blanco Drain Diversion Facility; and, 2) minor amendments to a portion of the project's area of disturbance. The changes in the Project's area of disturbance would affect the U.S. Fish and Wildlife Service (USFWS) Project Action Area. The USFWS Project Action Area was used by USFWS to make a determination on the Project's compliance with Section 7 of the Endangered Species Act (ESA).

The Memo requests that EPA, as the lead agency, notify USFWS, and SHPO regarding the proposed modifications to the Project construction schedule and changes to the Project area of disturbance. In addition, the NMFS will also need to be notified regarding the Project construction schedule. As SWRCB consulted directly with OHP/SHPO, I sent notification of the proposed changes to Tristan Tozer, at the Office of Historic Preservation this morning (message attached).

I am respectfully forwarding this request to please notify USFWS and NMFS regarding the proposed modifications to the Project construction schedule and changes to the Project area of disturbance.

Memo attachments include:

- 1) Nationwide Permit Authorization and Application for Reauthorization
- 2) Project Overview Map
- 3) Requested Minor Amendments Map

I have included NMFS Biological Opinion (NMFS No. WCR-2016-5540) dated December 5, 2016, and the USFWS Biological Opinion (O8EVENOO-2016-F-052) dated December 20, 2016 for reference.

Please review the Memo and attachments, and let me know if you need additional information regarding project refinements identified in the memo. If a formal letter is needed to document these changes please let me know. Thank you.

Best regards,

Susan Stewart

Alison Imamura

From: Stewart, Susan@Waterboards <Susan.Stewart@waterboards.ca.gov>
Sent: Friday, July 14, 2017 10:04 AM
To: Tozer, Tristan@Parks
Cc: Diana Staines; Alison Imamura; Kashkoli, Ahmad@Waterboards
Subject: FW: PWM GWR Project Minor Refinements
Attachments: PWM GWR Minor Project Refinements Memo 07112017.pdf; SHPO Concurrence (4-19-2016) EPA_2016_0304_001 - Monterey GRW Project.pdf

Hello Tristan,

Ahmad informed me of your conversation regarding the minor refinements to the GWR Project, to include the use of alternative unpaved access roads to the Blanco Drain site. I am forwarding the July, 11, 2017 memo I received from Denise Duffy & Associates, defining the Project's area of disturbance and amendments to the APE, and construction schedule changes for the Blanco Drain site. It is anticipated that the work on the Blanco Drain will continue in 2018. The Memo Attachments 2 and 3 provide maps of the Blanco Drain site and identify the access road changes. An additional change identified in the memo and maps is a minor alignment change for a segment of pipeline less than 1000 foot in length.

The attached April 19, 2016 Concurrence Letter (EPA_2016_034-001) that we received from your office specified that access to the APE would be by paved roads. The proposed access changes discussed in the memo are for access by existing, unpaved, highly disturbed routes used by heavy machinery and equipment.

Please review the attachments and let me know if the project refinements identified in the memo meet your approval. If a formal letter is needed to document these changes please let me know. Thank you.

Best regards,

Susan Stewart

Susan Stewart

susan.stewart@waterboards.ca.gov

(916) 341-5879

From: Diana Staines [mailto:DStaines@ddaplanning.com]
Sent: Tuesday, July 11, 2017 1:25 PM
To: Stewart, Susan@Waterboards; Kashkoli, Ahmad@Waterboards; Alison Imamura; Tom Kouretas; Denise Duffy; Tyler Potter
Subject: PWM GWR Project Minor Refinements

Susan,

As requested, please find attached a memorandum summarizing the minor refinements to the Pure Water Monterey Groundwater Replenishment Project. Please let me know if you have any questions about this document.

Thank you,
Diana Staines

Associate Environmental Planner
Denise Duffy & Associates

FW USEPA - PWM GWR Project Minor Refinements

From: Borowiec, Elizabeth <Borowiec.Elizabeth@epa.gov>
Sent: Thursday, August 10, 2017 8:12 AM
To: Alison Imamura; Stewart, Susan@Waterboards
Subject: FW: USEPA - PWM GWR Project Minor Refinements
Attachments: PWM GWR Minor Project Refinements Memo 07112017.pdf; PWM GWR Minor Project Refinements Memo 07112017.pdf; SHPO Concurrence (4-19-2016) EPA_2016_0304_001 - Monterey GRW Project.pdf; NMFS BO signed (05DEC2016)_PureWaterMonterey GWR.pdf; USFWS BO (12-20-2016) (8028-110) Monterey GWR.pdf

Could we provide Jake with the calendar year in which the work would occur?

Elizabeth Borowiec
Water Division, Infrastructure Section (W-3-3)
USEPA Region 9
75 Hawthorne Street
San Francisco, California 94105
Phone: 415-972-3419
Email: borowiec.elizabeth@epa.gov

From: Martin, Jacob [mailto:jacob_martin@fws.gov]
Sent: Wednesday, August 09, 2017 2:27 PM
To: Borowiec, Elizabeth <Borowiec.Elizabeth@epa.gov>
Cc: Joel Casagrande - NOAA Federal <joel.casagrande@noaa.gov>; Takano, Leilani <leilani_takano@fws.gov>
Subject: Fwd: USEPA - PWM GWR Project Minor Refinements

Hello Elizabeth,

I have reviewed the proposed minor changes to the subject project, as described in your July 27, 2017, email message and its attachments. The changes would include a minor re-alignment of a proposed pipeline, use of additional existing access roads, and an extension of proposed work on the Blanco Drain Diversion site into 2018.

Our biological opinion (08EVEN00-2016-F-0523) does not specify the calendar year in which work would occur. As long as the seasonal avoidance proposed by MRWPCA and described in our biological opinion (item 6 page 19) is implemented, the proposed extension of proposed work on the Blanco Drain Diversion site is consistent with our biological opinion.

Per the attachments to your email message, the route of the proposed pipeline re-alignment has been surveyed and no biological resources were located. Therefore we do not expect

FW USEPA - PWM GWR Project Minor Refinements

the re-alignment to have any additional effects to listed species beyond those analyzed in our biological opinion.

We do not expect the proposed use of existing access roads to have any additional effects to listed species beyond those analyzed in our biological opinion.

We have therefore determined that the proposed minor project changes are within the scope of effects analyzed in biological opinion and that re-initiation of consultation is not necessary at this time. Please contact me if you have any questions.

thanks,

Jacob M. (Jake) Martin
Senior Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Ventura Fish and Wildlife Office-Santa Cruz Sub-office
1100 Fiesta Way
Watsonville, CA 95076
(805) 677-3327
jacob_martin@fws.gov

----- Forwarded message -----

From: Borowiec, Elizabeth <Borowiec.Elizabeth@epa.gov>

Date: Thu, Jul 27, 2017 at 8:29 AM

Subject: USEPA - PWM GWR Project Minor Refinements

To: "Martin, Jacob" <jacob_martin@fws.gov>, Joel Casagrande - NOAA Federal <joel.casagrande@noaa.gov>

I received this request for a minor project change for the Monterey Regional Water Pollution

Control Agency's proposed SRF project. Please let me know if you need these change via a letter

or is the email sufficient. In addition, please let me know if you have any questions or concerns

regarding the proposed modifications.

Elizabeth Borowiec
Water Division, Infrastructure Section (W-3-3)
USEPA Region 9
75 Hawthorne Street
San Francisco, California 94105
Phone: 415-972-3419

FW USEPA - PWM GWR Project Minor Refinements

Email: borowiec.elizabeth@epa.gov

From: Stewart, Susan@Waterboards [mailto:Susan.Stewart@waterboards.ca.gov]
Sent: Friday, July 14, 2017 11:05 AM
To: Borowiec, Elizabeth <Borowiec.Elizabeth@epa.gov>
Cc: Alison Imamura <Alison@my1water.org>; Diana Staines <DStaines@ddaplanning.com>;
Denise Duffy <Dduffy@ddaplanning.com>; Kashkoli, Ahmad@Waterboards
<Ahmad.Kashkoli@waterboards.ca.gov>
Subject: FW: to USEPA - PWM GWR Project Minor Refinements

Dear Ms. Borowiec,

I am forwarding a July, 11, 2017 Memo that I received from Denise Duffy & Associates, for the Pure Water Monterey Groundwater Replenishment Project, defining changes to the Project's area of disturbance, and construction schedule changes for the Blanco Drain site.

Monterey Regional Water Pollution Control Agency (MRWPCA) proposes: 1) a minor change to the construction schedule for the Blanco Drain Diversion Facility; and, 2) minor amendments to a portion of the project's area of disturbance. The changes in the Project's area of disturbance would affect the U.S. Fish and Wildlife Service (USFWS) Project Action Area. The USFWS Project Action Area was used by USFWS to make a determination on the Project's compliance with Section 7 of the Endangered Species Act (ESA).

The Memo requests that EPA, as the lead agency, notify USFWS, and SHPO regarding the proposed modifications to the Project construction schedule and changes to the Project area of disturbance. In addition, the NMFS will also need to be notified regarding the Project construction schedule. As SWRCB consulted directly with OHP/SHPO, I sent notification of the proposed changes to Tristan Tozer, at the Office of Historic Preservation this morning (message attached).

I am respectfully forwarding this request to please notify USFWS and NMFS regarding the proposed modifications to the Project construction schedule and changes to the Project area of disturbance.

FW USEPA - PWM GWR Project Minor Refinements

Memo attachments include:

1. Nationwide Permit Authorization and Application for Reauthorization
2. Project Overview Map
3. Requested Minor Amendments Map

I have included NMFS Biological Opinion (NMFS No. WCR-2016-5540) dated December 5, 2016, and the USFWS Biological Opinion (08EVEN00-2016-F-052) dated December 20, 2016

for reference.

Please review the Memo and attachments, and let me know if you need additional information regarding project refinements identified in the memo. If a formal letter is needed to document these changes please let me know. Thank you.

Best regards,

Susan Stewart

Susan Stewart
susan.stewart@waterboards.ca.gov
(916) 341-5879

From: Diana Staines [mailto:DStaines@ddaplanning.com]
Sent: Tuesday, July 11, 2017 1:25 PM
To: Stewart, Susan@Waterboards; Kashkoli, Ahmad@Waterboards; Alison Imamura; Tom Kouretas;
Denise Duffy; Tyler Potter
Subject: PWM GWR Project Minor Refinements

Susan,

As requested, please find attached a memorandum summarizing the minor refinements to the Pure Water Monterey Groundwater Replenishment Project. Please let me know if you have any questions about this document.

Thank you,
Diana Staines

Associate Environmental Planner
Denise Duffy & Associates
947 Cass Street, Suite 5
Monterey, CA 93940

(831) 373-4341 office ext. 23

FW USEPA - PWM GWR Project Minor Refinements

(831) 373-1417 fax

www.ddaplanning.com
dstaines@ddaplanning.com

----- Forwarded message -----

From: "Stewart, Susan@Waterboards" <Susan.Stewart@waterboards.ca.gov>

To: "Tozer, Tristan@Parks" <Tristan.Tozer@parks.ca.gov>

Cc: Diana Staines <DStaines@ddaplanning.com>, Alison Imamura <Alison@my1water.org>, "Kashkoli, Ahmad@Waterboards" <Ahmad.Kashkoli@waterboards.ca.gov>

Bcc:

Date: Fri, 14 Jul 2017 17:04:03 +0000

Subject: FW: PWM GWR Project Minor Refinements

Hello Tristan,

Ahmad informed me of your conversation regarding the minor refinements to the GWR Project, to include the use of alternative unpaved access roads to the Blanco Drain site. I am forwarding the July, 11, 2017 memo I received from Denise Duffy & Associates, defining the Project's area of disturbance and amendments to the APE, and construction schedule changes for the Blanco Drain site. It is anticipated that the work on the Blanco Drain will continue in 2018. The Memo Attachments 2 and 3 provide maps of the Blanco Drain site and identify the access road changes. An additional change identified in the memo and maps is a minor alignment change for a segment of pipeline less than 1000 foot in length.

The attached April 19, 2016 Concurrence Letter (EPA_2016_034-001) that we received from your office specified that access to the APE would be by paved roads. The proposed access changes discussed in the memo are for access by existing, unpaved, highly disturbed routes used by heavy machinery and equipment.

Please review the attachments and let me know if the project refinements identified in the memo meet your approval. If a formal letter is needed to document these changes please let me know. Thank you.

Best regards,

FW USEPA - PWM GWR Project Minor Refinements

Susan Stewart

Susan Stewart
susan.stewart@waterboards.ca.gov
(916) 341-5879

From: Diana Staines [mailto:DStaines@ddaplanning.com]
Sent: Tuesday, July 11, 2017 1:25 PM
To: Stewart, Susan@Waterboards; Kashkoli, Ahmad@Waterboards; Alison Imamura; Tom Kouretas;
Denise Duffy; Tyler Potter
Subject: PWM GWR Project Minor Refinements

Susan,

As requested, please find attached a memorandum summarizing the minor refinements to the Pure Water Monterey Groundwater Replenishment Project. Please let me know if you have any questions about this document.

Thank you,
Diana Staines

Associate Environmental Planner
Denise Duffy & Associates
947 Cass Street, Suite 5
Monterey, CA 93940

(831) 373-4341 office ext. 23
(831) 373-1417 fax

www.ddaplanning.com
dstaines@ddaplanning.com



Monterey One Water

Providing Cooperative Water Solutions

ADMINISTRATION OFFICE: 5 Harris Court, Bldg D, Monterey, CA 93940
MAIN: (831) 372-3367 or (831) 422-1001 FAX: (831) 372-6178
WEBSITE: www.montereyonewater.org

October 23, 2017

Elizabeth Borowiec
US EPA Region 9
Water Infrastructure Office
75 Hawthorne Street
San Francisco, CA 94105

Ahmad Kashkoli and Susan Stewart
Division of Financial Assistance
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Subject: Changes to Pure Water Monterey Groundwater Replenishment Project –Advanced Water Purification Facility Capacity Expansion Modifications

Dear Liz, Ahmad, and Susan,

Monterey One Water (formerly, Monterey Regional Water Pollution Control Agency) is proposing to modify its Pure Water Monterey Groundwater Replenishment (PWM/GWR) Project, as described in the attached Addendum No. 3 to the PWM/GWR Project's Environmental Impact Report (EIR). The Monterey One Water Board will be considering the proposed modifications at their meeting on October 30, 2017. We request your assistance to inform the State Historic Preservation Office (SHPO), U.S. Fish and Wildlife Service (USFWS), and National Marine Fisheries Services (NMFS) regarding this proposed change to the PWM/GWR Project.

Proposed Modifications. As analyzed in Addendum No. 3, Monterey One Water is proposing to (1) expand the capacity (i.e., the peak production flowrate) of the PWM/GWR Project's Advanced Water Purification/Treatment Facility at the Regional Treatment Plant (referred to as the AWT Facility in the EIR and Addendum No. 3) from 4 mgd to 5 mgd; and (2) share use of the product water conveyance system with Marina Coast Water District (MCWD).

AWT Facility Capacity Expansion. The increase the operational peak capacity would be implemented largely through use redundancies in the approved design of the AWT Facility that is currently under construction. If expanded, the AWT Facility could produce 600 acre-feet per year (AFY) of product water that could be used by MCWD to meet its urban irrigation demands along the shared product water conveyance pipeline. This pipeline was approved as part of the Regional Urban Water Augmentation Project Recycled Water Project (RUWAP). MCWD would

construct the product water conveyance pipeline segments. The additional quantities of source water need to meet the irrigation needs of MCWD's customers is municipal wastewater from MCWD's existing customers that is conveyed to the Regional Treatment Plant and treated to a secondary level then processed by the expanded AWT Facility.

Thus, no new, or additional volumes of, surface water diversions would occur. There also would be no new or modified physical facilities at the Regional Treatment Plant associated with the expanded capacity AWT Facility. Rather, the proposed modification to the AWT Facility would result in a reduction in volumes of secondary municipal wastewater discharged to the ocean outfall and an increase in the amount of concentrate (by-product) from the AWT Facility. With the AWT Facility's increased production capacity, purified recycled water could be used for irrigation of landscaped areas in the Ord Community (Marina Coast Water District's customers). MCWD has evaluated the potential environmental impacts of using purified recycled water from the AWT Facility for urban irrigation rather than chlorinated tertiary water from the Salinas Valley Reclamation Plant at the Regional Treatment Plant (MCWD, Addendum No. 3 to the RUWAP EIR, April 2016).

Product Water Conveyance Pipeline. Monterey One Water is also considering approval of sharing use of the product water conveyance facilities for both the PWM/GWR Project and MCWD's RUWAP. This arrangement would alter the approved PWM/GWR Project by: (1) eliminating redundant equipment and facilities; (2) using portions of the pipeline that are already constructed; and (3) using the Blackhorse Reservoir for the PWM/GWR Project and the RUWAP. MCWD has completed the bid and contract phase of the product water conveyance pipeline and is scheduled to start construction in November 2017, for the sections of the pipeline that have not already been installed.

Ongoing Permitting Efforts. We are coordinating with the State Water Resources Control Board (State Board) and the Regional Water Quality Control Board (Water Board) to amend the existing Waste Discharge Requirements and Water Recycling Requirements permits as needed to address the proposed expanded capacity AWT Facility. We are also working with the Water Board and the Monterey Bay National Marine Sanctuary (MBNMS) to amend our existing National Pollution Discharge Elimination System Permit for ocean discharge to include discharge of reverse osmosis concentrate from the AWT Facility. It is important to note that discharges from the 5 mgd AWT Facility will comply with the California Ocean Plan as described in Addendum No. 3, attached.

Endangered Species Act and National Historic Preservation Act Consultations. The USFWS issued a Biological Opinion and the SHPO provided a Letter of Concurrence for both the RUWAP and the PWM/GWR Project. These consultations included the potential effects on resources of the AWT Facility and the product water conveyance pipeline as previously approved. The minor proposed modifications analyzed in Addendum No. 3 do not trigger reinitiation of consultation under the Endangered Species Act, as the effects of the proposed modifications would not create new impacts on listed species that have not already been considered by USFWS or NMFS, nor will it increase the amount or extent of taking specified in the USFWS's Biological Opinion. Similarly, the proposed modifications would not change the nature or scope of the PWM/GWR Project's impacts to cultural resources.

Ms. Boroweic, Mr. Kashkoli, and Ms. Stewart

October 23, 2017

Page 3

We have also copied the U.S. Bureau of Reclamation¹ and the MBNMS due to their jurisdiction over the PWM/GWR Project. We intend to work collaboratively with them as needed for this project change. Please contact me if you have any questions or you require more information. Thanks so much for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Alison M. Imamura". The signature is fluid and cursive, with a long horizontal flourish at the end.

Alison M. Imamura, AICP
Associate Engineer

Enclosure

CC:

Vanessa Emerzian and Nathaniel Martin, U.S. Bureau of Reclamation (via email)

Karen Grimmer and Bridget Hoover, MBNMS (via email)

¹ The U.S. Bureau of Reclamation recently issued a Finding of No Significant Impact for the PWM/GWR Project based on an Environmental Assessment, because Monterey One Water is seeking funding from Reclamation for the Blanco Drain Diversion. The proposed changes will not change any aspects of the Blanco Drain Diversion's construction or operations; thus, there is no need for Reclamation to perform supplemental analysis under NEPA. That document is available for review at the following website: https://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=28395



Denise Duffy & Associates, Inc.

PLANNING AND ENVIRONMENTAL CONSULTING

October 5, 2017

Susan Stewart, Chase Hildeburn
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Justine Herrig
Division of Water Rights
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Elizabeth Borowiec
USEPA Region 9
75 Hawthorne Street
San Francisco, California 94105

Subject: Request for Extension of Work Activities within Blanco Drain in 2017

Susan, Chase, Justine, and Elizabeth,

On behalf of our client, Monterey Regional Water Pollution Control Agency (MRWPCA), DD&A would like to request an extension for work activities on Blanco Drain Diversion component of the Pure Water Monterey Groundwater Replenishment Project (PWM Project).

Measures in the Biological Opinion¹ (BO), the Mitigation Monitoring and Reporting Plan² (MMRP, MM BT-1q), and the Water Quality Certification³ (WQC, Condition 11) state that work activities on the Blanco Drain Diversion "shall be completed between April 1 and November 1 on the Blanco Drain Diversion, to the extent practicable". The Deputy Director and the United States Fish and Wildlife Service (USFWS) must grant approval for the project to continue to work beyond the November 1 deadline.

Unforeseen scheduling conflicts, as well as, pre-construction and construction-phase compliance requirements, delayed the start of construction within the Blanco Drain until September 20, 2017. In addition, the current work activity (installation of cast-in-drilled-hole piers and foundation) will require additional time to reach an appropriate stopping point as it cannot safely/securely be left partially-completed. For this reason, and to remain on schedule and reach a construction milestone that would allow for the project to complete during the allotted work window in 2018, MRWPCA is formally requesting for an extension of the work window to December 15, 2017.

Thank you for your continued consideration of this critical project. If you have any questions or require additional information, please contact me at mjohnson@ddaplanning.com or (831) 373-4341.

Sincerely,

Matthew Johnson
Senior Environmental Scientist
DENISE DUFFY & ASSOCIATES, INC.

Cc (by email): Tom Kouretas, M1W
Alison Imamura, M1W
Jacob Martin, USFWS
Denise Duffy, DD&A
Diana Staines, DD&A

¹ USFWS. 2016. Biological Opinion for Pure Water Monterey Groundwater Replenishment Project. Monterey County, California. 2016-F-0523.

² Denise Duffy & Associates, Inc. 2016. Mitigation, Monitoring, and Reporting Program.

³ State Water Resources Control Board. 2016. Water Quality Certification for Federal Permit or License.

Alison Imamura

From: Stewart, Susan@Waterboards <Susan.Stewart@waterboards.ca.gov>
Sent: Tuesday, December 12, 2017 2:45 PM
To: Kashkoli, Ahmad@Waterboards
Cc: Hack, Jody@Waterboards; Borowiec, Elizabeth; Alison Imamura; Mike McCullough
Subject: FW: Rec Ditch Modification and Name Change
Attachments: Rec Ditch Modification.pdf; Attachments to SWRCB DFA letter.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Ahmad,

I spoke to Liz Borowiec at USEPA and Allison Imamura at Monterey One Water regarding a location adjustment for the Reclamation Ditch diversion pump station. The proposed change would relocate the diversion pump station to the north bank of the Reclamation Ditch, and approximately 250-feet downstream of the current design location. The new design is essentially a mirror image, with a slight change in configuration, and the only significant difference would be an additional 1,300 LF of trenching to allow for power access.

This new location has been proposed because Union Pacific Railroad refused to grant an easement or allow access to a portion of the current proposed site. The north bank location allows for three potential access routes for construction and maintenance. The attachments include a letter to CWSRF Project Manager, Jody Hack, a memo detailing the changes from Schaff and Wheeler Consulting Civil Engineers, a diversion pump station diagram and location maps.

It was proposed that we could take a similar approach as for the schedule adjustment for the Blanco Drain, in that we would send notice of the location adjustment electronically to the relevant agencies, including:

-) NOAA/NMFS
-) USFWS
-) USACE
-) OHP

Per email follow-up, SWRCB confirmed that M1W has notified the U.S. Army Corps of Engineers of the proposed site plan change.

Monterey One Water would provide a draft notice that I could modify for USEPA approval to send to NOAA/NMFS, USFWS and USACE. SWRCB would send a notice to OHP.

Please let me know if you have concerns regarding this approach, or any additional suggestions.

Best regards,

Susan Stewart
susan.stewart@waterboards.ca.gov
 (916) 341-5879

From: Mike McCullough [mailto:MikeM@my1water.org]
Sent: Friday, December 8, 2017 4:22 PM
To: Hack, Jody@Waterboards <Jody.Hack@waterboards.ca.gov>; Herrig, Justine@Waterboards <Justine.Herrig@waterboards.ca.gov>; borowiec.elizabeth@epa.gov; Kashkoli, Ahmad@Waterboards <Ahmad.Kashkoli@waterboards.ca.gov>; Stewart, Susan@Waterboards <Susan.Stewart@waterboards.ca.gov>; chase.hildebrand@waterboards.ca.gov
Cc: Alison Imamura <Alison@my1water.org>; Tom Kouretas <tomkouretas@my1water.org>; Yohana Vargas

<yohana@my1water.org>; Jennifer Gonzalez <Jennifer@my1water.org>

Subject: Rec Ditch Modification and Name Change

Jody,

We wanted to submit a modification request for the Reclamation Ditch diversion structure.

We also wanted to inform you about the Agency Name Change.

Let me know if you have any questions/comments.

Thanks,

Mike McCullough, MPA

Government Affairs Administrator

P:831-645-4618

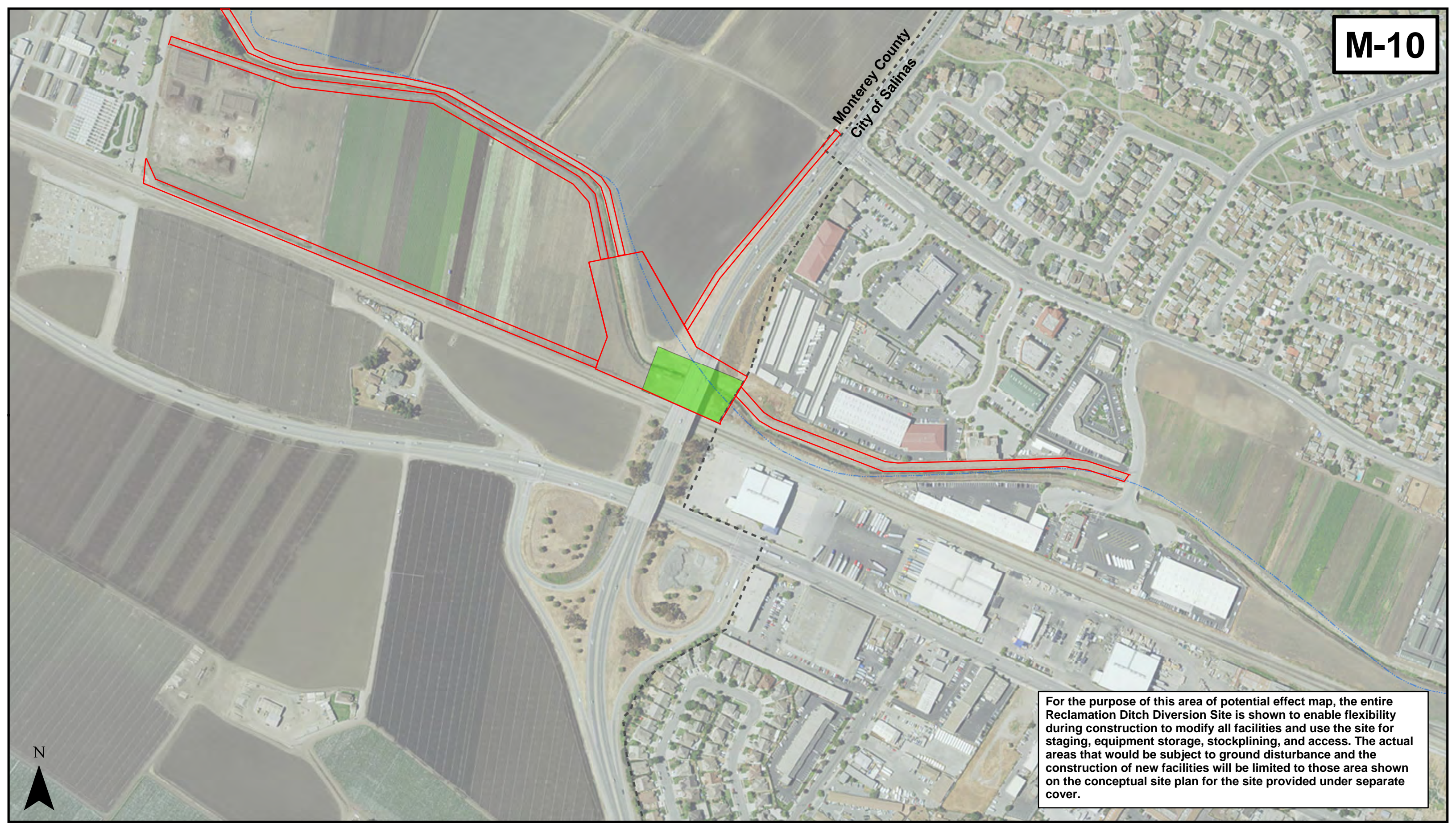


Enclosure A

Proposed Revisions to Reclamation Ditch Diversion Area of Potential Effect

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Monterey County
City of Salinas



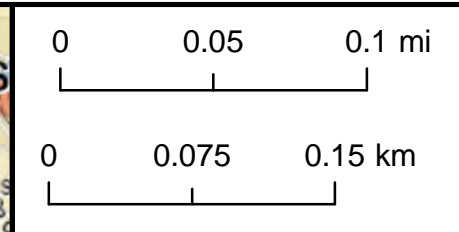
For the purpose of this area of potential effect map, the entire Reclamation Ditch Diversion Site is shown to enable flexibility during construction to modify all facilities and use the site for staging, equipment storage, stockpiling, and access. The actual areas that would be subject to ground disturbance and the construction of new facilities will be limited to those area shown on the conceptual site plan for the site provided under separate cover.

AREA OF POTENTIAL EFFECT MAP BOOKLET

PURE WATER MONTEREY GROUNDWATER REPLENISHMENT PROJECT

VERSION DATE: OCTOBER 12, 2015

- GWR Source Water Diversion and Storage Sites
- GWR Treatment Facilities
- GWR Product Water Conveyance
- GWR Injection Wells and Backflush Facilities



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Enclosure B
Proposed Revisions to Reclamation Ditch Diversion Pump Station

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MEMORANDUM

TO: Matt Johnson, Denise Duffy & Associates DATE: November 22, 2017
FROM: Andrew Sterbenz JOB#: E2CE.01.16
SUBJECT: Proposed Revisions to Reclamation Ditch Diversion Pump Station

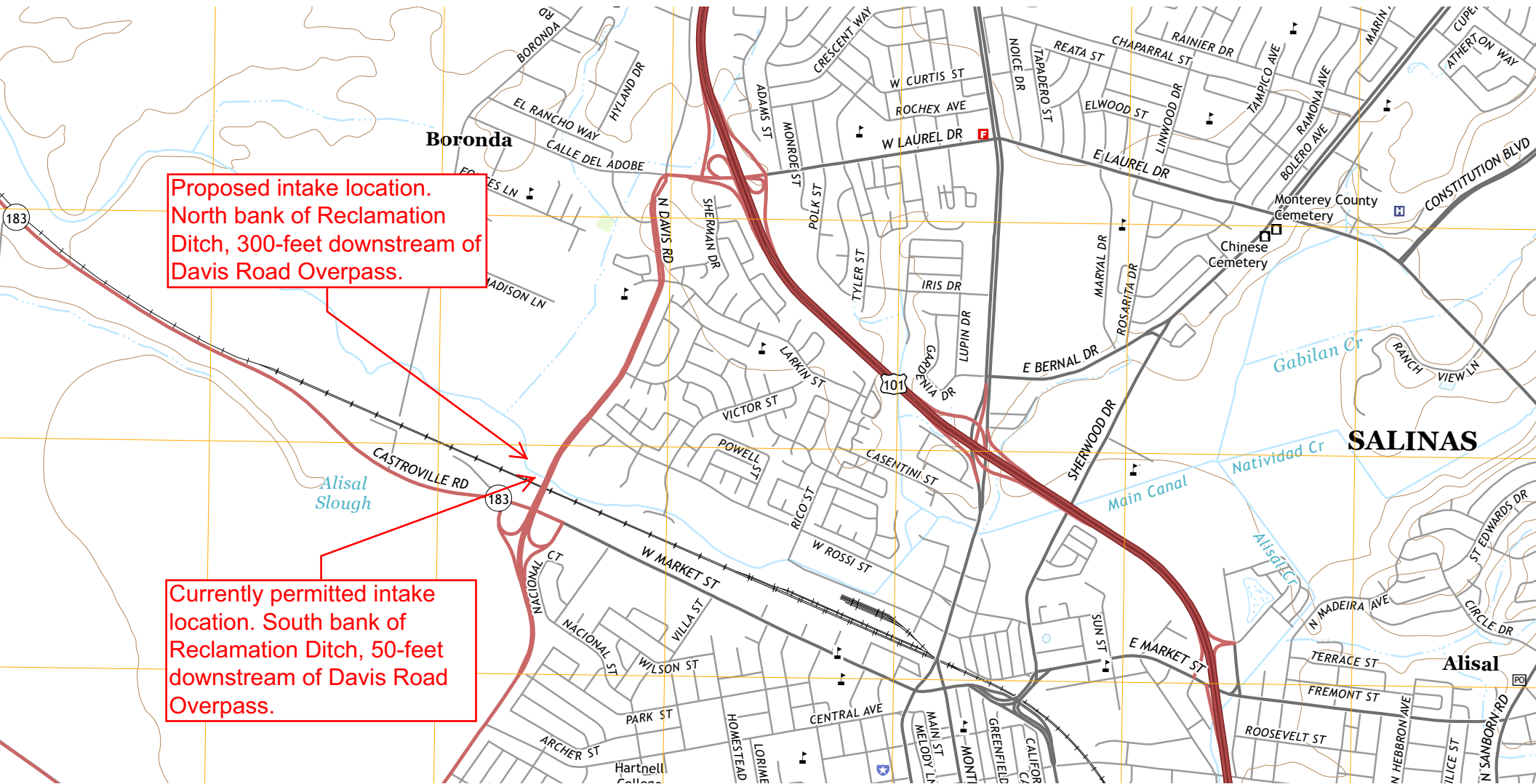
The purpose of this memorandum is to summarize the proposed changes to the Reclamation Ditch Diversion Pump Station design. The pump station as currently designed and permitted is located on the Reclamation Ditch immediately west of the Davis Road overpass, and immediately east of the City of Salinas trunk sewer siphon. The current design shows the intake located on the south bank of the Reclamation Ditch, and the pump wet well, valve vault and related equipment outside the top of bank on the south side.

The diversion pump station is being moved to the north bank of the Reclamation Ditch, immediately west of the City of Salinas Trunk Sewer Siphon, approximately 250-ft downstream of the current design location (see attached figure). A portion of the current site is owned by Union Pacific Railroad, which refused to sell or grant an easement for the facility, nor an easement for access to the site. The majority of the proposed replacement site is owned by Monterey County Water Resources Agency (MCWRA), a portion of the access route is the Davis Road right-of-way, and the remainder is private land. The land owner has been contacted and is willing to grant an easement for the facility.

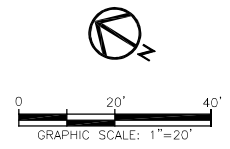
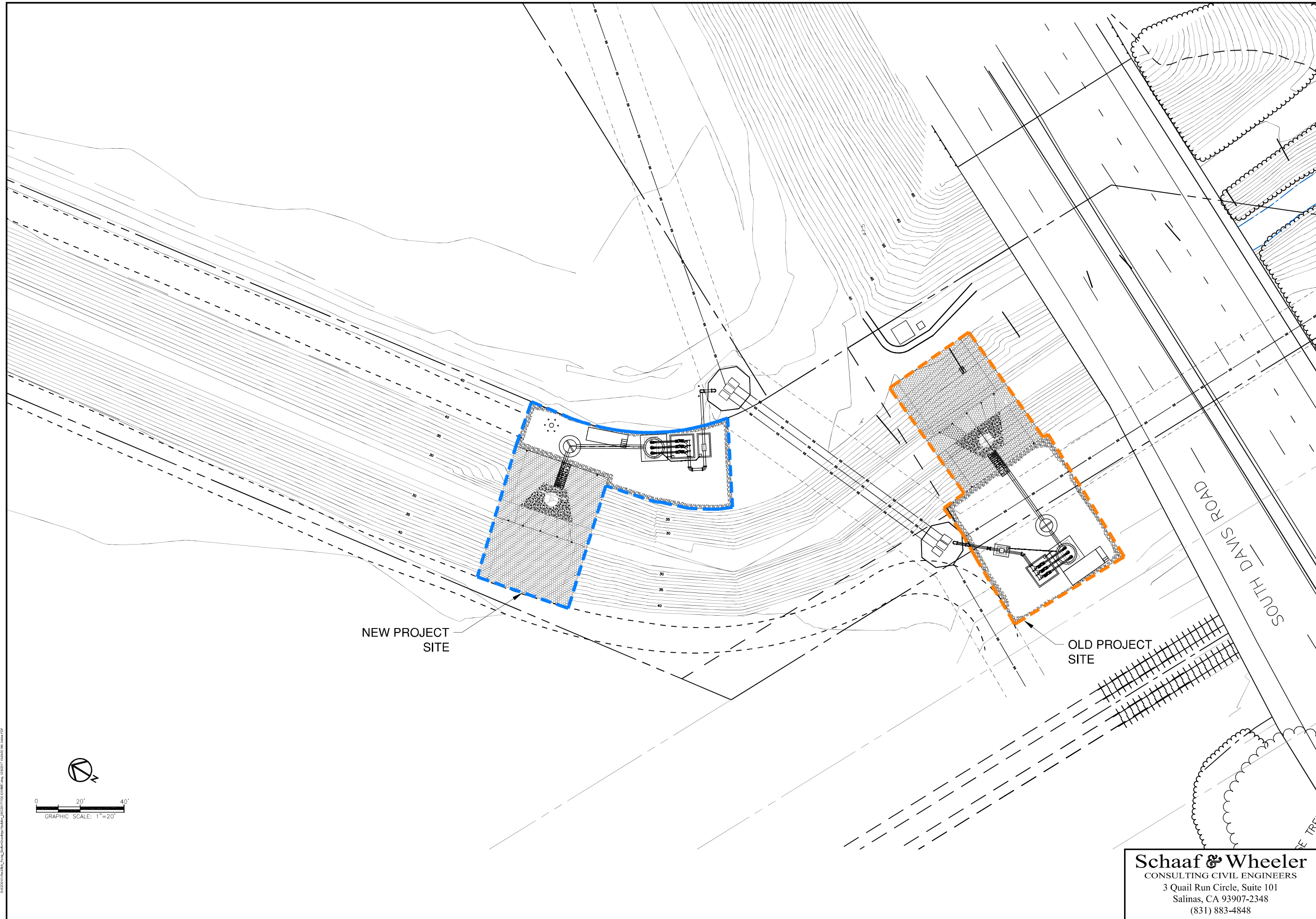
The channel cross section at the downstream location is similar to that at the current location, so no change to the amount of excavation and work within the channel is anticipated. The work outside the top of bank will include the same structures, arranged differently but requiring the same volume of cut and fill. The only significant difference is that the power will be routed from a different location, requiring approximately 1,300-LF of trenching for the primary and secondary conduit runs. All of the additional conduit trenching will occur outside top of bank.

The proposed site on the north bank of the Reclamation Ditch has three routes available for construction and maintenance access, versus the single route available for the current location on the south bank. The three routes can be described as (1) from the west, starting on Boronda Road and following the existing MCWRA maintenance corridor along the north channel bank; (2) from the east, starting on Victor Way and following the existing MCWRA maintenance corridor along the north channel bank; and (3) from the north, starting on Davis Road at Rossi Street and following the existing farm road within the Davis Road right-of-way.

Reclamation Ditch Diversion Pump Station
Proposed Location change



Excerpt from USGS Topographic Map
Salinas Quadrangle, Monterey County, CA, 7.5 Minute Series, 2015



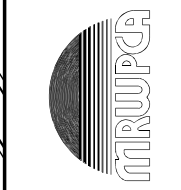
NEW PROJECT SITE

OLD PROJECT SITE

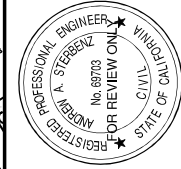
SOUTH DAVIS ROAD

Schaaf & Wheeler
 CONSULTING CIVIL ENGINEERS
 3 Quail Run Circle, Suite 101
 Salinas, CA 93907-2348
 (831) 883-4848

MRWPCA PURE WATER MONTEREY - GWR PROJECT
 BLANCO DRAIN & RECLAMATION DITCH DIVERSION FACILITIES
 RECLAMATION DITCH PUMP STATION
 SITE PLAN



E2 Consulting Engineers, Inc.
 1900 Powell Street, Ste. 250 Emeryville, CA 94608 (510) 652-1164
 444 Airport Blvd., Suite 201 Watsonville, CA 95076 (831) 728-3322



Job No. WW-MRW-2806
 Designed by JCT
 Drawn by JCT
 Checked by AAS
 Approved AAS

Rev	Date	Description
0	10/24/16	ISSUED FOR CONSTRUCTION
1	4/24/17	Issued for Bidding
		By VMB

S:\E2\Projects\WW-MRW-2806\Drawings\SitePlan.dwg, 10/24/16, 10:00:00 AM, Andrew A. Stierenz

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Enclosure C

Email from Susan Stewart to Elizabeth Borowiec, December 12, 2017.

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Alison Imamura

From: Stewart, Susan@Waterboards <Susan.Stewart@waterboards.ca.gov>
Sent: Tuesday, December 12, 2017 2:45 PM
To: Kashkoli, Ahmad@Waterboards
Cc: Hack, Jody@Waterboards; Borowiec, Elizabeth; Alison Imamura; Mike McCullough
Subject: FW: Rec Ditch Modification and Name Change
Attachments: Rec Ditch Modification.pdf; Attachments to SWRCB DFA letter.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Ahmad,

I spoke to Liz Borowiec at USEPA and Allison Imamura at Monterey One Water regarding a location adjustment for the Reclamation Ditch diversion pump station. The proposed change would relocate the diversion pump station to the north bank of the Reclamation Ditch, and approximately 250-feet downstream of the current design location. The new design is essentially a mirror image, with a slight change in configuration, and the only significant difference would be an additional 1,300 LF of trenching to allow for power access.

This new location has been proposed because Union Pacific Railroad refused to grant an easement or allow access to a portion of the current proposed site. The north bank location allows for three potential access routes for construction and maintenance. The attachments include a letter to CWSRF Project Manager, Jody Hack, a memo detailing the changes from Schaff and Wheeler Consulting Civil Engineers, a diversion pump station diagram and location maps.

It was proposed that we could take a similar approach as for the schedule adjustment for the Blanco Drain, in that we would send notice of the location adjustment electronically to the relevant agencies, including:

-) NOAA/NMFS
-) USFWS
-) USACE
-) OHP

Per email follow-up, SWRCB confirmed that M1W has notified the U.S. Army Corps of Engineers of the proposed site plan change.

Monterey One Water would provide a draft notice that I could modify for USEPA approval to send to NOAA/NMFS, USFWS and USACE. SWRCB would send a notice to OHP.

Please let me know if you have concerns regarding this approach, or any additional suggestions.

Best regards,

Susan Stewart
susan.stewart@waterboards.ca.gov
(916) 341-5879

From: Mike McCullough [mailto:MikeM@my1water.org]
Sent: Friday, December 8, 2017 4:22 PM
To: Hack, Jody@Waterboards <Jody.Hack@waterboards.ca.gov>; Herrig, Justine@Waterboards <Justine.Herrig@waterboards.ca.gov>; borowiec.elizabeth@epa.gov; Kashkoli, Ahmad@Waterboards <Ahmad.Kashkoli@waterboards.ca.gov>; Stewart, Susan@Waterboards <Susan.Stewart@waterboards.ca.gov>; chase.hildebrand@waterboards.ca.gov
Cc: Alison Imamura <Alison@my1water.org>; Tom Kouretas <tomkouretas@my1water.org>; Yohana Vargas

<yohana@my1water.org>; Jennifer Gonzalez <Jennifer@my1water.org>

Subject: Rec Ditch Modification and Name Change

Jody,

We wanted to submit a modification request for the Reclamation Ditch diversion structure.

We also wanted to inform you about the Agency Name Change.

Let me know if you have any questions/comments.

Thanks,

Mike McCullough, MPA

Government Affairs Administrator

P:831-645-4618



Alison Imamura

From: Stewart, Susan@Waterboards <Susan.Stewart@waterboards.ca.gov>
Sent: Wednesday, January 10, 2018 10:24 AM
To: Tozer, Tristan@Parks
Cc: Stewart, Susan@Waterboards; Borowiec, Elizabeth; Alison Imamura; Diana Staines; Kashkoli, Ahmad@Waterboards
Subject: SHPO Reply Blanco Drain - PWM GWR Project Minor Refinements (EPA_2016_034-001)
Attachments: PWM GWR Minor Project Refinements Memo 07112017.pdf; SHPO Concurrence (4-19-2016) EPA_2016_0304_001 - Monterey GRW Project.pdf

Circling back to close this loop...

On July 27, 2017 Tristan Tozer, of OHP called Susan Stewart to discuss the proposed changes outlined in the PWM GWR Minor Project Refinements Memo, dated July 11, 2017 regarding the access roads, pipeline and construction schedule of the Blanco Drain component of the Pure Water Monterey GWR Project. Tristan agreed that the changes addressed in the Memo were minor, and that he would "note the file."

Susan Stewart

susan.stewart@waterboards.ca.gov

(916) 341-5879

From: Stewart, Susan@Waterboards
Sent: Friday, July 14, 2017 10:04 AM
To: Tozer, Tristan@Parks <Tristan.Tozer@parks.ca.gov>
Cc: Diana Staines <DStaines@ddaplanning.com>; 'Alison Imamura' <Alison@my1water.org>; Kashkoli, Ahmad@Waterboards <Ahmad.Kashkoli@waterboards.ca.gov>
Subject: FW: PWM GWR Project Minor Refinements

Hello Tristan,

Ahmad informed me of your conversation regarding the minor refinements to the GWR Project, to include the use of alternative unpaved access roads to the Blanco Drain site. I am forwarding the July, 11, 2017 memo I received from Denise Duffy & Associates, defining the Project's area of disturbance and amendments to the APE, and construction schedule changes for the Blanco Drain site. It is anticipated that the work on the Blanco Drain will continue in 2018. The Memo Attachments 2 and 3 provide maps of the Blanco Drain site and identify the access road changes. An additional change identified in the memo and maps is a minor alignment change for a segment of pipeline less than 1000 foot in length.

The attached April 19, 2016 Concurrence Letter (EPA_2016_034-001) that we received from your office specified that access to the APE would be by paved roads. The proposed access changes discussed in the memo are for access by existing, unpaved, highly disturbed routes used by heavy machinery and equipment.

Please review the attachments and let me know if the project refinements identified in the memo meet your approval. If a formal letter is needed to document these changes please let me know. Thank you.

Best regards,

Susan Stewart

Susan Stewart

susan.stewart@waterboards.ca.gov

(916) 341-5879

Alison Imamura

From: Stewart, Susan@Waterboards <Susan.Stewart@waterboards.ca.gov>
Sent: Wednesday, January 10, 2018 11:56 AM
To: Tozer, Tristan@Parks
Cc: Borowiec, Elizabeth; Alison Imamura; Diana Staines; Pierce, Wendy@Waterboards; Marti, Kevin@Waterboards; Kashkoli, Ahmad@Waterboards
Subject: to SHPO/OHP Reclamation Ditch - PWM GWR Project Minor Refinements (EPA_2016_034-001) (CWSRF 8028-110)
Attachments: Enclosures to SWRCB EPA memo to USFWS NMFS OHP.pdf; GWR Project Changes Memo Rec Ditch 29Dec2017.pdf

Hello Tristan,

Elizabeth Borowiec (USEPA) and I have received a request by Pure Water Monterey to make some minor changes to the Groundwater Replenishment Project at the Reclamation Ditch project site. Liz and I have reviewed their request and don't feel that the changes are substantive. However, we wanted to contact you to make you aware of the modifications and answer any questions you might have.

Currently, the pump station as designed and permitted is located on the Reclamation Ditch immediately west of the Davis Road overpass, and immediately east of the City of Salinas trunk sewer siphon. The current design shows the intake located on the south bank of the Reclamation Ditch, and the pump wet well, valve vault and related equipment outside the top of bank on the south side.

The proposal is to move the diversion pump station to the north bank of the Reclamation Ditch, immediately west of the City of Salinas Trunk Sewer Siphon, approximately 250-ft downstream of the current design location (see attached figure). A portion of the current site is owned by Union Pacific Railroad, which refused to sell or grant an easement for the facility, nor an easement for access to the site. The majority of the proposed replacement site is owned by Monterey County Water Resources Agency (MCWRA), a portion of the access route is the Davis Road right-of-way, and the remainder is private land. The land owner has been contacted and is willing to grant an easement for the facility. The channel cross section at the downstream location is similar to that at the current location, so no change to the amount of excavation and work within the channel is anticipated. The work outside the top of bank will include the same structures, arranged differently but requiring the same volume of cut and fill. The only significant difference is that the power will be routed from a different location, requiring approximately 1,300-LF of trenching for the primary and secondary conduit runs. All of the additional conduit trenching will occur outside top of bank.

The proposed site on the north bank of the Reclamation Ditch has three routes available for construction and maintenance access, versus the single route available for the current location on the south bank. The three routes can be described as (1) from the west, starting on Boronda Road and following the existing MCWRA maintenance corridor along the north channel bank; (2) from the east, starting on Victor Way and following the existing MCWRA maintenance corridor along the north channel bank; and (3) from the north, starting on Davis Road at Rossi Street and following the existing farm road within the Davis Road right-of-way.

I have attached information on the proposed change from Pure Water Monterey along with enclosures that you may find useful. Elizabeth Borowiec has notified USFWS and NOAA/NMFS, and confirmed with these agencies that re-initiation of formal consultation due to these minor changes is not necessary. Please let me know if you have any comments or concerns, or if you require a formal letter and additional information to re-initiate formal consultation.

Best regards,



Susan Stewart
Environmental Scientist
Division of Financial Assistance
(916) 341-5879 | susan.stewart@waterboards.ca.gov



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

CERTIFIED MAIL NO.: 7003 – 0500 – 0003 – 1326 - 9645
RETURN RECEIPT REQUESTED

FEB 12 2018

Ms. Julianne Polanco
California State Historic Preservation Officer
Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

CONTINUING NATIONAL HISTORIC PRESERVATION ACT (NHPA) SECTION 106
CONSULTATION FOR THE PURE WATER MONTEREY (APPLICANT) GROUNDWATER
REPLENISHMENT PROJECT (UNDERTAKING), MONTEREY COUNTY, CALIFORNIA;
CLEAN WATER STATE REVOLVING FUND (CWSRF) NO. C-06-8028-110, SHPO TRACKING
NO. EPA_2016_0304_001

Dear Ms. Polanco:

The State Water Resources Control Board's (State Water Board) Division of Financial Assistance (DFA) is continuing consultation under Title 54 United States Code (USC) § 306108, commonly known as Section 106 of the NHPA, and its implementing regulations found at 36 Code of Federal Regulations (CFR) Part 800, for the subject Undertaking located just west of the City of Salinas in Monterey County, California.

DFA administers the CWSRF Program pursuant to 40 CFR Part 35. The Applicant is seeking funds from this program to assist in financing the Project. The CWSRF Program is partially funded by a capitalization grant from the United States Environmental Protection Agency (USEPA). Issuance of CWSRF funds by the State Water Board is considered equivalent to a federal undertaking, thereby necessitating compliance with Section 106 under a Nationwide Programmatic Agreement executed for the CWSRF by USEPA, the Advisory Council on Historic Preservation, and the National Council of State Historic Preservation Officers. USEPA has delegated lead agency responsibility to the State Water Board for carrying out the requirements of Section 106.

In a letter dated April 19, 2016, the State Historic Preservation Officer concurred (Enclosure 1) on the Area of Potential Effects (APE) and a finding of no adverse effect for the Undertaking as described (Enclosure 2). The Reclamation Ditch Diversion portion of the APE has changed from what was originally concurred upon in 2016.

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

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

New APE for the Reclamation Ditch Diversion

Enclosure 3 depicts the original Reclamation Ditch Diversion APE and Excavation Site Plan (permanent facility footprint) in relation to the new Reclamation Ditch Diversion APE. The enlargement of the horizontal APE for the permanent facility is due to the addition of matting along the banks of the diversion structure. The vertical APE of the permanent facility is the same. The horizontal APE of the construction footprint was enlarged to allow for a larger staging area and to include the access roads.

Cultural Resources Inventory and New APE

The Applicant contracted with Archaeological Consulting and later Pacific Legacy Inc. to do a historic properties identification report (Doane and Breschini 2015) and an Addendum report (Pacific Legacy 2015). As part of the study, a records search was conducted at the Northwest Information Center (NWIC), with a half mile buffer around the APE. The results of this search indicated that seven previous cultural resource investigations were completed covering almost all portions of the new APE with the exception of the southeast access road (Enclosure 4). No cultural resources are recorded within the new APE and one prehistoric site with burials (CA-MNT-2246) was recorded approximately 800 feet to the south of the new APE on the south side of State Route 183 (Enclosure 4).

Description of Findings

The new Reclamation Ditch Diversion APE has been previously surveyed for cultural resources with the exception of the southeast access road (Enclosure 3). The southeast access road runs along the top of a graveled berm that is most likely composed of spoils from excavation and maintenance of the canal adjacent to it (Enclosure 5). Because the southeast road is on top of a graveled berm, impacts from vehicle traffic should not affect native soil.

State Water Board Finding of Effect

The State Water Board has reached a finding that historic properties will not be affected by the APE change. Therefore, the State Water Board is seeking concurrence that the finding of "no historic properties affected" pursuant to 36 CFR Part 800.4(d)(1) is still applicable.

The State Water Board is respectfully requesting your response within 30 days of receiving this consultation request. Please contact Wendy Pierce at 916-449-5178 or at Wendy.Pierce@waterboards.ca.gov if you have any questions or concerns about the undertaking.

Sincerely,



Wendy Pierce
Senior Environmental Planner
Division of Financial Assistance

Enclosures: See next page

Enclosures (5):

1. Letter from SHPO, dated April 19, 2016
2. Letter to SHPO with APE table, dated March 3, 2016
3. Figure 1 Old and New APEs on Aerial Background
4. Figure 2 Old and New APEs on Record Search Results Map
5. Google Earth Street Views of Southeast Road to west and east

cc: without enclosures:

Elizabeth Borowiec
Water Division, Infrastructure Section (W-3-3)
US EPA Region 9
Water Infrastructure Office
75 Hawthorne Street
San Francisco, CA 94105

Alison Imamura
Monterey One Water
5 Harris Court, Building D
Monterey, CA 93940
Email: Alison@my1water.org



**DEPARTMENT OF PARKS AND RECREATION
OFFICE OF HISTORIC PRESERVATION**

Lisa Ann L. Mangat, Director

Julianne Polanco, State Historic Preservation Officer
1725 23rd Street, Suite 100, Sacramento, CA 95816-7100
Telephone: (916) 445-7000 FAX: (916) 445-7053
calshpo.ohp@parks.ca.gov www.ohp.parks.ca.gov

February 28, 2018

Reply to: EPA_2016_0304_001

Wendy Pierce, Senior Environmental Planner
Division of Financial Assistance
State Water Resources Control Board
P. O. Box 100
Sacramento, California 95812-0100

RE: Continuation of Section 106 Compliance for the Pure Water Monterey
Groundwater Replenishment Project, Monterey County, Clean Water State
Revolving Fund Project No. C-06-8028-110 (your letter of February 12, 2018)

Dear Ms. Pierce:

The State Water Resources Control Board (Board) is continuing its consultation with the State Historic Preservation Officer (SHPO) on the above cited undertaking, in accordance with Section 106 of the *National Historic Preservation Act of 1966* (54 U.S.C. §306108) as amended, and its implementing regulations found at 36 CFR Part 800. The Environmental Protection Agency has delegated lead agency responsibility to the Board for carrying out the requirements of Section 106.

In a letter dated January 28, 2016, the Monterey Regional Water Pollution Control Agency (Agency) proposed to implement and construct the Pure Water Monterey Groundwater Replenishment Project (Project). Specifically, the proposed undertaking consisted of the elements and actions that you had described in detail in Table 1 (Construction Area of Disturbance and Permanent Footprint) which was included in your letter. The area of potential effect (APE) encompassed the elements and actions described in Table 1, which are located in seven separate areas. In a letter dated April 19, 2016, the SHPO offered the following comments: (1) did not object to your identification and delineation of the APE; (2) agreed with the Agency's decision to conduct the proposed undertaking in accordance with the mitigation measures described in your letter; and (3) did not object to your determination of No Historic Properties Affected for the proposed undertaking.

In your current letter, the Agency has amended the APE for the Reclamation Ditch Diversion portion of the original APE by enlarging it. The enlargement of the horizontal APE for the permanent facility is due to the addition of matting along the banks of the diversion structure. The vertical APE of the permanent facility will remain the same as before. The horizontal APE of the construction footprint was enlarged to allow for a larger staging area and to include the access roads.

The amended APE was included in the records review and pedestrian survey conducted for the original proposed undertaking. No cultural resources are located within the amended APE, but one prehistoric site with burials (CA-MNT-2246) is located approximately 800 feet to the south of the amended APE on the south side of State Route 183. That site will not be affected by the amended undertaking.

Native American consultation included contacting the Native American Heritage Commission (NAHC) and requesting a record search of their sacred land file, which was negative. On April 19, 2016 and July 14, 2017, request for comment letters were sent to the four Native American contacts provided by NAHC. No responses were received from the Tribes or tribal contacts.

Based on the records review, the pedestrian survey, and the tribal consultation, the Board has determined that a finding of No Historic Properties Affected remains appropriate for the amended project and has requested the SHPO to review and comment it. After reviewing the submitted information, the SHPO offers the following comments:

- The SHPO has no objections to identification and delineation of the amended APE, pursuant to 36 CFR Parts 800.4(a)(1) and 800.16(d); and
- The SHPO does not object to a finding of No Historic Properties Affected for the amended proposed undertaking, as described above.

Be advised that under certain circumstances, such as an unanticipated discovery or a change in project description, the Board may have additional future responsibilities for this undertaking under 36 CFR Part 800. Should cultural artifacts be encountered during ground disturbing activities, please halt all work until a qualified archaeologist can be consulted on the nature and significance of such artifacts.

If you have any questions or concerns, please contact the following member of my staff: Tristan Tozer at (916) 445-7027 or via e-mail at Tristan.Tozer@parks.ca.gov.

Sincerely,



Julianne Polanco
State Historic Preservation Officer

From: Lenz, Tessa <Tessa.Lenz@Waterboards.ca.gov>
Sent: Tuesday, December 18, 2018 11:14 AM
To: Alison Imamura; Kashkoli, Ahmad@Waterboards; 'Elizabeth Borowiec (Borowiec.Elizabeth@epa.gov)'
Cc: 'Denise Duffy'; 'Diana Staines'; Jennifer Gonzalez; Cary, Brian@Waterboards; Stewart, Susan@Waterboards
Subject: RE: Pure Water Monterey federal consultation update

Hello All,

On October 24, 2017, the SWB had a call with Elizabeth Borowiec (USEPA) regarding Addendum No. 3 to the EIR for the Pure Water Monterey/Groundwater Replenishment Project for the Advanced Water Treatment Facility Expanded Capacity Project Modifications. USEPA and SWB determined the minor modifications analyzed in Addendum No. 3 did not trigger reinitiation of consultation with USFWS, NMFS, or SHPO. The modifications did not increase the amount of ground disturbance or the overall length of the Project pipeline. The modifications did not create new impacts on listed species that had not already been considered by USFWS or NMFS, nor did the modifications increase the extent of take specified in the USFWS's Biological Opinion. Additionally, the modifications did not change the nature or scope of the Project's impacts to cultural resources. It was determined that the modifications in Addendum No. 3 would not trigger the need for corresponding with the federal or state agencies.

I hope this answers your questions Alison. Please let me know if you need anything else.

Best Regards,
Tessa Lenz

Tessa Lenz

Environmental Scientist
Division of Financial Assistance- Environmental Review Unit
State Water Resources Control Board
1001 I Street, 16th Floor, Sacramento, CA 95814
Resources: [Financial Assistance Funding - Grants and Loans Resources](#)
Main: 916-341-5686

From: Alison Imamura <Alison@my1water.org>
Sent: Tuesday, December 11, 2018 1:47 PM
To: Kashkoli, Ahmad@Waterboards <Ahmad.Kashkoli@waterboards.ca.gov>; 'Elizabeth Borowiec (Borowiec.Elizabeth@epa.gov)' <Borowiec.Elizabeth@epa.gov>
Cc: 'Denise Duffy' <dduffy@ddaplanning.com>; 'Diana Staines' <DStaines@ddaplanning.com>; Lenz, Tessa <Tessa.Lenz@Waterboards.ca.gov>; Jennifer Gonzalez <Jennifer@my1water.org>
Subject: Pure Water Monterey federal consultation update

Dear Ahmad and Elizabeth,

I hope this email finds you well! I am writing to ask your help to respond to the email below from Bridget at the MBNMS. Since more than a year has passed since we wrote the attached letter, I can't recall if we ever received correspondence from USFW, NMFS and SHPO about the project changes described. Namely, as you know, M1W adopted an EIR addendum to change the capacity of the AWPf from 4 mgd to 5 mgd to supply irrigation water in the summer months to the Marina Coast Water District. My recollection is that the changes were determined to not result in a need to consult because they were so minor (see bottom of page 2). The addendum No. 3 documents that no new significant impacts and no worsening in severity of previously identified impacts would result. The addendum is found on our website at

Do any of you recall the actions that you took in response to this letter? Did you receive an email from USFWS, NMFS and SHPO (Jacob Martin, Bill Stevens, and from SHPO, respectively)? <http://purewatermonterey.org/reports-docs/cfeir/>.

Please let me know if you have the correspondence on this issue from USFWS, NMFS and SHPO.

Thanks so much for your help!

Alison

Alison Imamura, AICP
Associate Engineer



5 Harris Court, Building D
Monterey, CA 93940
Office: (831)883-6176

From: Bridget Hoover - NOAA Federal <bridget.hoover@noaa.gov>
Sent: Tuesday, December 11, 2018 12:50 PM
To: Alison Imamura <Alison@my1water.org>
Cc: karen.grimmer@noaa.gov
Subject: federal consultation update

Hi Alison, I don't think we saw any updated correspondence from NMFS, USFWS and SHPO regarding Addendum 3 to the EIR (Itr attached). We'd like to close the loop on this for our EA. Will you send us any additional documentation you have on these consultations? Thank you, b

<<...>>

Bridget Hoover

Water Quality Protection Program Director

Monterey Bay National Marine Sanctuary

99 Pacific Street Bldg 455

Monterey, CA 93940

(831) 647-4217

www.montereybay.noaa.gov/

Warning: This email originated from outside of Monterey One Water. Unless you recognize the sender and are expecting the message, do not click links or open attachments.

From: [Joel Casagrande - NOAA Federal](#)
To: [Bridget Hoover - NOAA Federal](#)
Cc: [Karen Grimmer - NOAA Federal](#)
Subject: Re: FW: Pure Water Monterey federal consultation update
Date: Thursday, December 20, 2018 11:44:54 AM
Attachments: [image001.png](#)

Hello Bridget,

Thank you for the update. Based on the information provided, we agree with the determinations by the EPA (email from Tessa Lenz, December 18, 2018) that the modifications to the Pure Water Monterey Project would not trigger re-initiation of consultation with NMFS. NMFS has analyzed the effects of the combined discharge from the Pure Water Monterey Project and the proposed Monterey Peninsula Water Supply Project (Cal-Am Desalination Project in Marina) and determined the discharge of combined effluent to Monterey Bay from these projects was not likely to adversely affect NMFS-trust species or their designated critical habitats.

Please let me know if you have any further questions on this matter.

Regards,

Joel

On Wed, Dec 19, 2018 at 11:04 AM Bridget Hoover - NOAA Federal
<bridget.hoover@noaa.gov> wrote:

Hi Joel, MBNMS is working on an EA for the Pure Water Monterey project because our federal action is Authorization of the NPDES permit issued by the Water Board for the discharge from the Advance Water Treatment Facility. **We are only considering impacts related to the operational discharge into MBNMS from the treatment plant.** I know that you've already completed the Section 7 Consultation but we wanted to ensure no further consultation is necessary on this project. Through Addendum 3 to the certified EIR, they did increase the capacity of the plant from 4 MGD to 5 MGD <http://purewatermonterey.org/wp/wp-content/uploads/EIR-Addendum-NPDES-10-24-2017.pdf>. The analysis indicated there would be no changes to any impacts that were already considered in the EIR. Below is an excerpt from Addendum 3. Please let me know if you need any additional information and whether an updated consultation is necessary. Happy Holidays to you and your family! B

The proposed Project modifications consist of an increase in the maximum flowrate and yield of the AWT Facility and use of shared Product Water Conveyance Facilities.

Environmental Effects

As detailed in Section VII, Environmental Analysis, the proposed Project modifications would not result in any new significant environmental effects that cannot be mitigated with existing, previously identified mitigation measures in the PWM/GWR EIR and the RUWAP

EIR. In addition, the Expanded Capacity AWT Facility and shared Product Water Conveyance Facilities as fully described in Section IV, Proposed PWM/GWR Project Modifications would not substantially increase the severity of any significant environmental effects identified in the PWM/GWR EIR and the RUWAP EIR. The potential environmental effects associated with the modifications to the project would not result in any new environmental effects that were not previously disclosed in connection with the construction of the PWM/GWR Project and the RUWAP. The proposed Project modifications would not increase the extent of ground-disturbance and would not increase the overall length of pipeline. The proposed Project modifications would result in changes to the amount and quality of reverse osmosis (RO) concentrate, but these impacts would be consistent with the type, extent, and scope of impacts already analyzed with respect to the operation of the PWM/GWR Project. No new adverse environmental effects would occur in connection with the Expanded Capacity AWT Facility and shared Product Water Conveyance Facilities.

New Information

No new information has been identified or presented to MRWPCA showing that the Expanded Capacity AWT Facility and shared Product Water Conveyance Facilities would result in: 1) significant environmental effects not identified in the PWM/GWR EIR and RUWAP EIR, or 2) an increase in the severity of significant impacts identified in the PWM/GWR EIR and RUWAP EIR. Further, no new information has been identified or presented to MRWPCA showing that mitigation measures or alternatives which were previously determined not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, or mitigation measures or alternatives that are considerably different from those identified in the PWM/GWR EIR would be feasible and would substantially reduce one or more significant effects of the project.

From: Alison Imamura <Alison@my1water.org>
Sent: Tuesday, December 18, 2018 11:19 AM
To: Bridget Hoover - NOAA Federal <bridget.hoover@noaa.gov>
Cc: 'Karen Grimmer (karen.grimmer@noaa.gov)' <karen.grimmer@noaa.gov>; 'Denise Duffy' <dduffy@ddaplanning.com>; Kashkoli, Ahmad@Waterboards <Ahmad.Kashkoli@waterboards.ca.gov>; 'Elizabeth Borowiec (Borowiec.Elizabeth@epa.gov)' <Borowiec.Elizabeth@epa.gov>; 'Diana Staines' <DStaines@ddaplanning.com>; Cary, Brian@Waterboards <Brian.Cary@Waterboards.ca.gov>; 'Susan Stewart' <susan.stewart@waterboards.ca.gov>; Jennifer Gonzalez <Jennifer@my1water.org>
Subject: FW: Pure Water Monterey federal consultation update

Bridget,

In response to your email last week, Tessa Lenz sent the following response.

Let me know if you have any questions or if you require further information.

Thank you and have a great day!

Alison

Alison Imamura, AICP

Associate Engineer



5 Harris Court, Building D

Monterey, CA 93940

Office: (831)883-6176

From: Lenz, Tessa <Tessa.Lenz@Waterboards.ca.gov>
Sent: Tuesday, December 18, 2018 11:14 AM
To: Alison Imamura <Alison@my1water.org>; Kashkoli, Ahmad@Waterboards <Ahmad.Kashkoli@waterboards.ca.gov>; 'Elizabeth Borowiec (Borowiec.Elizabeth@epa.gov)' <Borowiec.Elizabeth@epa.gov>
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Subject: RE: Pure Water Monterey federal consultation update

Hello All,

On October 24, 2017, the SWB had a call with Elizabeth Borowiec (USEPA) regarding Addendum No. 3 to the EIR for the Pure Water Monterey/Groundwater Replenishment

Project for the Advanced Water Treatment Facility Expanded Capacity Project Modifications. USEPA and SWB determined the minor modifications analyzed in Addendum No. 3 did not trigger reinitiation of consultation with USFWS, NMFS, or SHPO. The modifications did not increase the amount of ground disturbance or the overall length of the Project pipeline. The modifications did not create new impacts on listed species that had not already been considered by USFWS or NMFS, nor did the modifications increase the extent of take specified in the USFWS's Biological Opinion. Additionally, the modifications did not change the nature or scope of the Project's impacts to cultural resources. It was determined that the modifications in Addendum No. 3 would not trigger the need for corresponding with the federal or state agencies.

I hope this answers your questions Alison. Please let me know if you need anything else.

Best Regards,

Tessa Lenz

Tessa Lenz

Environmental Scientist

Division of Financial Assistance- Environmental Review Unit

State Water Resources Control Board

1001 I Street, 16th Floor, Sacramento, CA 95814

Resources: [Financial Assistance Funding - Grants and Loans Resources](#)

Main: 916-341-5686

From: Alison Imamura <Alison@my1water.org>

Sent: Tuesday, December 11, 2018 1:47 PM

To: Kashkoli, Ahmad@Waterboards <Ahmad.Kashkoli@waterboards.ca.gov>; 'Elizabeth Borowiec' (Elizabeth.Borowiec@epa.gov) <Elizabeth.Borowiec@epa.gov>

Cc: 'Denise Duffy' <dduffy@ddaplanning.com>; 'Diana Staines' <DStaines@ddaplanning.com>; Lenz, Tessa <Tessa.Lenz@Waterboards.ca.gov>; Jennifer Gonzalez <Jennifer@my1water.org>

Subject: Pure Water Monterey federal consultation update

Dear Ahmad and Elizabeth,

I hope this email finds you well! I am writing to ask your help to respond to the email below from Bridget at the MBNMS. Since more than a year has passed since we wrote the attached letter, I can't recall if we ever received correspondence from USFW, NMFS and SHPO about the project changes described. Namely, as you know, M1W adopted an EIR addendum to change the capacity of the AWP from 4 mgd to 5 mgd to supply irrigation water in the summer months to the Marina Coast Water District. My recollection is that the changes were determined to not result in a need to consult because they were so minor (see bottom of page 2). The addendum No. 3 documents that no new significant impacts and no worsening in severity of previously identified impacts would result. The addendum is found on our website at

<http://purewatermonterey.org/reports-docs/cfeir/> .

Do any of you recall the actions that you took in response to this letter? Did you receive an email from USFWS, NMFS and SHPO (Jacob Martin, Bill Stevens, and from SHPO, respectively)?

Please let me know if you have the correspondence on this issue from USFWS, NMFS and SHPO.

Thanks so much for your help!

Alison

Alison Imamura, AICP

Associate Engineer



5 Harris Court, Building D

Monterey, CA 93940

Office: (831)883-6176

From: Bridget Hoover - NOAA Federal <bridget.hoover@noaa.gov>
Sent: Tuesday, December 11, 2018 12:50 PM
To: Alison Imamura <Alison@my1water.org>
Cc: karen.grimmer@noaa.gov
Subject: federal consultation update

Hi Alison, I don't think we saw any updated correspondence from NMFS, USFWS and SHPO regarding Addendum 3 to the EIR (ltr attached). We'd like to close the loop on this for our EA. Will you send us any additional documentation you have on these consultations? Thank you, b

<<...>>

Bridget Hoover

Water Quality Protection Program Director

Monterey Bay National Marine Sanctuary

99 Pacific Street Bldg 455

Monterey, CA 93940

(831) 647-4217

www.montereybay.noaa.gov/

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Joel Casagrande

Fisheries Biologist
NOAA Fisheries West Coast Region
777 Sonoma Avenue, Room 325
Santa Rosa, CA. 95404
(707) 575-6016, Fax (707) 578-3435
www.westcoast.fisheries.noaa.gov



From: [Martin, Jacob](#)
To: [Bridget Hoover - NOAA Federal](#)
Cc: [Karen Grimmer](#)
Subject: Re: [EXTERNAL] FW: Pure Water Monterey federal consultation update
Date: Wednesday, December 19, 2018 11:28:48 AM
Attachments: [image001.png](#)

Hi Bridget,

Thanks for checking in on this. I agree with EPA's conclusion (as described in the email message from Tessa Lenz of 12/18/18) that re-initiation of consultation is not needed.

Happy holidays to you, too.

Jake

Jacob M. (Jake) Martin
Senior Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Ventura Fish and Wildlife Office-Santa Cruz Sub-office
1100 Fiesta Way
Watsonville, CA 95076
(805) 677-3327
jacob_martin@fws.gov

On Wed, Dec 19, 2018 at 11:03 AM Bridget Hoover - NOAA Federal
<bridget.hoover@noaa.gov> wrote:

Hi Jake, MBNMS is working on an EA for the Pure Water Monterey project because our federal action is Authorization of the NPDES permit issued by the Water Board for the discharge from the Advance Water Treatment Facility. **We are only considering impacts related to the operational discharge into MBNMS from the treatment plant.** I know that you've already completed the Section 7 Consultation but we wanted to ensure no further consultation is necessary on this project. Through Addendum 3 to the certified EIR, they did increase the capacity of the plant from 4 MGD to 5 MGD
<http://purewatermonterey.org/wp/wp-content/uploads/EIR-Addendum-NPDES-10-24-2017.pdf>. The analysis indicated there would be no changes to any impacts that were already considered in the EIR. Below is an excerpt from Addendum 3. Please let me know if you need any additional information and whether an updated consultation is necessary.
Happy Holidays to you and your family! B

The proposed Project modifications consist of an increase in the maximum flowrate and yield of the AWT Facility and use of shared Product Water Conveyance Facilities.

Environmental Effects

As detailed in Section VII, Environmental Analysis, the proposed Project modifications would not result in any new significant environmental effects that cannot be mitigated with existing, previously identified mitigation measures in the PWM/GWR EIR and the RUWAP EIR. In addition, the Expanded Capacity AWT Facility and shared Product Water Conveyance Facilities as fully described in Section IV, Proposed PWM/GWR Project Modifications would not substantially increase the severity of any significant environmental effects identified in the PWM/GWR EIR and the RUWAP EIR. The potential environmental effects associated with the modifications to the project would not result in any new environmental effects that were not previously disclosed in connection with the construction of the PWM/GWR Project and the RUWAP. The proposed Project modifications would not increase the extent of ground-disturbance and would not increase the overall length of pipeline. The proposed Project modifications would result in changes to the amount and quality of reverse osmosis (RO) concentrate, but these impacts would be consistent with the type, extent, and scope of impacts already analyzed with respect to the operation of the PWM/GWR Project. No new adverse environmental effects would occur in connection with the Expanded Capacity AWT Facility and shared Product Water Conveyance Facilities.

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Subject: FW: Pure Water Monterey federal consultation update

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