



Staff Report to the Planning Commission

Application Number: **251336**

Applicant: Brian Lockwood, General Manager
Pajaro Valley Water Management Agency
(PVWMA),

Agenda Date: 7/8/26

Owner: Pajaro Valley Water Management
Agency

Agenda Item #: 10

Site Address: Primary project locations at 275
Lee Road and 187 B San Andreas Road

Time: After 9:30 a.m.

APNs: 052-181-18, 052-181-19, 052-181-20, 052-191-59, 052-211-12, 052-211-14, 052-211-15, 052-211-26, 052-211-28, 052-211-29, 052-551-09, 052-221-26, 052-551-01, 052-551-02, 052-551-03, and 052-551-04

Project Description: Proposal to consider a Coastal Development Permit application for the Pajaro Valley Water Management Agency's (PVWMA) Watsonville Slough System Managed Aquifer Recharge and Recovery Project. The project includes: upgrades to the existing Harkins Slough Filter Plant (APN 052-211-29); trenching for water distribution lines; development of water intake infrastructure at Struve Slough; development of an approximately 13-acre recharge basin with recovery and monitoring wells at 187 San Andreas Road (APNs 052-181-18 and 052-181-20); and development of seasonal pond, wetland, and riparian forest habitat at Watsonville Slough.

Project includes consideration as a "responsible agency" under Section 15096 of the California Environmental Quality Act (CEQA), the Environmental Impact Report (EIR) and Addendum prepared by the PVWMA (EIR certified January 2021, State Clearinghouse No. 2019059130; Addendum dated March 2025) and a Statement of Overriding Considerations pursuant to CEQA Guidelines Sections 15091 and 15093.

Associated technical reviews include an Archaeologic Report Review (REV251134), a Biotic Report Review (REV251133), and preliminary grading review.

Location: Development will span from 275 Lee Road westward through agricultural parcels on the north side West Beach Road to an existing pump station adjacent to 1660 San Andreas Road then approximately 2,000 feet west to 187B San Andreas Road.

Permits Required: Coastal Development Permit

Supervisory District: 2nd District (District Supervisor: De Serpa)

Staff Recommendation:

- Consider, as a responsible agency under CEQA Guidelines Section 15096, the certified EIR (SCH No. 2019059130) and March 2025 Addendum prepared by PVWMA,
- Adopt the findings required by CEQA Guidelines Sections 15091 and 15093, the related Statement of Overriding Considerations, and the applicable Mitigation Monitoring and Reporting Program, as set forth in the findings in Exhibit B.
- Approve Application Number **251336**, based on the attached findings and conditions.

Project Description & Setting

The proposed project involves implementation of the Pajaro Valley Water Management Agency's (PVWMA) Watsonville Slough System Managed Aquifer Recharge and Recovery Project, which involves distribution and recharge of freshwater resources in the Pajaro Valley to address groundwater overdraft. Overdraft of the Pajaro Valley Groundwater Basin has caused groundwater levels to drop below sea level and allowed seawater intrusion, affecting groundwater quality up to three miles inland and rendering groundwater unsuitable for agricultural irrigation and domestic use in some areas.

The project would establish a 12.7-acre groundwater recharge basin at 187 B San Andreas Road (APNs 052-181-18 and 052-181-20) and develop infrastructure to bring surface water from Struve Slough at 275 Lee Road (APN 057-081-37) via a buried pipeline approximately 4,000 feet to an existing pump facility at Harkins Slough and then 3,500 feet west to the proposed recharge basin. The basin will be used for short-term storage before delivery through the PV Water's Coastal Distribution system for agricultural irrigation in the Pajaro Valley.

Permitting Requirements

The Pajaro Valley Water Management Agency (PVWMA) is a State-chartered local agency. Government Code Section 53091 provides that local building and zoning ordinances do not apply to the location or construction of facilities for the production, generation, storage, treatment, or transmission of water by a local agency. Notwithstanding this exemption, the project is located within the Coastal Zone and the exemption from local regulations under Section 53091 does not extend to the requirement to obtain a Coastal Development Permit. The County's regulatory authority extends to review of the project's consistency with the adopted Local Coastal Program (LCP) and to approve, condition, or deny the Coastal Development Permit accordingly.

Review of the project by the Planning Commission is specified by Santa Cruz County Code (SCCC) 16.20.040, required for "approval for grading in excess of 8,000 cubic yards, or for which an environmental impact report was prepared, or for grading in excess of 1,000 cubic yards for projects visible from a scenic corridor roadway", all conditions which apply to the proposed project.

California Environmental Quality Act (CEQA)

Pursuant to Public Resources Code (PRC) Section 21080, discretionary approval cannot be granted without first reviewing for compliance with CEQA. The Coastal Development Permit constitutes

discretionary approval, and the County is therefore required to make a CEQA determination as part of its review.

PVWMA has assumed the role of "lead agency" pursuant to State CEQA Guidelines (California Code of Regulations, Title 14, Section 15096) responsible for carrying out the project, and the County of Santa Cruz is a "responsible agency," which is defined in Section 15381 of the Guidelines as a public agency other than the "lead agency" that holds a legally required discretionary approval over a project subject to CEQA review. As a "responsible agency" the County is not required to prepare an environmental document but is required to make findings regarding the environmental effects of the project and may impose conditions or mitigations to mitigate those effects (CEQA Guidelines Section 15096(g), Exhibit F).

PVWMA prepared an Environmental Impact Report (EIR) for the project, which was certified by the PVWMA Board of Directors in January 2021 (State Clearinghouse #2019059130, Exhibit D). After certification, further project design development resulted in modifications to several components of the project. In March 2025, PVWMA prepared an Addendum to the certified EIR to document those modifications and concluded that the modified project does not involve new significant environmental effects, a substantial increase in the severity of previously identified effects, or new information of substantial importance that would require preparation of a subsequent or supplemental EIR.

The County has independently reviewed the certified EIR and March 2025 Addendum and finds that they sufficiently cover all applicable topic areas and environmental effects of the project relevant to the County's approval of the Coastal Development Permit. The adopted Mitigation Monitoring and Reporting Program (MMRP), attached to this report as Exhibit F, will reduce potential impacts from the proposed development.

Having independently reviewed the certified EIR and March 2025 Addendum, and relying on the analysis as substantial evidence, the County makes its own findings for each significant effect relevant to its approval of the Coastal Development Permit. These findings are consistent with those adopted by the PVWMA Board of Directors in January 2021. In accordance with CEQA Guidelines Section 15096(g) and (h), Exhibit A sets forth the County's findings required by Section 15091 and, for significant and unavoidable effects, the Statement of Overriding Considerations required by Section 15093.

Local Coastal Plan (LCP) Consistency and Coastal Development Permit

Approval of the Coastal Development Permit requires affirmative findings under SCCC 13.20.110, in addition to the standard discretionary permit findings required under SCCC 18.10, each supported by clear evidence and analysis. Staff have affirmed the requisite findings, which are set forth in Exhibit B.

Central to those findings is the project's consistency with the certified LCP. The project's primary purpose of diverting seasonally available surface water from Harkins and Struve Sloughs, and recharging to the Pajaro Valley Groundwater Basin for beneficial use, directly advances the LCP's water-resource objectives while being sited and conditioned to protect the agricultural, biological, visual, cultural, and public resources of the Coastal Zone. As detailed in Exhibit B, the project is consistent with the following LCP goals and policies:

- Goal ARC-1 (Sustaining Agriculture)
- Policy ARC-1.1.14 (Water and Sewer Lines in the Coastal Zone)
- Policy ARC-1.1.15 (Protection for Water and Sewer Lines in the Coastal Zone)

- Goal ARC-3 (Biological Resources)
- Policy ARC-3.1.2 (Definition of Sensitive Habitat)
- Policy ARC-3.1.3 (Environmentally Sensitive Habitat Areas (ESHA))
- Policy ARC-3.1.6 (Development Within Sensitive Habitats)
- Objective ARC-3.3 (Riparian Corridors and Wetlands)
- Objective ARC-3.4 (Aquatic and Marine Habitats)

- Goal ARC-4 (Water Resources)
- Objective ARC-4.5 (Groundwater Protection and Overdraft)

- Goal ARC-5 (Visual Resources)
- Policy ARC-5.1.4 (Preserving Natural Buffers)
- Policy ARC-5.2.1 (Designation of Scenic Roads)

- Goal ARC-8 (Cultural Resources)
- Objective ARC-8.1 (Archaeological Sites and Native American Cultural Resources)

- Goal PPF-3.0 (Public Services)
- Policy PPF-3.1.1 (Public Infrastructure Standards for New Development)

- Goal PPF-4.0 (Public Infrastructure)
- Objective PPF-4.1 (Water Supply and Conservation)
- Policy PPF-4.1.1 (Linking Growth to Water Supplies)
- Policy PPF-4.1.4 (Improvement of Water Systems)
- Policy PPF-4.1.5 (Groundwater Sustainability)
- Implementation Strategy PPF-4.1j (Supplemental Water Supply Sources)
- Implementation Strategy PPF-4.1k (Seawater Intrusion Monitoring)

Conclusion

As proposed and conditioned, the project conforms to the County's adopted General Plan/LCP, including its policies protecting the agricultural, biological, visual, cultural, and public resources of the Coastal Zone. The environmental analysis prepared by PVWMA meets the requirements of CEQA and is consistent with the standard of review applied by CDI Planning. Staff concur with the conclusions reached in the certified EIR and March 2025 Addendum, find the project consistent with all applicable codes and policies of the General Plan/LCP, and recommend approval of the project as conditioned.

As proposed and conditioned, the project is consistent with all applicable codes and policies of the General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

- **CONSIDER**, as a responsible agency under CEQA Guidelines Section 15096, the certified EIR (SCH No. 2019059130) and March 2025 Addendum prepared by PVWMA,
- **ADOPT** the findings required by CEQA Guidelines Sections 15091 and 15093, the related Statement of Overriding Considerations, and the applicable Mitigation Monitoring and Reporting Program, as set forth in the findings in Exhibit A.
- **APPROVAL** of Application Number **251336**, based on the attached findings and conditions.

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Division, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.sccoplanning.com

Report Prepared By: _____



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Exhibits

- A. CEQA Determination and Required Findings
- B. Coastal and Development Permit Findings
- C. Conditions of Approval
- D. Project Plans, dated September 2024
- E. Mitigation Monitoring and Reporting Program
- F. Certified EIR, State Clearinghouse Number 2019059130
- G. CEQA Guidelines Section 15096

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

(Required pursuant to CEQA Guidelines Sections 15091 and 15093)

15091. Findings.

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

The County of Santa Cruz has reviewed the Draft EIR for the Watsonville Slough System Managed Aquifer Recharge and Recovery Projects, the Responses to Comments on the Draft Supplemental EIR, and the March 2025 Addendum to the Draft Environmental Impact Report prepared for the Pajaro Valley Water Management Agency (PVWMA), filed under State Clearinghouse number 2019059130 and certified by resolution of the PVWMA Board of Directors on January 20, 2021 (Resolution 2021-03).

The County has further reviewed the resolution certified by PVWMA and concurs with the findings made that “mitigation measures identified in the Final Environmental Impact Report and adopted by PV Water avoid or substantially lessen the significant effects to a less-than-significant level.”

Table 1 (below) represents significant environmental effects of the project and associated changes or alterations which avoid or substantially lessen the effect, and the rationale for that determination, pursuant to CEQA Guidelines Section 15091(a)(1).

15093. Statement of Overriding Considerations.

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental

benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The County of Santa Cruz has reviewed the Draft EIR for the Watsonville Slough System Managed Aquifer Recharge and Recovery Projects, the Responses to Comments on the Draft Supplemental EIR, and the March 2025 Addendum to the Draft Environmental Impact Report prepared for the Pajaro Valley Water Management Agency (PVWMA), filed under State Clearinghouse number 2019059130 and certified by resolution of the PVWMA Board of Directors on January 20, 2021 (Resolution 2021-03).

The County has further reviewed the resolution certified by PVWMA and concurs with the prepared Statement of Overriding Consideration for significant and unavoidable impacts to Important Farmland (Impacts LU-1 and C-LU-1), finding that the environmental, technological, legal, and economic considerations outweigh the remaining environmental effects of the project.

The following considerations support this determination:

- Land use within the Pajaro Valley is primarily agricultural, with crop values estimated at approximately \$900,000,000 annually. Approximately 95 percent of the water used in the Pajaro Valley is pumped groundwater. In the Pajaro Valley Groundwater Basin, groundwater levels have declined as a result of long-term groundwater overdraft. These overdraft conditions have caused groundwater levels within the basin to drop below sea level, creating a landward pressure gradient that causes seawater to flow inland and mix with fresh groundwater. As seawater encroaches into the fresh groundwater basin, water quality degrades, limiting its use for irrigation and domestic purposes. Intrusion into freshwater aquifers also results in a loss of freshwater storage capacity. Seawater intrusion creates progressive increases in the concentrations of chloride, boron, magnesium, and other constituents in groundwater; chloride is used as an indicator constituent of seawater intrusion.
- The extent of seawater intrusion has increased in the coastal part of the basin. Numerous wells in the coastal area have had substantial increases in chloride concentrations over the last few decades, indicating that the volume of freshwater displaced in the intruded area continues to increase. Although total demands and agricultural groundwater pumping amounts were lower in 2016-2018 than in previous years, the total amounts of groundwater pumping continue to exceed the total amounts of groundwater recharging, on average, so the cumulative groundwater overdraft and seawater intrusion rates continue to increase.

These conditions are not expected to improve without reductions in groundwater pumping and development and delivery of supplemental water supplies.

- PV Water was formed in 1984 by the Pajaro Valley Water Management Agency Act, for the primary purpose of managing groundwater resources and supplemental water supplies in its service area. The 2014 Sustainable Groundwater Management Act designated PV Water as the exclusive Groundwater Sustainability Agency within its service area (Water Code Section 10723), and in 2015 the Board agreed that PV Water would be this Groundwater Sustainability Agency.
- Historical, existing, and future conditions of the groundwater basin within PV Water's service area were modeled utilizing the Pajaro Valley Hydrologic Model. This modeling confirms that projects built and implemented by PV Water to date have reduced, but have not eliminated, the seawater intrusion and the groundwater overdraft problems. The basin's 30-year average annual deficit is estimated to be approximately 12,100 AFY.
- In 2014, the Board adopted the Basin Management Plan (BMP) Update. The BMP Update consists of three primary components to eliminate the estimated 12,100-acre feet per year deficit: conservation of existing water supplies, development of new water supplies, and optimization of existing water supplies. The objectives of the BMP Update are:
 - Prevent seawater intrusion, long-term groundwater overdraft, land subsidence, and water quality degradation;
 - Manage existing and supplemental water supplies to control overdraft and provide for present and future water needs;
 - Create a reliable, long-term water supply, which has been identified as an important cornerstone of the long-term economic vitality of the Pajaro Valley;
 - Develop water conservation programs; and
 - Recommend a program that is cost effective and environmentally sound.
- The Sustainable Groundwater Management Act of 2014 requires critically over-drafted, high priority groundwater basins, like the Pajaro Valley Groundwater Basin, to be managed under a Groundwater Sustainability Plan, or approved Alternative, by January 31, 2020, and to achieve sustainability by 2040. In July 2019, the California Department of Water Resources approved the Basin Management Plan and associated documents as functionally equivalent to a Groundwater Sustainability Plan.
- The Projects would advance all the BMP Update objectives, except for development of water conservation programs. The Projects would not impede that objective; it simply would not directly advance the objective. In addition to the BMP Update objectives, the Projects would implement the following Project-specific objectives:
 - Design and implement reliable facilities to help achieve sustainable groundwater management of the Pajaro Valley Groundwater Subbasin by 2040, taking into account potential future hydrologic changes, including those associated with climate change.

- Substantially contribute to the Pajaro Valley's water supply needs in a timely manner, consistent with the Basin Management Plan Update implementation goals.
 - Use locally controlled surface water for agricultural purposes to offset groundwater pumping in an environmentally sound manner and in coordination with resource agencies, the public, and other stakeholders, while preserving existing habitat.
 - Make efficient use of, and leverage federal, state, and local investments in, existing Agency infrastructure.
 - In coordination with other agencies, develop surface water supplies in a manner that is compatible with flood risk reduction and habitat restoration planning.
- Absent the Projects, it is anticipated that groundwater overdraft conditions will continue to worsen and the additional water supply provided by the Projects will not exist. This is expected to have detrimental impacts on agricultural operations in the service area. The Projects are therefore important from a long-range planning perspective for the creation of a viable source of water.
- The Projects incorporates all feasible mitigation measures to reduce potential environmental impacts to the greatest extent feasible. No feasible mitigation measures have been identified to fully mitigate the significant and unavoidable adverse effects of the Projects.

Table 1: Impacts and Mitigation Measures

Impact ID	Description	Finding	Rationale	Mitigation Measure ID
HYD-1	Project construction could violate water quality standards and/or waste discharge requirements, or otherwise substantially degrade surface or ground water quality.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM BR-1b: Frac-out Contingency Plan MM HYD-1: Implement Dewatering Best Management Practices for In-Water Construction
HYD-6	The Project could conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM BR-1b: Frac-out Contingency Plan MM HYD-1: Implement Dewatering Best Management Practices for In-Water Construction
BR-1	Construction of Project components could result in a substantial adverse effect on special-status species.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM BR-1a: Frac-out Contingency Plan MM BR-1b: Compensate for Temporary and Permanent Impacts to CRF Critical Habitat MM BR-1c: Avoid and Minimize Impacts on Special-status Bat Species MM AES-1: Construction Lighting
BR-2	Construction of Project components would result in a substantial adverse effect on riparian habitat or other sensitive natural community or on state or federally protected wetlands or waters through direct removal, filling, hydrological interruption, or other means.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM BIO-1c (Revised): Realign Struve Slough filter plant pipeline; riparian revegetation plan MM BIO-1d (Revised): Revegetation/restoration for open water, wetland, and marsh impacts MM BR-1a: Frac-out Contingency Plan

Table 1: Impacts and Mitigation Measures

Impact ID	Description	Finding	Rationale	Mitigation Measure ID
BR-4	Project operations could result in a substantial adverse effect on riparian habitat or other sensitive natural community or on state or federally protected wetlands or waters through direct removal, filling, hydrological interruption, or other means.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM BIO-1d (Revised): Revegetation/restoration for open water, wetland, and marsh impacts
BR-5	Project operations could result in a substantial adverse effect on terrestrial special-status species.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM BR-1b: Compensate for Temporary and Permanent Impacts to CRF Critical Habitat
C-BR-1	The Projects, in combination with past, present, and probable future projects in the Project area, could result in significant adverse impacts on special-status species, sensitive natural communities and wetlands, wildlife corridors or nursery sites, or conflicts with local plans and policies.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM BR-1a: Frac-out Contingency Plan MM BR-1b: Compensate for Temporary and Permanent Impacts to CRF Critical Habitat MM AES-1: Construction Lighting
GEO-1	The Projects could directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving an exacerbation of existing risks related to earthquake rupture, strong seismic ground shaking, seismic related ground failure including liquefaction, and landslides.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM GS-1 (Revised): Design BMP Update facilities per geotechnical recommendations and seismic hazard requirements MM GS-3 (Revised): Design diversion and pipeline facilities per geotechnical report; licensed geotechnical engineer to prepare foundation and earthwork recommendations

Table 1: Impacts and Mitigation Measures

Impact ID	Description	Finding	Rationale	Mitigation Measure ID
GEO-2	The Projects could result in substantial soil erosion.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM GS-2 (Revised): Prepare and implement erosion control plans; implement BMPs to minimize sediment transport
GEO-3	The Projects could be located on a geologic unit or soil that becomes unstable as a result of the Projects or that could potentially result in landslide, lateral spreading, subsidence, liquefaction, or collapse for reasons caused or exacerbated by the Projects.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM GS-3 (Revised): Design facilities per geotechnical recommendations
GEO-4	The Projects could be located on expansive soil, creating or exacerbating substantial risks to life and property.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM GS-3 (Revised): Design facilities per geotechnical recommendations
GEO-5	The Projects could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM GEO-1: Paleontological Resources Monitoring and Mitigation Program (PRMMP); retain Qualified Paleontologist; implement WEAP
C-GEO-1	The Projects, in combination with past, present, and probably future projects in the Project area, could have cumulatively considerable impacts on a unique paleontological resource.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM GS-2 (Revised): Erosion control plans MM GEO-1: Paleontological Resources Monitoring and Mitigation Program

Table 1: Impacts and Mitigation Measures

Impact ID	Description	Finding	Rationale	Mitigation Measure ID
HAZ-2	Project construction and operation could result in reasonably foreseeable conditions involving the release of hazardous materials to the environment.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM HAZ-1a: Health and Safety Plan (HASP) — survey structures for hazardous materials; prepare site-specific HASP per 29 CFR 1910.1200
HAZ-2	Project construction and operation could impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM TRA-1b: Construction Traffic Control/Traffic Management Plan
NOI-1	Construction of the Projects would result in a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plans or noise ordinances.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM NOI-1a: Construction Noise Reduction Plan MM NOI-1b: Locate recovery/monitoring wells ≥ 200 feet from residences MM NOI-1c: Off-site Accommodations for Substantially Affected Nighttime Receptors
NOI-2	Operation of the Projects could result in a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM NOI-2: Acoustical Enclosures for Stationary Equipment (blowers enclosed; noise level below 45 dBA County standard)

Table 1: Impacts and Mitigation Measures

Impact ID	Description	Finding	Rationale	Mitigation Measure ID
C-NOI-1	The Projects, in combination with past, present, and probable future projects in the site vicinity, would have a cumulatively considerable impact associated with construction noise.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM NOI-1a: Construction Noise Reduction Plan MM NOI-1b: Location of Recovery and Monitoring Wells MM NOI-1c: Off-site Accommodations for Nighttime Receptors MM NOI-2: Acoustical Enclosures for Stationary Equipment
TRA-1	Construction of the Projects would have temporary and intermittent effects on traffic and transportation conditions in the Project area.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM TRA-1a: Encroachment Permits from Santa Cruz County MM TRA-1b: Construction Traffic Control/Traffic Management Plan
TRA-2	Construction of the Projects would temporarily disrupt circulation patterns near sensitive land uses (schools, hospitals, fire stations, police stations, and other emergency providers).	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM TRA-1b: Construction Traffic Control/Traffic Management Plan
TRA-3	Construction of the Projects would have temporary effects on alternative transportation or alternative transportation facilities in the Project area.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM TRA-1b: Construction Traffic Control/Traffic Management Plan

Application #: 251336

Primary APNs: 052-081-37, 052-181-18, 052-181-20

Owner: Pajaro Valley Water Management Agency

Table 1: Impacts and Mitigation Measures				
Impact ID	Description	Finding	Rationale	Mitigation Measure ID
TRA-4	Construction of the Projects could temporarily increase the potential for accidents on Project area roadways.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM TRA-1b: Construction Traffic Control/Traffic Management Plan
C-TRA-1	The Projects, in combination with past, present, and probable future projects in the Project area, would have cumulatively considerable impacts on transportation and traffic.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM TRA-1a: Encroachment Permits MM TRA-1b: Construction Traffic Control/Traffic Management Plan

Table 1: Impacts and Mitigation Measures

Impact ID	Description	Finding	Rationale	Mitigation Measure ID
CUL-2	The Projects could cause a substantial adverse change in the significance of an archaeological resource, including those determined to be a historical resource defined in Section 15064.5 or a unique archaeological resource defined in Public Resources Code 21083.2.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM CUL-1a: Retention of Qualified Archaeologist MM CUL-1b: Pre-Construction Phase I Cultural Resources Survey MM CUL-1c: Pre-Construction Phase II Archaeological Testing and Evaluation MM CUL-1d: Avoidance and Preservation in Place of Archaeological Resources MM CUL-1e: Phase III Data Recovery and Treatment Plan MM CUL-1f: Cultural Resources Monitoring and Mitigation Program (CRMMP) MM CUL-1g: Construction Worker Cultural Resources Sensitivity Training MM CUL-1h: Designation of Environmentally Sensitive Areas MM CUL-1i: Archaeological Monitoring MM CUL-1j: Native American Monitoring MM CUL-1k: Inadvertent Discovery of Archaeological Resources MM CUL-1l: Curation

Table 1: Impacts and Mitigation Measures

Impact ID	Description	Finding	Rationale	Mitigation Measure ID
CUL-3	The Projects could disturb human remains, including those interred outside of formal cemeteries.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM CUL-2: Inadvertent Discovery of Human Remains MM CUL-1a: Retention of Qualified Archaeologist MM CUL-1f: Cultural Resources Monitoring and Mitigation Program MM CUL-1g: Construction Worker Cultural Resources Sensitivity Training MM CUL-1i: Archaeological Monitoring MM CUL-1j: Native American Monitoring
C-CUL-1	The Projects, in combination with past, present, and probable future projects in the Project area, could have cumulatively considerable impacts on cultural resources.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM CUL-1a through CUL-1l (all cultural resources measures) MM CUL-2: Inadvertent Discovery of Human Remains
TCR-2	The Projects could cause a substantial adverse change in the significance of a tribal cultural resource that has been determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM CUL-1a through CUL-1l (all cultural resources measures) MM CUL-2: Inadvertent Discovery of Human Remains
C-TCR-1	The Projects, in combination with past, present, and probable future projects in the Project area, could result in significant adverse cumulative tribal cultural resources impacts.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM CUL-1a through CUL-1l (all cultural resources measures) MM CUL-2: Inadvertent Discovery of Human Remains

Table 1: Impacts and Mitigation Measures				
Impact ID	Description	Finding	Rationale	Mitigation Measure ID
AES-4	Project components could introduce significant new sources of light or glare.	Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.	Mitigation measures have been incorporated into the Mitigation, Monitoring, and Reporting Program (MMRP), incorporated as a Condition of Approval for this project.	MM AES-1: Construction Lighting — direct nighttime lighting away from residential areas; use minimum necessary lighting; shield and hood outdoor lighting to prevent spillover

Coastal Development Permit Findings

- (A) That the project is a use allowed in one of the basic zone districts that are listed in LCP Section 13.10.170(D) as consistent with the LCP Land Use Plan designation of the site.

This finding can be made, in that all of the properties associated with the project are zoned CA (Commercial Agriculture), which is consistent with their AG (Agricultural) General Plan Designation. The proposed project is at its core is an agricultural irrigation supply project consistent with the purpose of the CA Zone District, which includes “to maintain the economic integrity of the economic farm units comprising the commercial agricultural areas of the County, to implement the agricultural preservation policy of SCCC § 16.50.010, and to maintain and enhance the general welfare of the County as a whole by preserving and protecting agriculture, one of the County's major economic sectors.”

Table 13.10.312-1 of the Zoning Ordinance allows that dams, canals, aqueducts of public water projects, and reservoirs may be conditionally approved on CA zoned parcels.

The -AIA (Airport Influence Area) designation assigned to properties near Struve Slough at the east end of the project site does not have any practical applicability to the proposed project. The -AIA combining district is established to “protect public health, safety, and welfare by ensuring the orderly expansion of airports, and to implement land use measures that protect the public from exposure to excessive noise and safety hazards within specified areas around the Watsonville Municipal Airport” and the project does not introduce conflict with this purpose.

- (B) That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.

This finding can be made, in that no conflicts have been identified with any development restrictions associated with the parcels. The recharge basin will be sites on APNs 052-181-18 and 052-181-17, which are maintained under Williamson Act Contracts, as noted by the -P (Agricultural Preserve) zoning designation. A review of the associated contract identifies terms stating that acquisition of the properties by a public agency renders the applicability of the contract, as to the acquired area, null and void, thereby resolving any conflicts between the contract and the proposed development. The portions of the parcels not utilized for the development will remain under the original contract terms and conditions.

- (C) That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to SCCC 13.20.130 and 13.20.140 et seq.

On balance, the design and siting of the proposed project will result in a development that is consistent and compatible with the use and intensity of the commercial agricultural parcels in the vicinity. The visible portions of the project will be visually compatible with the surrounding character of the area. The intake infrastructure at Lee Road is minimally sized and screened by topography and vegetation surrounding the slough. The distribution pipelines will be subsurface, and the upper surface of soil will be restored to pre-project conditions once installed. The recharge basin and infrastructure benefit from topographical screening from San Andreas Road and the shoreline to the west, but will be visually distinct from the existing landscape, which is comprised of row crops and agricultural structures. However, an existing smaller recharge basin is located

just north of the project site at APN 052-181-19, representing development more similar to the proposed project. Additionally, the project includes nearly three acres of wetland restoration at APN 052-221-26, which supports the Coastal Zone design criteria for visual compatibility and landscaping for visual interest, screening, and visual resources.

Except for the grading required to establish the recharge basin site disturbance will be limited in duration and impact. Trenching for distribution pipes requires minimal grading and will utilize horizontal or micro trenching where possible.

- (D) That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the LCP Land Use Plan, including Chapter 2: Section 2.5 and Chapter 7.

This finding can be made, in that the project site is not identified as a priority acquisition site as identified in Appendix G of the County Local Coastal Program. Public beach access is available north and south of the project site at Sunset State Beach and Palm Beach State Park.

- (E) That the project conforms to all other applicable standards of the certified LCP.

This finding can be made, in that the project has determined to be consistent with following policies identified in the LCP:

Goal ARC-1 Sustaining Agriculture

The project is explicitly proposed to improve the public/community groundwater supply that supports the agricultural economy in the Pajaro Valley and is sited to minimize and offset the loss of agricultural land. The project is consistent with Policy ARC-1.1.14 (Water and Sewer Lines in the Coastal Zone), which expressly authorizes the placement of water lines on commercial agricultural land within the Pajaro Valley Water Management Agency service area where the purpose is to prevent saltwater intrusion, recharge groundwater basins, or provide water for agricultural use. The project incorporates the safeguards required by Policy ARC-1.1.15 (Protection for Water and Sewer Lines in the Coastal Zone), in that distribution lines will be buried beneath the tillable soil depth to allow continued use of the sites for commercial agriculture.

Goal ARC-3 Biological Resources

The slough intakes and pipeline alignments are located in or near sensitive habitats, including wetlands and riparian corridors that meet the definition of sensitive habitat under Policy ARC-3.1.2 and constitute Environmentally Sensitive Habitat Area (ESHA) under Policy ARC-3.1.3. Riparian and aquatic habitat protection of the slough, which is directly connected to the Monterey Bay National Marine Sanctuary, is consistent with Objectives ARC-3.3 (Riparian Corridors and Wetlands) and ARC-3.4 (Aquatic and Marine Habitats). The project is further consistent with Policy ARC-3.1.6 (Development Within Sensitive Habitats), because it has been designed to maintain or enhance the functional capacity of affected habitats and to mitigate potential impacts. Specifically, the project mitigations include almost three acres of wetland restoration at APN 052-221-26.

Goal ARC-4 Water Resources,

The project is fundamentally a groundwater-management action and is consistent with

Objective ARC-4.5 (Groundwater Protection and Overdraft) because it is designed to reduce, and potentially halt, the long-term overdraft and seawater intrusion in the basin. By capturing surface water during periods of seasonal availability and recharging it to the aquifer, the project increases basin storage consistent with the County's overdraft-reduction policies.

Goal ARC-5 Visual Resources

The above grade or otherwise visible portions of the project include the Struve Slough pump structures and the fencing surrounding the recharge basin. Both sites are minimally visible from public viewsheds and would not be visible from the shoreline or from San Andreas Road, which is a designated scenic roadway in Policy ARC-5.2.1. The portions of the project at Struve Slough will also benefit from natural vegetative screening at the perimeter of the slough, consistent with Policy ARC-5.1.4 (Preserving Natural Buffers).

Goal ARC-8 Cultural Resources

The project involves ground-disturbing activities, including basin excavation, well drilling, pile driving, and pipeline trenching, that have the potential to encounter archaeological or tribal cultural resources. Consistent with Objective ARC-8.1, the project has been subject to archaeological review and tribal consultation and is conditioned to require protective measures and work stoppage in the event of an inadvertent discovery, thereby protecting archaeological sites and tribal cultural resources.

Goal PPF-3.0 Public Services

The project is consistent with Policy PPF-3.1.1 (Public Infrastructure Standards for New Development) in that it improves the reliability and sustainability of the regional groundwater supply and enhances a public service capacity in the area.

Goal PPF-4.0 Public Infrastructure

The project most directly advances Objective PPF-4.1 (Water Supply and Conservation) and is consistent with Policy PPF-4.1.5 (Groundwater Sustainability), which expressly supports implementation of groundwater sustainability plans for the Pajaro Valley basin to protect the long-term security of water supplies, safeguard groundwater quality, and maintain stream baseflows. The project is a core mechanism for achieving the basin sustainability identified in this policy. The project is likewise consistent with Policy PPF-4.1.1 (Linking Growth to Water Supplies) and Policy PPF-4.1.4 (Improvement of Water Systems) because it improves regional water supply reliability through new storage, recharge, and recovery infrastructure. The proposal is expressly consistent with Implementation Strategies PPF-4.1j and PPF-4.1k which call for the County to support water-agency proposals to develop supplemental supply sources, including aquifer storage and recovery and conjunctive use, to reverse overdraft and seawater intrusion, and to support efforts to monitor and reverse seawater intrusion in the Pajaro Valley.

- (F) If the project is located between the nearest through public road and the sea or the shoreline of any body of water located within the Coastal Zone, that the project conforms to the public access and public recreation policies of Chapter 3 of the Coastal Act.

This finding can be made, in that although the site is located between the nearest through public road and the shoreline, public access is not available through the project site. Public access through

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Owner: Pajaro Valley Water Management Agency

State Parks is available north and south of the project site at Sunset and Palm State Parks. The site is not on the list of priority acquisitions sites in Appendix G of the General Plan.

- (G) In the event of any conflicts between or among the required findings, required findings in subsections (E) and (F) of this section shall prevail.

This finding can be made, in that there are no conflicts among the required Coastal Development Permit findings.

Discretionary Permit Findings

- (a) **Health and Safety.** The proposed location of the project and the conditions under which it would be developed, operated, or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated commercial agricultural uses. The project would directly support agricultural production in the Pajaro Valley. Construction will comply with prevailing building technology to ensure that the project will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not be materially injurious to properties or improvements in the vicinity.

- (b) **Zoning Conformance.** The proposed location of the project and the conditions under which it would be developed, operated, or maintained will be in substantial conformance with the intent and requirements of all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the proposed project explicitly supports agricultural irrigation in the Pajaro Valley. Although the project is exempt from local zoning regulations, pursuant to Government Code section 53091, the proposed use is allowed in the CA zone district pursuant to SCCC 13.10.312 and the project is consistent purpose of the CA Zone District, which includes “to maintain the economic integrity of the economic farm units comprising the commercial agricultural areas of the County, to implement the agricultural preservation policy of SCCC § 16.50.010, and to maintain and enhance the general welfare of the County as a whole by preserving and protecting agriculture, one of the County's major economic sectors.”

- (c) **General Plan Conformance.** The proposed project is in substantial conformance with the intent, goals, objectives, and policies of all elements of the County General Plan and any specific plan which has been adopted for the area.

As previously detailed in Finding (E) of the Coastal Permit findings, the project demonstrates substantial compliance with multiple goals, policies, and implementation strategies detail in the County General Plan. A specific plan has not been adopted for this portion of the County.

- (d) **CEQA Conformance.** The proposed project complies with the requirements of the California Environmental Quality Act (CEQA) and any significant adverse impacts on the natural environment will be mitigated pursuant to CEQA.

This finding can be made, in that the project has been determined to be exempt from further review under the California Environmental Quality Act, based on consideration of the certified EIR and addendum prepared by the Pajaro Valley Water Management Agency (State Clearinghouse number 2019059130), and as document in the findings listed in Exhibit A of this report.

- (e) **Utilities and Traffic Impacts.** The proposed use will not overload utilities, result in inefficient or wasteful use of energy, or generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the project would not generate permanent impacts to utilities or traffic in the vicinity as a result of implementation. Project features requiring utility provided energy are limited to pumps, lighting, and miscellaneous monitoring equipment, none of which are anticipated to require substantial energy usage.

Environmental review of the project included evaluation of traffic impacts and determined that construction would have temporary and intermittent effects on traffic and transportation conditions in the area, but which are mitigated through Mitigation and Monitoring Program adopted as part of this approval. Mitigations include Constructing Management and Construction Traffic Control Plans. The operational phase was determined to have less than significant levels of impact to traffic and roads.

All construction will comply with prevailing building technology to ensure that the project will not overload utilities or otherwise result in an inefficient or wasteful use of energy.

- (f) **Neighborhood Compatibility.** The proposed use will be compatible with the existing and proposed land uses, land use intensities, and dwelling unit densities of the neighborhood, as designated by the General Plan and Local Coastal Program and implementing ordinances.

This finding can be made, in that the proposed minor land division is consistent with the land use intensity and density of the neighborhood as designated by the General Plan and implementing ordinances.

- (g) **Local Coastal Program Consistency.** For proposed projects located within the coastal zone, the proposed project is consistent with the provisions of the certified Local Coastal Program.

This finding can be made, in that the required Coastal Development Permit findings have been made for this project and the project is consistent with the provisions of the certified Local Coastal Program.

Conditions of Approval

Exhibit D: Project plans, prepared by Carollo for PVWMA, dated September 2024.

Exhibit E: Mitigation Monitoring and Reporting Program, dated March 2025.

- I. This permit authorizes implementation of the Watsonville Slough System Managed Aquifer Recharge and Recovery Project as indicated on the approved Exhibit "D" for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to Santa Cruz County Planning one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 1. Any outstanding balance due to Santa Cruz County Planning must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - B. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 - C. Complete all pre-construction requirements in accordance with the Mitigation Monitoring and Reporting Program (Exhibit E).
- II. All construction shall be performed according to the approved plans (Exhibit D) and in accordance with the certified Mitigation Monitoring and Reporting Program (Exhibit E).
 - A. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.
- III. Operational Conditions
 - A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

IV. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the applicant/owner shall reimburse the COUNTY its costs of defense, including without limitation reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

- A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and
 - 2. COUNTY defends the action in good faith.
- C. Settlement. The applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the COUNTY.
- D. Successors Bound. The "applicant/owner" shall include the applicant and/or the owner and the successor(s) in interest, transferee(s), and assign(s) of the applicant and/or the owner.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

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Primary APNs: 052-081-37, 052-181-18, 052-181-20
Owner: Pajaro Valley Water Management Agency

Please note: This permit expires three years from the effective date listed below unless the conditions of approval are complied with and the use commences before the expiration date.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Planning Commission, may appeal the act or determination to the Board of Supervisors in accordance with chapter 18.10 of the Santa Cruz County Code.



Pajaro Valley
Water Management Agency

PAJARO VALLEY WATER MANAGEMENT AGENCY
**WATSONVILLE SLOUGH SYSTEM MANAGED AQUIFER
RECHARGE & RECOVERY PROJECT**

PROJECT NO. 30-61
SEPTEMBER 2024

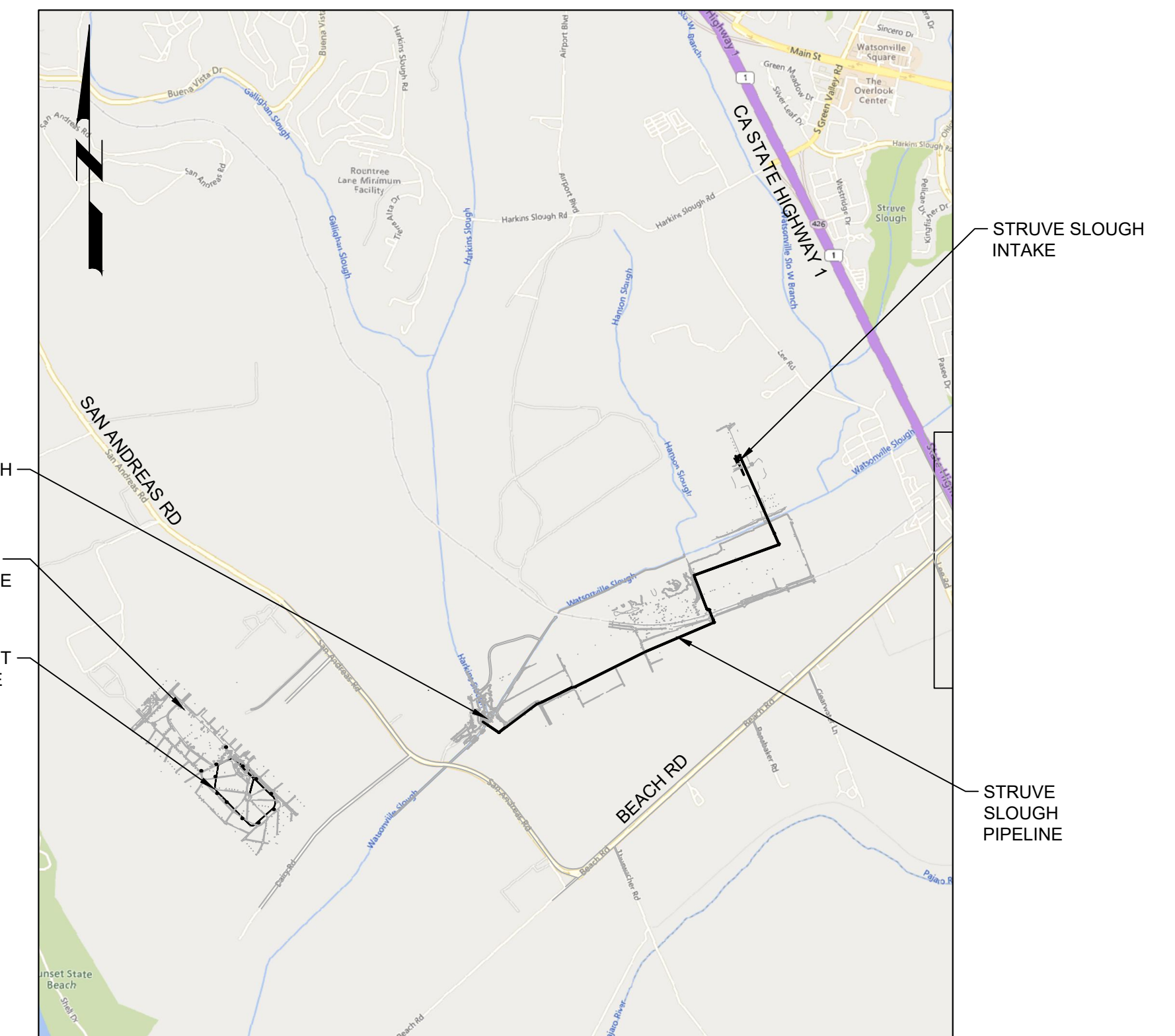


100% SUBMITTAL
NOT FOR
CONSTRUCTION

Large Plan Set (207 Pages)

File available for viewing here by clicking the
address below:

https://santacruzcountycalifornia-my.sharepoint.com/:b:/g/personal/pln030_co_santa-cruz_ca_us/IQDZdrEbDFH1TJxToa_giQKUAakLIbDAAi2PM9ROI-MSPMc?e=FkdHCh



LOCATION MAP

Exhibit D
Project Plans

JOB NO.	201569
DRAWING NO.	00G01
SHEET NO.	1 OF 207

**TABLE 5-1
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Harkins Slough Facilities Upgrades Project Components		Struve Slough Project Components				Mitigation Schedule	Monitoring, Reporting Responsibility	Verification of Compliance by PV Water*
	Filter Plant Upgrades (including intake screen)	Southwest and Southeast Recharge Basins, Wells, and pipelines	Screened Intake	Pump Station	SS to Filter Plant Pipeline	Compensatory Mitigation Site			
Land Use and Agricultural Resources									
LU-1a: Compensate for Conversion of Important Farmland <i>Track Conversion of Important Farmland.</i> PV Water shall review California Department of Conservation’s Farmland Mapping and Monitoring Program farmland designations for the recharge basins and associated recovery wells and monitoring wells annually beginning with the first year of construction and continuing for five years after construction of components located in Important Farmland is completed. PV Water shall identify Prime Farmland, Farmland of Statewide Importance, and Unique Farmland referred to herein as Important Farmland that is associated with the recharge basins and associated recovery wells and monitoring wells that converts due to implementation of the Projects. <i>Establish Memorandum of Understanding for Agricultural Easement Fund.</i> PV Water shall enter into a Memorandum of Understanding with the Santa Cruz Land Trust or similar entity. The Memorandum of Understanding shall include details regarding an Agricultural Easement Fund to be paid by PV Water and the timing of acquisition of agricultural easements for the purpose of offsetting impacts on Important Farmland caused by the Projects. Acceptance of this fee by the Santa Cruz Land Trust or similar entity shall serve as an acknowledgment and commitment to: (1) secure agricultural easements to offset the conversion of Important Farmland caused by the Projects; and (2) provide documentation to PV Water describing the project(s) funded by the mitigation fee. If there is any remaining unspent portion of the Agricultural Easement Fund following implementation, PV Water shall be entitled to a refund in that amount. To qualify under this mitigation measure, the specific agricultural easement acquisition projects must preserve acreage of farmland of an equal or greater Farmland Mapping and Monitoring Program designation value (e.g., Prime Farmland, Farmland of Statewide Importance, or Unique Farmland) within the PV Water service area to offset the permanent conversion of Important Farmland by the Projects. <i>Contribute to Agricultural Easement Fund.</i> PV Water shall initially designate funds to secure easements for up to the equivalent area of Important Farmland associated with development of the first recharge basin and associated recovery wells and monitoring wells. <i>Directly Fund Agricultural Easements.</i> As an alternative approach to establishing a memorandum of understanding for, and contributing to an agricultural easement fund, PV Water could elect to directly fund the purchase of agricultural easements for Important Farmland in the Pajaro Valley.	X		X		X	2. Pre-Construction 3. Construction 4. Post Construction	PV Water, Land Trust of Santa Cruz County (Potential)		
LU-1b: Replacement of Topsoil In agricultural areas, PV Water shall require contractors to stockpile topsoil at Project sites during Project grading and reapply it in situ after construction to promote vegetative growth. In agricultural areas temporarily disturbed by construction and where excavation occurs, the following measures shall apply: - Strip 18 inches of topsoil from the area excavated unless otherwise stipulated by landowner. The topsoil shall be stored separately from subsoil and other construction materials. - Clearly mark topsoil with signs, and store topsoil separately from other excavated and imported materials in such a manner that the topsoil is not damaged, mixed, or covered by subsoil or surface rocks, and so that it is not continually disturbed. - Stockpile topsoil on the same property from which it was stripped and return topsoil to same property from which it was stripped.	X		X	X		3. Construction 4. Post Construction	Contractor to implement; PV Water to monitor		
Surface Water, Groundwater, and Water Quality									
**HWQ-1: PV Water shall require contractors to apply for all applicable NPDES permits, including dewatering permits, develop a SWPPP for construction of proposed facilities, and comply with conditions of the permit(s), as required by the CCRWQCB. The objectives of the SWPPP are to identify pollutant sources that may affect the quality of stormwater discharge and to implement BMPs to reduce pollutants in stormwater discharges. The SWPPP for this proposed action would include the implementation, at a minimum, of the following elements: - Source identification - Preparation of a site map - Description of construction materials, practices, and equipment storage and maintenance - List of pollutants likely to contact stormwater - Estimate of the construction site area and percent impervious area - Erosion and sedimentation control practices, including soils stabilization, revegetation, and runoff control to limit increases in sediment in stormwater runoff, such as detention basins, straw bales, silt fences, check dams, geofabrics, drainage swales, and sandbag dikes - Proposed construction dewatering plans - Provisions to eliminate or reduce discharge of materials to stormwater - Description of waste management practices - Maintenance and training practices	X	X	X	X	X	2. Pre-Construction 3. Construction	Contractor to implement; PV Water to monitor		

NOTES:

* x = Verification of monitoring and reporting has been completed by PV Water

** Mitigation measure adopted in the 2014 BMP Update PEIR and not revised in the Watsonville Slough System Managed Aquifer Recharge and Recovery Projects EIR. PVWMA was renamed PV Water subsequent to adoption of these mitigation measures.

*** Where noted, cultural resources mitigation measures have been consolidated into revised mitigation measures or are no longer necessary based on the results of Phase II surveys completed in November 2023.

TABLE 5-1 (CONTINUED)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Harkins Slough Facilities Upgrades Project Components		Struve Slough Project Components				Mitigation Schedule	Monitoring, Reporting Responsibility	Verification of Compliance by PV Water*
	Filter Plant Upgrades (including intake screen)	Southwest and Southeast Recharge Basins, Wells, and pipelines	Screened Intake	Pump Station	SS to Filter Plant Pipeline	Compensatory Mitigation Site			
Surface Water, Groundwater, and Water Quality (cont.)									
**HWQ-4: Facilities shall be designed to comply with FEMA and County of Santa Cruz requirements to floodproof the facilities and shall not exacerbate upstream or downstream flood hazards on other properties. The FEMA process will require identification of the FEMA floodway zone and may require no increase water elevations for a one percent chance annual flood. The FEMA process will require identification of the FEMA zone type and may require no increase water elevations for a one percent chance annual flood. To meet the specific FEMA requirements for the component, substantial modifications to the facility design and additional mitigation may be required.	X						1. Design	PV Water	X
HYD-1: Implement Dewatering Best Management Practices for In-Water Construction For in-water construction during pipeline and screen/intake installation activities in sloughs, PV Water shall require its contractor(s) to prepare a Dewatering Plan. The Dewatering Plan shall identify best management practices that ensure construction activities at Harkins, Watsonville, and Struve sloughs meet water quality objectives. This work shall be timed to take place only after any instream measures to reduce downstream turbidity are in place. In addition, PV Water shall require its contractors to implement the measures below, and water quality protection measures required by the RWQCB. 1. All dewatering and diversion methods shall be installed such that natural flow is maintained upstream and downstream of the Project area and that water released into the sloughs does not increase turbidity in the sloughs such that beneficial uses are adversely affected, as determined by conditions stipulated in permits issued by the RWQCB and CDFW. 2. Any temporary dams or diversion shall be installed such that the diversion does not cause sedimentation, siltation, or erosion upstream or downstream of the Project area. 3. Screened pumps shall be used in accordance with the California Department of Fish and Wildlife's fish screening criteria and in accordance with the NMFS Fish Screening Criteria for Anadromous Salmonids and the Addendum for Juvenile Fish Screen Criteria for Pump Intakes. 4. Cofferdams shall remain in place and functional throughout the in-slough construction. 5. Disturbance of protected riparian vegetation shall be limited or avoided entirely	X		X		X		2. Pre-Construction 3. Construction	Contractor to implement, PV Water to monitor	
Biological Resources									
**BIO-1a: Wetlands and riparian habitat will be avoided by project construction activities to the extent practicable. All facilities and construction activities will be maintained outside the jurisdictional area defined by riparian or emergent wetland vegetation and applicable setbacks and buffers where feasible. Within the Coastal Zone, project improvements will be located 100 feet from coastal review wetlands. Within the City of Watsonville, development will be located 100 feet from riparian areas. Within the unincorporated areas of the County, yet outside the Coastal Zone, a setback of 30 feet and 50 feet will be established adjacent to intermittent and perennial streams, respectively. If complete avoidance of wetlands and riparian areas is infeasible and/or development occurs within a regulated buffer/setback area, impacts would be minimized through implementation of Mitigation Measures BIO-1b, BIO-1c, BIO-1d, and BIO-1e.	X		X		X		1. Design 2. Pre-Construction 3. Construction 4. Post Construction	PV Water	
**BIO-1b: Standard measures to maintain water quality and to control erosion and sedimentation will be implemented. These measures include: - Restrict trenching across all waterways to low-flow periods. - Exclude water from around the section of trench that is within the actively flowing channels. This will further reduce the potential for sediment or other pollutants to enter the waterways and impact downstream resources. The diversion will consist of water pillows, rock, sandbags, or other structural methods deemed most effective by the contractor. - Place sediment curtains or silt fence/filter fabric barriers downstream of the construction zone to prevent sediment disturbed during trenching activities from being transported and deposited outside of the construction zone. - Locate spoil sites so they do not drain directly into the waterways. If a spoil site drains into a channel, catch basins will be constructed to intercept sediment before it reaches the channels. Spoil sites will be graded to reduce the potential for erosion. - Prepare and implement a spill prevention plan for potentially hazardous materials. The plan will include the proper handling and storage of all potentially hazardous materials, as well as the proper procedures for cleaning up and reporting of any spills. If necessary, containment berms will be constructed to prevent spilled materials from reaching the creek channels. - Store equipment and materials away from the waterways, outside existing levees or at least 50 feet from waterways, but within the pipeline right-of-way. No equipment or materials will be deposited within 100 feet of wetlands. - Provide proper and timely maintenance for vehicles and equipment used during construction to reduce the potential for mechanical breakdowns leading to a spill of materials into or around the creeks. Maintenance and fueling will be conducted in an area that meets the criteria set forth in the spill prevention plan (i.e., away from the creeks).	X		X	X	X	X	2. Pre-Construction 3. Construction 4. Post Construction	Construction contractor to implement, PV Water to oversee	

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TABLE 5-1 (CONTINUED)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Harkins Slough Facilities Upgrades Project Components		Struve Slough Project Components				Mitigation Schedule	Monitoring, Reporting Responsibility	Verification of Compliance by PV Water*
	Filter Plant Upgrades (including intake screen)	Southwest and Southeast Recharge Basins, Wells, and pipelines	Screened Intake	Pump Station	SS to Filter Plant Pipeline	Compensatory Mitigation Site			
Biological Resources (cont.)									
- Prior to construction, install temporary construction fencing at the perimeter of the construction zone to prevent inadvertent equipment access or construction staging within adjacent riparian forest and/or coastal marsh habitats. This fencing will be signed in the field as "SENSITIVE HABITAT AREA — NO CONSTRUCTION ACCESS". Monitor construction activities to verify compliance with the perimeter fencing and limits of construction access and staging and implement remedial action if non-compliance is noted. - Restrict limbing of riparian forest trees; if trees are limbed for construction access, document the impact and provide compensation as per Mitigation Measure BIO-1c.									
**BIO-1e: With the exception of open trench pipeline construction that is separated from riparian or wetland habitat by an existing levee, where construction and/or facilities are placed within a riparian or wetland development setback area (as defined in the Santa Cruz County Municipal Code), indirect impacts to adjacent riparian and wetland vegetation will be minimized. Where feasible, buffer plantings of native trees and shrubs will be installed between the facility and the adjacent wetland or riparian resource to provide a vegetated buffer. A buffer planting plan will be prepared as part of a revegetation plan approved by CDFW, RWQCB, USACE, and/or California Coastal Commission, pursuant to regulatory agency permitting. The buffer planting plan will include specific revegetation measures, including the use of locally obtained plant materials, detailed descriptions of installation methods, after-installation care, weed control measures, success criteria, and corrective measures if the success criteria are not met.	X		X	X	X	X	1. Design 2. Pre-Construction 3. Construction	PV Water	
**BIO-2: During the development of Project BMP Update components, PV Water PVMMA will implement conservation measures during construction activities to avoid and minimize incidental take and significant impacts on individuals, populations, or habitat of special-status wildlife species to the maximum extent practicable. The following general measures will be incorporated into the planning and construction of BMP Update components, as appropriate, to ensure that the effects of the BMP Update are avoided, minimized, and mitigated. Suggested species-specific measures for CA red-legged frog and western pond turtle (WPT) are included, as well, although BMP Update components that proposed to divert surface waters beyond existing entitlements would require future additional project-level CEQA analyses of specific diversion and operation plans to support water rights application and environmental permits. It is assumed that project-level biological studies and analysis for these BMP Update components will be required to support those future permits and biological opinions.	X	X	X	X	X	X	Varies (see Mitigation Measures BIO-2a through 2p)	PV Water	
**BIO-2a: During project activities, all trash that may attract predators will be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris will be removed from work areas.	X	X	X	X	X	X	1. Design 3. Construction	Construction contractor to implement, PV Water to oversee	
**BIO-2b: All refueling, maintenance, and staging of equipment and vehicles will occur at least 65 feet from any riparian habitat or water body. PV Water will ensure contamination of habitat does not occur during such operations. Prior to the onset of work, PV Water will ensure that the contractor has prepared a plan to allow a prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.	X	X	X	X	X	X	1. Design 3. Construction	Construction contractor to implement, PV Water to oversee	
**BIO-2c: The spread or introduction of invasive exotic plant species will be avoided to the extent practicable. When practicable, invasive exotic plants in the project areas will be removed.	X	X		X	X	X	1. Design 3. Construction	Construction contractor to implement, PV Water to oversee	
**BIO-2d: Prior to any on-site work in areas where special-status species may occur, an experienced qualified biologist will conduct a tailgate training session in which all construction personnel will receive training regarding measures (below and above) that are to be implemented to avoid environmental impacts. This training will include a presentation of the potential for sensitive species to occur at the site and measures to protect habitat including aquatic habitat and avoid impacts to the species. All personnel working on the site will receive this training, and will sign a sign-in sheet showing they received the training.	X	X	X	X	X	X	3. Construction	Construction contractor to implement	
**BIO-2e: Prior to the commencement of work, the limits of the work area (including haul routes, access ramps, storage areas and material stockpiles) will be clearly marked with orange construction fencing to prevent workers from impacting habitat outside the work area. No work will occur outside the designated marked work areas.	X	X	X	X	X	X	2. Pre-Construction	Construction contractor to implement, PV Water to oversee	
**BIO-2f: Each morning before work begins on any components in or within 100 feet of a suitable habitat area (defined as: riparian habitat, USACE jurisdictional wetlands or "other waters" of the U.S., or sensitive habitats identified in subsequent USFWS Biological Opinions and CDFW 1600 Lake and Streambed Alteration Agreements), an experienced qualified or trained biological monitor (i.e., an experienced biologist or an individual trained by an experienced biologist) will survey the work site and habitat immediately surrounding the active work site for conditions that could impact special-status species, and will remain on-site whenever work is occurring that may adversely impact special-status species and their habitats. No work will be allowed to begin each morning until the biological monitor has inspected the work site.	X		X	X	X	X	3. Construction	Construction contractor to implement, experienced or trained qualified biological monitor to survey, PV Water to oversee	

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TABLE 5-1 (CONTINUED)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Harkins Slough Facilities Upgrades Project Components		Struve Slough Project Components				Mitigation Schedule	Monitoring, Reporting Responsibility	Verification of Compliance by PV Water*
	Filter Plant Upgrades (including intake screen)	Southwest and Southeast Recharge Basins, Wells, and pipelines	Screened Intake	Pump Station	SS to Filter Plant Pipeline	Compensatory Mitigation Site			
Biological Resources (cont.)									
**BIO-2g: A USFWS-approved biologist or biological monitor will permanently remove from within the project area(s), any individuals of exotic species, such as bullfrogs, crayfish, and centrarchid fishes to the extent practicable.	X		X		X	X	2. Pre-Construction 3. Construction	USFWS-approved biologist or biological monitor to remove, PV Water to oversee	
**BIO-2h: Upon locating individuals of special-status species that are dead or injured as a direct result of activities conducted by PV Water/WMA, initial notification will be made to the USFWS's Division of Law Enforcement at (916) 978-4861 (Sacramento) within three working days of its finding. The Ventura USFWS Field Office, North Coast Division (805-677-3330) will also be notified. Written notification will be made within five calendar days and include the date, time, and location of the carcass, a photograph, cause of death, if known, and any other pertinent information.	X		X	X	X	X	2. Pre-Construction 3. Construction	PV Water and <u>experienced or trained qualified biological s</u> /monitor	
**BIO-2i: Nesting Bird Surveys. Prior to any project construction activities, the project proponent will take the following steps to avoid direct losses of nests, eggs, and nestlings and indirect impacts to avian breeding success: If construction activities occur only during the non- breeding season, between August 31 and February 1, no surveys will be required. <u>For construction requiring tree removal (e.g., Southeast Recharge Basin), tree removal should occur during the non-breeding season if practical. For activities initiated during the breeding-bird breeding season (February 1 through August 31), a qualified biologist with experience conducting nesting bird surveys will survey construction areas in the vicinity of the Project sites for nesting raptors and passerine birds not more than 14 days prior to any ground-disturbing activity or vegetation removal. The survey will cover the portions of the Project sites where construction activities will occur as well as a 500-foot radius for the visual survey for raptors and a 250-foot radius for a visual survey for non-raptors. These surveys will only occur from within the Project site and accessible areas, and may not be able to cover the entire survey radius. Surveys will include all potential habitats within 500 feet (for raptors) of activities and all on-site vegetation including bare ground within 250 feet of activities (for all other species). If results are positive for nesting birds, If an active nest is located, the experienced biologist will determine avoidance procedures based on site conditions (e.g. nest location, nest stage, site activities) and behavior (e.g. species, tolerance) to will be adopted, if necessary, on a case-by-case basis. These may include implementation of buffer areas (e.g., minimum 50-foot buffer for passerines, and 250-foot minimum buffer for raptors, or other buffer distance as determined by the experienced biologist) or seasonal avoidance.</u>	X	X	X	X	X	X	2. Pre-Construction 3. Construction	PV Water and <u>experienced qualified</u> biologist	
**BIO-2j (CRF): The following measures for avoidance and minimization of adverse impacts to California Red-Legged Frog (<i>Rana draytonii</i>) (CRF) during construction of the ~~BMP Update~~ Project components are those typically employed for construction activities that may result in short-term impacts to individuals and their habitat. The focus of these measures is on scheduling activities at certain times of year, keeping the disturbance footprint to a minimum, and monitoring. Consultation with the USFWS will be conducted and a Biological Opinion developed for each ~~Project BMP Update~~ component that requires a USACE Section 404 Wetland Permit. Ongoing and future CRF studies in the project area may result in site-specific conditions that would be integrated into the future project-level ~~BMP Update~~ component designs, permitting and operations. CRF-1. ~~The Agency~~ PV Water will annually submit the name(s) and credentials of <u>experienced</u> biologists who would conduct activities specified in the following measures. No project activities will begin until ~~The Agency~~ PV Water receives approval from ~~USFWS the Service~~ that the biologist(s) is qualified to conduct the work. CRF-2. A USFWS-approved biologist will survey the work site 48 hours prior to the onset of activities. If CRF, tadpoles, or eggs are found, the approved biologist will determine the closest appropriate relocation site. The approved biologist will be allowed sufficient time to move them from the work site before work activities begin. Only USFWS-approved biologists will participate in activities associated with the capture, handling, and moving of CRF. CRF-3. Before any activities begin on a project, a USFWS-approved biologist will conduct a training session for all construction personnel. At a minimum, the training will include a description of the CRF and its habitat, the importance of the CRF and its habitat, general measures that are being implemented to conserve the CRF as they relate to the project, and the boundaries within which the project may be accomplished. Brochures, books and briefings may be used in the training session, provided that a qualified person is on hand to answer any questions. CRF-4. A USFWS-approved biologist will be present at the work site <u>during initial habitat disturbance, during which until such time as all</u> removal of CRF, instruction of workers, and disturbance of habitat ~~have been~~ will be completed. After this time, the biologist will designate and train a person to monitor on-site compliance with all minimization measures and any future staff training. The USFWS-approved biologist will ensure that this individual receives training outlined in measure WPT-2 (below) and in the identification of CRF. The monitor and the USFWS-approved biologist will have the authority to stop work if CRF are in harm's way. CRF-5. The number of access routes, number and size of staging areas, and the total area of the activity will be limited to the minimum necessary to achieve the project goal. Routes and boundaries will be clearly demarcated, and these areas will be outside of riparian and wetland areas to the extent practicable. CRF-6. Work activities <u>that may affect CRF habitat</u> will be completed between April 1 and November 1 to the extent practicable. Should ~~PV Water the Agency~~ demonstrate a need to conduct activities outside this period, ~~PV Water the Agency~~ may conduct such activities after obtaining the Service's approval.	X		X	X	X	X	3. Construction	PV Water and USFWS-approved biologist	

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TABLE 5-1 (CONTINUED)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Harkins Slough Facilities Upgrades Project Components		Struve Slough Project Components				Mitigation Schedule	Monitoring, Reporting Responsibility	Verification of Compliance by PV Water*
	Filter Plant Upgrades (including intake screen)	Southwest and Southeast Recharge Basins, Wells, and pipelines	Screened Intake	Pump Station	SS to Filter Plant Pipeline	Compensatory Mitigation Site			
Biological Resources (cont.)									
CRF-7. If a work site is to be temporarily dewatered by pumping, intakes will be completely screened with wire mesh not larger than five millimeters (mm) to prevent CRF from entering the pump system. Water will be released or pumped downstream at an appropriate rate to maintain downstream flows during construction. Upon completion of construction activities, any barriers to flow will be removed in a manner that would allow flow to resume with the least disturbance to the substrate. CRF-8. The Declining Amphibian Populations Task Force's Fieldwork Code of Practice will be followed to minimize the possible spread of chytrid fungus or other amphibian pathogens and parasites. CRF-9: Implement Mitigation Measures <u>HWQ-1 and HWQ-43, 40-1 through 3-10-4 in Section 3-10, Hydrology and Water Quality: Surface Water Systems.</u>									
**BIO-2k (WPT): The following measures for avoidance and minimization of adverse impacts to western pond turtle (<i>Actinemys marmorata</i>) (WPT) during construction of the project elements are those typically employed for construction activities that may result in short-term impacts to individuals and their habitat. The focus of these measures is on keeping the disturbance footprint to a minimum and aggressive monitoring of WPTs before vegetation removal and during the construction and revegetation phase. WPT-1. ~~The Agency PV Water~~ will annually submit the name(s) and credentials of biologists who would conduct activities specified in the following measures. No project activities will begin until proponents have received approval from <u>USFWS and CDFW</u> that the biologist(s) is qualified to conduct the work. WPT-2. An <u>CDFW</u>-approved biologist will survey the work site 48 hours prior to the onset of activities. If WPT adults, juveniles or eggs are found, the approved biologist will determine the closest appropriate relocation site. The approved biologist will be allowed sufficient time to move them from the work site before work activities begin. <u>Only CDFW-</u>approved biologists will participate in activities associated with the capture, handling, and moving of WPT. WPT-3. Before any activities begin on a project, <u>an CDFW</u>-approved biologist will conduct a training session for all construction personnel. At a minimum, the training will include a description of the WPT and its habitat, the importance of the WPT and its habitat, general measures that are being implemented to conserve the WPT as they relate to the project, and the boundaries within which the project may be accomplished. Brochures, books and briefings may be used in the training session, provided that a qualified person is on hand to answer any questions. WPT-4. An <u>CDFW</u> approved biologist will be present at the work site <u>during initial habitat disturbance, during which</u> ~~until such time as all~~ removal of WPT, instruction of workers, and disturbance of habitat ~~have been will be~~ completed. WPT-5. The number of access routes, number and size of staging areas, and the total area of the activity will be limited to the project plans. Routes and boundaries will be clearly demarcated. Where impacts occur in these staging areas and access routes, restoration will occur as identified in <u>subsequent mitigation measures</u> ~~the general BMP Update components above.~~	X		X	X	X	X	2. Pre-construction 3. Construction	PV Water and <u>USFWS and CDFW</u> -approved biologist Construction contractor to implement, qualified biologist/monitor to conduct training and construction monitoring, PV Water to oversee	
**BIO-3a: Occurrences of special status plant species shall be avoided by project construction activities to the extent feasible. All facilities and construction activities will be maintained outside habitats supporting special status plant species where feasible. Prior to construction <u>during the species-appropriate blooming period</u>, <u>an experienced qualified</u> biologist will conduct a survey of the <u>Project area sites</u> to ascertain the presence or absence of special status plant species. If no species are encountered, no mitigation is required. If a special status species is found within a <u>Project site BMP Update component project area</u>, a setback of 50 feet will be established between the occurrence and the <u>BMP Update</u>-construction activities. Prior to construction, <u>PV Water WMA</u> will install temporary construction fencing at the 50-foot setback line to prevent inadvertent equipment access or construction staging within the special status plant habitat. This fencing will be signed in the field as "SENSITIVE HABITAT AREA - NO CONSTRUCTION ACCESS". <u>An experienced qualified</u> biologist will inspect the temporary construction barrier fence and monitor the contractor's compliance with this avoidance measure. If complete avoidance of special status plant species is infeasible, impacts would be minimized through implementation of Mitigation Measure BIO-3b.	X			X	X	X	1. Design 2. Pre-Construction 3. Construction	PV Water and <u>experienced qualified</u> biologist	
**BIO-3b: Prior to clearing and grubbing in areas where impacts to special status plant species cannot be avoided, <u>PV Water WMA</u> will consult with applicable resource agencies (i.e., CDFW and/or USFWS) prior to implementing salvage and revegetation actions. <u>An experienced qualified</u> biologist will collect any available above- ground seed pods/seed heads for their use in future revegetation efforts. During construction, the upper 6 inches of topsoil from areas supporting the plant species will be stripped from the construction area and stored for later use. The topsoil will be used in future revegetation efforts which may be on-site (if feasible) or at an off-site location approved by permitting agencies (i.e., USFWS, CDFW). At the designated revegetation area, all stockpiled topsoil will be placed on site and finish graded to blend with surrounding topography. Under direction of <u>an experienced qualified</u> biologist, the areas will be revegetated with locally native herbaceous plant species compatible with natural regeneration of the special status plant species. The <u>experienced qualified</u> biologist will hand broadcast any seeds collected from the special status plant species into the appropriate habitat areas. The revegetation will achieve a minimum of 2:1 plant replacement (i.e., re- establish two plants for every plant impacted). The <u>experienced qualified</u> biologist will monitor the revegetation areas for two years after construction to ascertain if the special status plant species re-established within the revegetation area. Annual reports will be submitted to permitting agencies by December 31 of each monitoring year, describing the results of the revegetation measures, for a period of 5 years.	X			X	X	X	2. Pre-Construction 3. Construction 4. Post Construction	PV Water and <u>experienced qualified</u> biologist	

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	Filter Plant Upgrades (including intake screen)	Southwest and Southeast Recharge Basins, Wells, and pipelines	Screened Intake	Pump Station	SS to Filter Plant Pipeline	Compensatory Mitigation Site			
Biological Resources (cont.)									
BR-1a: Frac-out Contingency Plan If HDD installation is implemented, PV Water shall require the contractor to retain a licensed geotechnical engineer to develop a Frac-out Contingency Plan. PV Water would submit the Frac-out Contingency Plan to the appropriate resource agencies (CDFW and RWQCB) for review prior to the start of construction of any pipeline that would use HDD installation to avoid surface waters. The Frac-out Contingency Plan shall be implemented where HDD installation under a waterway will occur to avoid, minimize, or mitigate for potential Project impacts during HDD installation, as specified in the Frac-out Contingency Plan. The Frac-out Contingency Plan shall include, at a minimum: 1) Measures describing training of construction personnel about monitoring procedures, equipment, materials and procedures in place for the prevention, containment, clean-up (such as creating a containment area and using a pump, using a vacuum truck, etc.), and disposal of released bentonite slurry, and agency notification protocols; 2) Methods for preventing frac-out including maintaining pressure in the borehole to avoid exceeding the strength of the overlying soil. 3) Methods for detecting an accidental release of bentonite slurry that include: (a) monitoring by a minimum of one designated monitor throughout drilling operations to ensure swift response if a frac-out occurs; (b) continuous monitoring of drilling pressures to ensure they do not exceed those needed to penetrate the formation; (c) continuous monitoring of slurry returns at the exit and entry pits to determine if slurry circulation has been lost; and (d) continuous monitoring by spotters to follow the progress of the drill bit during the pilot hole operation, and reaming and pull back operations. 4) Protocols that the contractor would follow if there is a loss of circulation or other indicator of a release of slurry. 5) Cleanup and disposal procedures and equipment the contractor would use if a frac-out occurs. 6) If a frac-out occurs, the contractor shall immediately halt work, implement the measures outlined in Item 5 of the Frac-out Contingency Plan to contain, clean-up, and dispose of the bentonite slurry, and, if the frac-out occurs in the water channel, notify and consult with the staffs of the agencies listed above before HDD activities can begin again. PV Water shall require the contractor to implement Frac-out Contingency Plan to ensure that measures are implemented to prevent frac-out and if a frac-out occurs, implement measures to contain, clean-up, and dispose of the bentonite slurry.						X	1. Design 3. Construction	Contractor to implement, PV Water to oversee	
BR-1b: Compensate for Temporary and Permanent Impacts to CRF Critical Habitat. Where temporary impacts to vegetation in CRF critical habitat occur, revegetation measures will include the use of locally obtained plant materials, detailed descriptions of installation methods, after-installation care, weed control measures, success criteria, and corrective measures if the success criteria are not met. Temporarily impacted areas will be restored to pre-construction conditions with equivalent or greater habitat quality. Revegetation will include a 3:1 replacement ratio of the acreage of CRF wetland habitat lost as a result of the Project to account for the reduced habitat values of smaller trees compared with mature vegetation (or an equivalent habitat replacement strategy as agreed upon by PV Water and regulatory agencies). Success criteria for replanting will be less than 20 percent mortality of individual species annually for 5 years. Replanting will be conducted each year that plantings exceed 20 percent mortality, such that 80 percent plant survival is maintained each year of the 5-year monitoring period. Cover provided by invasive, non-native plant species shall not exceed 5 percent during each year of the 5-year monitoring period. If natural recovery is a viable strategy, then a wetland plant cover exceeding 50 percent should be attained after two growing seasons. Where permanent impacts to CRF habitat occur, mitigation may occur via restoration, creation, or preservation of wetlands that support CRF breeding. Mitigation will occur at a 3:1 ratio (or an equivalent habitat replacement strategy as agreed upon by PV Water and regulatory agencies) at a site acceptable to permitting agencies and pursuant to Project permit requirements. If the compensatory mitigation includes restoration, enhancement, or creation of wetlands, an experienced qualified biologist will monitor the designated wetland mitigation area for a minimum of five years to ascertain if the wetland mitigation is successful. Annual reports will be submitted to permitting agencies by December 31 of each monitoring year, describing the results of the monitoring and any remedial actions needed to achieve a minimum 3:1 habitat replacement ratio or equivalent for permanent impacts to wetlands and other waters.	X		X	X	X	X	1. Design 4. Post Construction	PV Water to oversee, revegetation contractor with expertise in CRF and wetland restoration to design, implement, and monitor	
BIO-1c (Revised) During design, PV Water will realigned the Struve Slough to filter plant pipeline to avoid the willow riparian forest at location SW1 within the Bryant Habert property, owned by the Land Trust of Santa Cruz County (Land Trust). ~~if the revised pipeline alignment crosses the referenced parcel, PV Water commits to a narrower construction corridor (i.e., 20 feet instead of 40 feet), requiring a minimum of five feet of cover for the pipeline, and implementing design features to preclude pipe bedding from acting as a drainage conduit for restored wetlands.~~ Where construction impacts on willow riparian forest will otherwise occur, revegetation and restoration measures will be developed as part of a revegetation plan approved by CDFW, RWQCB, and if applicable, USACE, Santa Cruz County, and/or California Coastal Commission, pursuant to regulatory agency permitting. The revegetation plan will include specific plans for the revegetation and restoration of impacted willow riparian forest for restoration of nearby riparian habitat, as appropriate. No trees will be placed above pipelines. Upon approval by applicable agencies, PV Water may choose to coordinate with a team with expertise (e.g., the Natural Resources Conservation Service, the Santa Cruz County Resource Conservation District [RCD], and/or Watsonville Wetlands Watch) to develop and implement the required riparian revegetation, including providing funds to the RCD for their						X	1. Design 2. Pre-Construction 3. Construction 4. Post Construction	PV Water to oversee design, restoration professional with experience in willow riparian restoration to design, implement, and monitor	

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TABLE 5-1 (CONTINUED)
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	Filter Plant Upgrades (including intake screen)	Southwest and Southeast Recharge Basins, Wells, and pipelines	Screened Intake	Pump Station	SS to Filter Plant Pipeline	Compensatory Mitigation Site			
Biological Resources (cont.)									
implementation of the revegetation. Revegetation measures will include the use of locally obtained plant materials, detailed descriptions of installation methods, after-installation care, weed control measures, success criteria, and corrective measures if the success criteria are not met. Temporarily impacted areas will be restored to pre-construction conditions with equivalent or greater habitat quality. Revegetation will include a 3:1 replacement ratio of the acreage of willow riparian forest habitat lost and for all trees lost as result of the Project to account for the reduced habitat values of smaller trees compared with mature vegetation. Success criteria for replanting will be less than 20 percent mortality of individual species annually for 5 years. Replanting will be conducted each year that plantings exceed 20 percent mortality, such that 80 percent plant survival is maintained each year of the 5-year monitoring period. Cover provided by invasive, non-native plant species shall not exceed 5 percent during each year of the 5-year monitoring period. Mitigation may occur via restoration, creation, or preservation of wetlands or waters. Mitigation will occur at a site acceptable to permitting agencies and pursuant to the Project's permit requirements, and to the extent practical, at a site within the Watsonville Slough system. If the compensatory mitigation includes restoration, enhancement, or creation of wetlands or waters, an experienced qualified biologist will monitor the designated wetland mitigation area for a minimum of five years to ascertain if the wetland mitigation is successful. Annual reports will be submitted to permitting agencies by December 31 of each monitoring year, describing the results of the monitoring and any remedial actions needed to achieve a minimum 3:1 habitat replacement ratio or equivalent for permanent impacts on willow riparian forest.									
BIO-1d (Revised) Where construction or operational impacts on open water (sloughs, jurisdictional ditches), agricultural wetlands, or coastal freshwater marsh occurs, revegetation and restoration measures will be developed as part of a revegetation plan approved by CDFW, RWQCB, USACE, Santa Cruz County and/or California Coastal Commission, pursuant to regulatory agency permitting. Upon approval by applicable agencies, PV Water may choose to coordinate with the Natural Resources Conservation Service, the Santa Cruz County RCD, and Watsonville Wetlands Watch to develop and implement the required wetland revegetation and restoration, including providing funds to the RCD for their implementation of the revegetation and restoration. The revegetation plan will include specific plans for the revegetation of impacted wetlands, and for restoration of nearby wetland habitat, as appropriate. Revegetation measures will include the use of locally obtained plant materials, detailed descriptions of installation methods, after-installation care, weed control measures, success criteria, and corrective measures if the success criteria are not met. Temporarily impacted areas will be restored to pre-construction conditions with equivalent or greater habitat quality. Revegetation will include a 3:1 replacement ratio (or an equivalent habitat replacement strategy as agreed upon by PV Water and regulatory agencies) for impacted wetlands. If natural recovery is a viable strategy, then a wetland plant cover exceeding 50 percent should be attained after two growing seasons. Mitigation may occur via restoration, creation, or preservation of wetlands or waters. Mitigation will occur at a site acceptable to permitting agencies and pursuant to the Project's permit requirements, and to the extent practical, at a site within the Watsonville Slough system. If the compensatory mitigation includes restoration, enhancement, or creation of wetlands or waters, an experienced qualified biologist will monitor the designated wetland mitigation area for a minimum of five years to ascertain if the wetland mitigation is successful. Annual reports will be submitted to permitting agencies by December 31 of each monitoring year, describing the results of the monitoring and any remedial actions needed to achieve a minimum 3:1 habitat replacement ratio or equivalent for permanent impacts on wetlands.	X		X		X	X	1. Design 2. Pre-Construction 3. Construction 4. Post Construction	PV Water to oversee design, revegetation contractor with experience in wetland and/or coastal marsh restoration to design, implement, and monitor	
BR-1c: Avoid and Minimize Impacts on Special-status Bat Species An experienced qualified biologist who is experienced with bat surveying techniques, behavior, roosting habitat, and identification of local bat species shall be consulted at least 14 days prior to initiation of construction activities to conduct a preconstruction habitat assessment to characterize potential bat habitat and identify active roost sites. The preconstruction habitat assessment shall be conducted within 100 feet of construction activities conducted in and around riparian habitat. Should potential roosting habitat or potentially active bat roosts be identified during the habitat assessment in trees and/or structures to be disturbed under the Project, the following measures shall be implemented: 1. Removal or disturbance of trees or structures (e.g. structures at the Southeast Recharge Basin and Harkins Slough Filter Plant the existing weir and intake pump station) identified as potential bat roosting habitat or active roosts shall occur when bats are active, approximately between the periods of March 1 to April 15 and August 15 to October 15, to the extent feasible. These dates avoid bat maternity roosting season (approximately April 15 to August 31) and periods of winter torpor (approximately October 15 to February 28). 2. If removal or disturbance of trees and structures identified as potential bat roosting habitat or active roosts during the periods when bats are active is not feasible, an experienced qualified biologist would conduct pre-construction surveys within 14 days prior to disturbance to further evaluate bat activity within the potential habitat or roost site. a. If active bat roosts are not identified in potential habitat during preconstruction surveys, no further action is required prior to removal of- or disturbance to trees and structures within the preconstruction survey area. b. If active bat roosts or evidence of roosting is identified during pre-construction surveys, the experienced qualified biologist shall determine, if possible, the type of roost and species. i. If special-status bat species or maternity or hibernation roosts are detected during these surveys, appropriate species- and roost-specific avoidance and protection measures shall be developed by the experienced qualified biologist in coordination with CDFW. Such measures may include postponing the removal of structures or	X		X	X	X	X	2. Pre-Construction 3. Construction	PV Water and experienced qualified biologist	

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TABLE 5-1 (CONTINUED)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Harkins Slough Facilities Upgrades Project Components	Struve Slough Project Components					Mitigation Schedule	Monitoring, Reporting Responsibility	Verification of Compliance by PV Water*
	Filter Plant Upgrades (including intake screen)	Southwest and Southeast Recharge Basins, Wells, and pipelines	Screened Intake	Pump Station	SS to Filter Plant Pipeline	Compensatory Mitigation Site			
Biological Resources (cont.)									
trees, or establishing exclusionary work buffers while the roost is active. A minimum 100-foot no disturbance buffer shall be established around special-status species, maternity, or hibernation roosts until the qualified biologist determines they are no longer active. The size of the no-disturbance buffer may be adjusted by the <u>experienced qualified</u> biologist, in coordination with CDFW, depending on the species present, roost type, existing screening around the roost site (such as dense vegetation or a building), as well as the type of construction activity that would occur around the roost site, and if construction would not alter the behavior of the adult or young in a way that would cause injury or death to those individuals. 3. The <u>experienced qualified</u> biologist shall be present during tree and structure disturbance or removal if active non-maternity or hibernation bat roosts or potential roosting habitat are present. Trees and structures with active non-maternity or hibernation roosts or potential habitat shall be disturbed or removed only under clear weather conditions when precipitation is not forecast for three days and when nighttime temperatures are at least 50 degrees Fahrenheit, and when wind speeds are less than 15 mph. a. Trimming or removal of trees with active (non-maternity or hibernation) or potentially active roost sites shall follow a two-step removal process: i. On the first day of tree removal and under supervision of the <u>experienced qualified</u> biologist, branches and limbs not containing cavities or fissures in which bats could roost, shall be cut only using hand tools (e.g., chainsaws). ii. On the following day and under the supervision of the <u>experienced qualified</u> biologist, the remainder of the tree may be removed, either using hand tools or other equipment (e.g. excavator or backhoe). iii. All felled trees shall remain on the ground for at least 24 hours prior to chipping, off-site removal, or other processing to allow any bats to escape, or be inspected once felled by the <u>experienced qualified</u> biologist to ensure no bats remain within the tree and/or branches. b. Disturbance to or removal of structures containing or suspected to contain active bat (non-maternity or hibernation) or potentially active bat roosts shall be done in the evening and after bats have emerged from the roost to forage. Structures shall be partially dismantled to significantly change the roost conditions, causing bats to abandon and not return to the roost. Removal would be completed the subsequent day. 4. Bat roosts that begin during construction are presumed to be unaffected as long as a similar type of construction continues, and no buffer would be necessary. Direct impacts on bat roosts or take of individual bats would be avoided.									
Air Quality and Greenhouse Gases									
**AQ-1: The construction contractor shall implement a dust program that includes the following elements: - Water all active construction sites at least twice daily - Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard - Pave, apply water three times daily, or apply (non- toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites - Sweep daily (with water sweepers) all paved access roads, paved parking areas and paved staging areas at construction sites - Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets. - Hydroseed or apply (non-toxic) soil binders to inactive construction areas. However, do not apply these measures in operating agricultural fields under cultivation unless requested by the grower - Enclose, cover, water twice daily or apply (non- toxic) soil binders to exposed stockpiles (dirt, sand, etc.). - Limit traffic on unpaved roads to 15 mph - Install sandbags or other erosion control measures to prevent silt runoff to public roadways - Replant vegetation in disturbed areas as quickly as possible - The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.	X	X	X	X	X	X	1. Design 3. Construction	Contractor to implement, PV Water to monitor	

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Geology and Soils									
GS-1 (Revised) Future construction of proposed BMP Update facilities shall be designed in accordance with design recommendations of geotechnical reports and in compliance with applicable policies and appropriate engineering investigation practices necessary to reduce the potential detrimental effects of ground shaking and liquefaction. Construction shall be in accordance with applicable requirements regarding mitigation of seismic and geologic hazards, and appropriate geotechnical studies shall be conducted.	X	X	X	X	X		1. Design	PV Water and qualified engineer	
GS-2 (Revised) Construction of future BMP Update facilities shall include preparation and implementation of erosion control plans to minimize erosion and inadvertent transport of sediments into water bodies during installation of facilities. Measures shall include, but not be limited to: limiting the area of ground disturbance and vegetation removal at any one time during construction; conducting work prior to the rainy season if possible and protecting disturbed areas during the rainy season; installing bales or other appropriate barriers adjacent to water bodies to prevent transport of sediments into sloughs and water courses; immediately revegetating disturbed areas; and other Best Management Practices during construction to protect water quality. All grading and construction shall conform to applicable requirements.	X	X	X	X	X		1. Design 3. Construction	Contractor to implement, PV Water to monitor	
GS-3 (Revised) All diversion and pipeline facilities shall be designed and engineered in accordance with recommendations of a geotechnical report and appropriate engineering designs to reduce the potential detrimental effects of expansive soils, corrosivity, and/or other identified soils constraints. A licensed geotechnical engineer shall prepare recommendations applicable to foundation design, earthwork, and site preparation prior to or during the project design phase. Recommendations will address mitigation of site- specific, adverse soil and bedrock conditions that could hinder development. Project engineers shall implement the recommendations. Geotechnical design and design criteria will comply with applicable codes and requirements of the California Building Code (CCR Title 24).	X	X	X	X	X		1. Design	PV Water and qualified geotechnical engineer	
GEO-1: Paleontological Resources Monitoring and Mitigation Program¹ The Projects proponent shall retain a Qualified Paleontologist meeting the standards of the SVP (2010) to develop and implement a Paleontological Resources Monitoring and Mitigation Plan (PRMMP) for the Project. The PRMMP shall include a Worker Environmental Awareness Program (WEAP) for all construction crew members involved in ground disturbing activities for the Project. The PRMMP shall include a description of when and where construction monitoring would be required; emergency discovery procedures; sampling and data recovery procedures; procedure for the preparation, identification, analysis, and curation of fossil specimens and data recovered; pre-construction coordination procedures; and procedures for reporting the results of the monitoring program. The PRMMP shall be consistent with the Society for Vertebrate Paleontology (SVP) Standard Guidelines for the mitigation of construction-related adverse impacts on paleontological resources and the requirements of the designated repository for any fossils collected. - Full-time, part time, and/or spot check monitoring for paleontological resources, as applicable, pursuant to the PRMMP, shall be conducted for ground disturbing activities occurring in previously undisturbed Pleistocene deposits, as well as excavations that exceed 10 feet in Holocene-age deposits. - In the event that paleontological resources are encountered during ground disturbance, all activity in the vicinity of the find shall cease (within 50 feet), and the protocols and procedures outlined in the PRMMP shall be implemented.	X	X	X	X	X	X	2. Pre-Construction 3. Construction	PV Water and qualified paleontologist	
Hazards and Hazardous Materials									
**HM-1: Prior to initiation of earthwork activities, PV Water WMA shall perform soil testing on agricultural sites proposed for development and analytically test for pesticide residuals and pesticide-related metals arsenic, lead, and mercury. <u>At least one soil test shall occur for each type of uniform crop shown on EIR Figure 3.2-1. If contamination is identified in the soil samples above applicable levels (i.e., Department of Toxic Substance Control regulatory screening levels, Regional Water Quality Control Board environmental screening levels, and hazardous waste acceptance criteria in Title 22 California Code of Regulations Section 66261.3),</u> PV Water WMA shall prepare a Site Management Plan (SMP) to establish protocols/guidelines for the contractor including: identification of appropriate health and safety measures while working in contaminated areas; soil reuse; handling, and disposal of any contaminated soils; and agency notification requirements. The SMP shall be subject to the review and approval of the appropriate regulatory agency.		X		X	X	X	1. Design 2. Pre-Construction	PV Water	
HAZ-1a: Health and Safety Plan (HASP) Prior to demolition of any existing structures, PV Water shall require that structures to be demolished be surveyed to determine if hazardous materials are present. Using information from the survey and the soil testing performed as part of adopted Mitigation Measure HM-1, PV Water shall require the construction contractor(s) to prepare and implement a site-specific HASP in accordance with 29 Code of Federal Regulations 1910.1200 to protect construction workers and the public during all excavation, grading, and demolition activities. The HASP shall include, but is not limited to, the following elements:	X	X					1. Design 2. Pre-Construction 3. Construction	Contractor to implement, PV Water to monitor	

¹ The PRMMP must be prepared for all Project components. The PRMMP will indicate which Project components warrant monitoring during ground-disturbing activities.

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TABLE 5-1 (CONTINUED)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Harkins Slough Facilities Upgrades Project Components		Struve Slough Project Components				Mitigation Schedule	Monitoring, Reporting Responsibility	Verification of Compliance by PV Water*
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Hazards and Hazardous Materials (cont.)									
1. Designation of a trained, experienced site safety and health supervisor who has the responsibility and authority to develop and implement the site HASP;									
2. A summary of all potential risks to construction workers and maximum exposure limits for all known and reasonably foreseeable site chemicals based on the most recent data collection and reporting;									
3. Specified personal protective equipment and decontamination procedures, if needed;									
4. Emergency procedures, including route to the nearest hospital; and									
5. Procedures to be followed in the event that evidence of potential soil or groundwater contamination (such as soil staining, noxious odors, debris or buried storage containers) is encountered.									
These procedures shall be in accordance with hazardous waste operations regulations and will specifically include, but are not limited to, the following: immediately stopping work in the vicinity of unknown discovered or suspected hazardous materials release and notifying the Santa Cruz County Environmental Health Services (831-454-2022).									
Noise and Vibration									
NOI-1a: Construction Noise Reduction Plan PV Water shall develop and implement a Construction Noise Reduction Plan prior to initiating construction activities. A disturbance coordinator shall be designated for the Project to implement the provisions of the plan. At a minimum, the Construction Noise Reduction Plan shall implement the following measures: - Distribute to the potentially affected residences and other sensitive receptors within 200 feet of the Project construction site boundaries notice including a "hotline" telephone number, which shall be attended during active construction working hours, for use by the public to register complaints. The notice shall identify the noise disturbance coordinator who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the reason for the noise complaints and institute actions warranted to correct the problem, if any. All complaints shall be logged noting date, time, complainant's name, nature of complaint, and any corrective action taken. The notice shall also include the construction schedule. - Equipment and trucks used for construction activities shall utilize the best available noise control techniques (including mufflers, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds) in order to minimize construction noise impacts. - Impact equipment (e.g., jack hammers, pavement breakers, and rock drills) used for construction activities shall be hydraulically- or electrically-powered whenever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used (such as drilling rather than impact equipment) whenever feasible. - Where pile driving will occur within 300 feet of sensitive receptors, cushion blocks shall be used to dampen the point of contact and reduce noise associated with pile driving equipment. - Maintain maximum physical separation, as far as practicable, between noise sources (construction equipment) and sensitive noise receptors. Separation may be achieved by locating stationary equipment (such as generators) in areas that would minimize noise impacts on the community. If they must be located near existing receptors, they shall be adequately muffled. - When construction activities take place within 50 feet of receptors, use construction noise barriers such as paneled noise shields, blankets, and/or enclosures adjacent to noisy stationary and off-road equipment. Noise control shields, blankets and/or enclosures shall be made featuring a solid panel and a weather-protected, sound-absorptive material on the construction-activity side of the noise shield.	X	X			X		1. Design 2. Pre-Construction 3. Construction	Contractor to implement, PV Water to monitor	
NOI-1b: Location of Recovery and Monitoring Wells PV Water shall locate recovery and monitoring wells at a distance of at least 200 feet from existing residences to avoid noise impacts to the residences. If this is found to be not feasible, PV Water shall implement Mitigation Measure NOI-1c for residences located less than 200 feet from well sites where 24-hour construction is required.		X					1. Design	PV Water	
NOI-1c: Off-site Accommodations for Substantially Affected Nighttime Receptors To reduce nighttime impacts to receptors, PV Water shall offer to provide temporary hotel accommodations for all residents within 200 feet of where recovery well drilling (if Mitigation Measure NOI-1b is not feasible) and trenchless pipeline construction activities would occur. The accommodations shall be provided for the duration of nighttime drilling activities. PV Water shall provide accommodations reasonably similar to those of the impacted residents (e.g., in terms of number of beds).		X			X		3. Construction	PV Water	

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MITIGATION MONITORING AND REPORTING PROGRAM

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Noise and Vibration (cont.)									
NOI-2: Acoustical Enclosures for Stationary Equipment Enclose all blowers, if installed, within acoustical enclosures to reduce noise impacts to nearby uses. Enclosures shall be rated for a noise reduction sufficient to ensure that the attenuated noise level at nearby receptors would be below the County standards of 45 dBA.	X						1. Design 3. Construction	PV Water	
Transportation and Traffic									
**TR-1: Conduct a preconstruction survey of road conditions on key access routes to the project sites (e.g., San Andreas Road). The pavement conditions of local streets judged to be in good condition for use by heavy truck traffic shall be monitored. Roads damaged by construction shall be repaired to a structural condition equal to, or better than, that which existed prior to construction activity.	X	X	X	X	X	X	2. Pre-Construction 3. Construction 4. Post Construction	Contractor to implement, PV Water to monitor	
TRA-1a: Encroachment Permits PV Water shall require the construction contractor to obtain any necessary road encroachment permits from Santa Cruz County prior to constructing each Project component and shall comply with the conditions of approval attached to all Project permits and approvals.							2. Pre-Construction 3. Construction	Contractor to implement, PV Water to monitor	
TRA-1b: Construction Traffic Control/Traffic Management Plan PV Water shall require the construction contractor to prepare a Construction Traffic Control/Traffic Management Plan and submit it to Santa Cruz County for review and approval prior to construction. The plan shall be prepared in accordance with professional engineering standards and may include, but not be limited to, the following elements as appropriate: - Identify hours of construction for each Project component. - Schedule truck trips outside of peak morning and evening commute hours when feasible to minimize adverse impacts on traffic flow if agencies with jurisdiction over the affected roads identify highly congested roadway segments during their review of the encroachment permit applications. Haul routes that minimize truck traffic on local roadways and residential streets shall be used. - Develop circulation and detour plans to minimize impacts on local street circulation. This may include the use of signing and flagging to guide vehicles, bicyclists, and pedestrians through and/or around the construction zone. - Control and monitor construction vehicle movements by enforcing current standard construction specifications as defined by Santa Cruz County through periodic onsite inspections by the construction contractor. - Install traffic control devices where traffic conditions warrant, as specified in the Santa Cruz County's standards (e.g., the <i>California Manual of Uniform Traffic Controls for Construction and Maintenance Work Zones</i>). - Perform construction that crosses on-street and off-street bikeways, sidewalks, and other walkways in a manner that allows for safe access for bicyclists and pedestrians. Alternatively, provide safe detours to reroute affected bicycle/pedestrian traffic. - Comply with roadside safety protocols to reduce the risk of accidents, as defined in the <i>Caltrans Division of Construction Code of Safe Practices and the California Manual of Uniform Traffic Controls for Construction and Maintenance Work Zones</i>, Provide "Road Work Ahead" warning signs and speed control (including signs informing drivers of state-legislated double fines for speed infractions in a construction zone) to achieve required speed reductions for safe traffic flow through the work zone. - Store all equipment and materials in designated contractor staging areas. - Encourage construction crews to park at staging areas to limit lane closures in the public rights-of-way. - Include a plan and implementation process for notifications and a process for communication with affected residents and businesses prior to the start of construction. Advance public notification shall include posting of notices and appropriate signage of construction activities at least one week in advance. The written notification shall include the construction schedule, the exact location and duration of activities within each street (i.e., which lanes and access point/driveways would be blocked on which days and for how long), and a toll-free telephone number for receiving questions or complaints.	X	X	X	X	X	X	2. Pre-Construction 3. Construction	Contractor to implement, PV Water to monitor	

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Transportation and Traffic (cont.)									
- Include a plan and implementation process to coordinate all construction activities with emergency service providers in the area at least one month in advance. Emergency service providers shall be notified of the timing, location, and duration of construction activities. All roads shall remain passable to emergency service vehicles at all times. - Identify all roadway locations where special construction techniques (e.g., trenchless pipeline installation or night construction) will be used to minimize impacts on traffic flow. Require all open trenches and pits be covered with metal plates at the end of each workday to accommodate traffic and access									
Cultural Resources									
**CR-1a: Final pipeline and facility plans shall locate facilities and pipeline alignments away from identified and recorded archaeological sites in each component area based on a site reconnaissance and archaeological investigation conducted by a qualified archaeologist at the time site-specific construction plans are developed. The archaeologist shall identify the areal extent of potential recorded sites, assess potential significance to identified resources, recommend adjustment to siting of improvements, facilities and/or pipeline alignments, if necessary, and provide other recommendations to avoid impacts to identified significant resources. If a significant or potentially significant archaeological or historic resource is identified pursuant to the definitions in the State CEQA Guidelines as identified above, the consulting archaeologist shall develop an appropriate mitigation plan for the cultural resource. Possible mitigation measures for important cultural resources may include monitoring by a qualified archaeologist during construction at identified sensitive sites, documentation and recordation of the resource, recovery and relocation, or stabilization of the resource.	X	X	X	X	X	X	1. Design	PV Water and qualified archaeologist	<u>Completed</u>
***COVERED BY REVISED MITIGATION MEASURES CUL-1I AND CUL-1J **CR-1b: The cultural resource boundaries of potentially significant sites shall be marked as exclusion zones both on ground and on construction maps prior to the commencement of construction activities on component sites. Construction supervisory personnel shall be notified of the existence of cultural resources in each component area and will be required to keep personnel and equipment away from these cultural resources sites. During construction and operational phases, personnel and equipment will be restricted to each surveyed corridor for each component.	See Measure CUL-1h						See Measure CUL-1h	See Measure CUL-1h	Superseded by Measure CUL-1h
***COVERED BY REVISED MITIGATION MEASURE CUL-1K **CR: Should any as yet undiscovered cultural resources be uncovered at any component site, such as structural features, or unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work will be suspended and PVWMA staff will be contacted. A qualified professional archaeologist shall be retained and will perform any necessary investigations to determine the significance of the find. PVWMA will then implement any mitigation deemed necessary for the recordation and/or protection of the cultural resources. In addition, pursuant to Sections 5097.97 and 5097.98 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work must be halted and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.	See Measure CUL-1k						See Measure CUL-1k	See Measure CUL-1k	Superseded by Measure CUL-1k
CUL-1a: Retention of a Qualified Archaeologist Prior to start of ground-disturbing activities (i.e., demolition, pavement removal, pot-holing or auguring, boring, drilling, grubbing, vegetation removal, brush clearance, weed abatement, grading, excavation, trenching, or any other activity that has potential to disturb soil), PV Water shall retain a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (codified in 36 CFR Part 61; 48 FR 44738-44739) to oversee and ensure that all mitigation related to archaeological resources is carried out.	X	X	X	X	X	X	2. Pre-Construction 3. Construction	PV Water and qualified archaeologist	
CUL-1b: Pre-Construction Phase I Cultural Resources Survey Prior to the start of ground-disturbing activity, a qualified archaeologist shall conduct a pre-construction Phase I Cultural Resources Survey of all areas that were not surveyed as part of the 2020 field effort. The survey shall document archaeological resources potentially qualifying as historical resources, unique archaeological resources, and/or tribal cultural resources under CEQA. The qualified archaeologist shall document the results of the survey in a Phase I Cultural Resources Survey Report that follows Archaeological Resource Management Reports (ARMR): Recommended Contents and Format. The qualified archaeologist shall also prepare Department of Parks and Recreation 523 forms for resources encountered during the survey, which shall be appended to the report. If built environment resources are encountered that could potentially be impacted by the Projects, the qualified archaeologist shall consult with a Qualified Architectural Historian meeting the Secretary of the Interior's Professional Qualifications Standards for architectural history (codified in 36 CFR Part 61; 48 FR 44738-44739). The qualified archaeologist shall submit the draft Phase I Cultural Resources Survey Report to PV Water within 30 days of completion of the survey. The final report shall be approved by PV Water no later than 360 days prior to the start of ground disturbance. The qualified archaeologist shall submit the final Phase I Cultural Resources Survey Report to the Northwest Information Center.	X	X	X	X	X	X	2. Pre-Construction	PV Water and qualified archaeologist	<u>Completed</u>

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MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Harkins Slough Facilities Upgrades Project Components		Struve Slough Project Components				Mitigation Schedule	Monitoring, Reporting Responsibility	Verification of Compliance by PV Water*
	Filter Plant Upgrades (including intake screen)	Southwest and Southeast Recharge Basins, Wells, and pipelines	Screened Intake	Pump Station	SS to Filter Plant Pipeline	Compensatory Mitigation Site			
Cultural Resources (cont.)									
***NO LONGER NECESSARY BASED ON RESULTS OF PHASE II SURVEYS CUL-1e: Pre-Construction Phase II Archaeological Testing and Evaluation Prior to start of ground-disturbing activity, the qualified archaeologist shall develop and implement an archaeological testing and evaluation program for resources CA-SCR-155 and CA-SCR-156, and any other potentially significant archaeological resources that are identified during the pre-construction survey. The testing program shall be aimed at determining the presence/absence of subsurface cultural deposits in the Area of Direct Impact, and if present, the horizontal and vertical extents and significance of those deposits. The qualified archaeologist shall prepare a work plan outlining the objectives, goals, research questions, and methods of the testing program and shall submit the work plan to PV Water for review and comment. The final approved work plan shall be prepared and implemented by the qualified archaeologist. Upon completion of testing, the qualified archaeologist shall prepare a Phase II Archaeological Testing and Evaluation Report for submittal to PV Water. The draft report shall be submitted within 30 days of completion of testing. The final report shall be approved by PV Water no later than 270 days prior to the start of ground disturbance. The qualified archaeologist shall also submit the final Phase II Archaeological Testing and Evaluation Report to the Northwest Information Center. If potentially significant subsurface cultural deposits are identified in the Area of Direct Impact, the qualified archaeologist shall evaluate the resource(s) for significance to determine if it qualifies as a historical resource as defined in CEQA Guidelines Section 15064.5(a). This would include evaluation under all four National Register/California Register Criteria (A/1-D/4). If a resource does not meet the criteria under subdivision (a), then it shall be assessed to determine if it meets the definition of unique archaeological resource as provided in Public Resources Code Section 21083.2(g)). When assessing significance for resources that are Native American in origin, the qualified archaeologist and PV Water shall consult with one or more Native American representatives listed on the California Native American Heritage Commission's contact list for the Projects to ensure that cultural values ascribed to the resource, beyond those that are scientifically important, are considered to determine if it qualifies as a tribal cultural resource pursuant to Public Resources Code section 21074.	To be determined based on Mitigation Measure CUL-1b		X	X		2. Pre-Construction	PV Water and qualified archaeologist		
***NO LONGER NECESSARY BASED ON RESULTS OF PHASE II SURVEYS CUL-1d: Avoidance and Preservation in Place of Archaeological Resources PV Water shall make every effort to avoid and preserve in place archaeological sites that are determined to be historical resources, unique archaeological resources, and/or tribal cultural resources as a result of testing and evaluation efforts conducted under Mitigation Measure CUL-1e. Avoidance and preservation in place is the preferred manner of mitigating impacts to archaeological resources. Preservation in place maintains the important relationship between artifacts and their archaeological context and also serves to avoid conflict with traditional and religious values of groups who may ascribe meaning to the resource. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or dedicating the site into a permanent conservation easement. In the event that avoidance and preservation in place of a resource is determined by PV Water, in consultation with the qualified archaeologist, to be infeasible in light of factors such as Project design, costs, and other considerations, then Mitigation Measures CUL-1e shall be implemented for that resource. If avoidance and preservation in place of a resource is determined by PV Water to be feasible, then Mitigation Measures CUL-1d shall be implemented for that resource.	X	X	X	X	X	2. Pre-Construction 3. Construction	PV Water and qualified archaeologist		
***NOT NECESSARY BASED ON RESULTS OF PHASE II SURVEYS CUL-1e: Development of a Phase III Archaeological Resources Data Recovery and Treatment Plan The qualified archaeologist shall prepare a Phase III Archaeological Resources Data Recovery and Treatment Plan for all significant resources that will be impacted by the proposed Project, including those that qualify as historical resources, unique archaeological resources, and/or tribal cultural resources. When determining if data recovery is necessary, the qualified archaeologist shall first consider if the data potential of the impacted portion of the site has been exhausted through previous testing. The plan shall be submitted to PV Water for review and approval prior to the start of field work for data recovery efforts for resources that are eligible under Criterion D/4 (data potential). Data recovery field work shall be completed prior to the start of any Project-related ground-disturbing activity. Treatment for resources that are eligible under Criteria A/1 (events), B/2 (persons), and/or C/3 (design/workmanship) shall be completed within 3 years of completion of the Projects. The Phase III Archaeological Resources Data Recovery and Treatment Plan shall include: • <i>Research Design.</i> The plan shall outline the applicable cultural context(s) for the region, identify research goals and questions that are applicable to each resource or class of resources, and list the data needs (types, quantities, quality) required to answer each research question. The research design shall address all four National Register/California Register Criteria (A/1-D/4) and identify the methods that will be required to inform treatment, such as subsurface investigation, documentary/archival research, and/or oral history, depending on the nature of the resource. • <i>Data Recovery for Resources Eligible under Criterion D/4.</i> The plan shall outline the field and laboratory methods to be employed, and any specialized studies that will be conducted, as part of the data recovery effort for resources that are eligible under National Register/California Register Criterion D/4 (data potential). If a resource is eligible under additional criteria, treatment beyond data recovery shall be implemented.	To be determined based on Mitigation Measures CUL-1b and CUL-1e					2. Pre-Construction 3. Construction	PV Water and qualified archaeologist		

NOTES:

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*** Where noted, cultural resources mitigation measures have been consolidated into revised mitigation measures or are no longer necessary based on the results of Phase II surveys completed in November 2023.

TABLE 5-1 (CONTINUED)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Harkins Slough Facilities Upgrades Project Components		Struve Slough Project Components				Mitigation Schedule	Monitoring, Reporting Responsibility	Verification of Compliance by PV Water*
	Filter Plant Upgrades (including intake screen)	Southwest and Southeast Recharge Basins, Wells, and pipelines	Screened Intake	Pump Station	SS to Filter Plant Pipeline	Compensatory Mitigation Site			
Cultural Resources (cont.)									
~~Treatment for Resources Eligible under Criteria A/1, B/2, and/or C/3. In the event a resource is eligible under National Register/California Register Criteria A/1 (events), B/2 (persons), or C/3 (design/workmanship), then resource-specific treatment shall be developed to mitigate Project-related impacts to the degree feasible. That could include forms of documentation, interpretation, public outreach, ethnographic and language studies, publications, and educational programs, depending on the nature of the resource, and may require the retention of additional technical specialists. Treatment measures shall be generally outlined in the plan based on existing information on the resource. Once data recovery is completed and the results are available to better inform resource-specific treatment, the treatment measures shall be formalized and implemented. Treatment shall be developed by the qualified archaeologist in consultation with PV Water and one or more Native American Tribal representatives listed on the California Native American Heritage Commission's contact list for the Projects for resources that are Native American in origin.~~ ~~Security Measures. The plan shall include recommended security measures to protect archaeological resources from vandalism, looting, and non-intentionally damaging activities during field work.~~ ~~Procedures for Discovery of Human Remains and Associated Funerary Objects. The plan shall outline the protocols and procedures to be followed in the event that human remains and associated funerary objects are encountered during field work. These shall include stop-work and protective measures, notification protocols, and compliance with California Health and Safety Code section 7050.5 and PRC² section 5097.98. See also CUL-2.~~ ~~Reporting Requirements. Upon completion of data recovery for resources eligible under Criterion D/4, the qualified archaeologist shall document the findings in a Phase III Archaeological Data Recovery Report. The draft Archaeological Data Recovery Report shall be submitted to PV Water within 360 days after completion of data recovery, and the final Phase III Archaeological Data Recovery Report shall be submitted to PV Water within 60 days after the receipt of PV Water comments. The qualified archaeologist shall also submit the final Phase III Archaeological Data Recovery Report to the Northwest Information Center.~~ ~~Upon completion of all other treatment for resources eligible under Criteria A/1, B/2, and C/3, the qualified archaeologist shall document the resource-specific treatment that was implemented for each resource and verification that treatment has been completed in a technical document (report or memorandum). The document shall be provided to PV Water within 30 days after completion of treatment.~~ ~~Curation Requirements. The plan shall stipulate curation of cultural materials in accordance with Mitigation Measure CUL-1f.~~ ~~Protocols for Native American Monitoring and Input. The plan shall outline the role and responsibilities of Native American Tribal representatives. It shall include communication protocols and an opportunity and timelines for review of cultural resources documents. The plan shall include provisions for full-time Native American monitoring during field work (see Mitigation Measure CUL-1j).~~									
Mitigation Measure CUL-1f: Development of a Cultural Resources Monitoring and Mitigation Program The qualified archaeologist shall prepare a Cultural Resources Mitigation and Monitoring Program (CRMMP) based on the final approved Project design plans. The CRMMP shall be submitted to PV Water at least 60 days prior to the start of any ground-disturbing activities. The CRMMP shall include: - Provisions for Archaeological Monitoring. The CRMMP shall outline the archaeological monitor(s) responsibilities and requirements (refer to Mitigation Measure CUL-1i). - Procedures for Discovery of Archaeological Resources. Procedures to be implemented in the event of an archaeological discovery of cultural resources shall be fully defined in the CRMMP, and shall include stop-work and protective measures, notification protocols, procedures for significance assessments, and appropriate treatment measures. The CRMMP shall state avoidance or preservation in place is the preferred manner of mitigating impacts to historical resources, unique archaeological resources, and tribal cultural resources, but shall provide procedures to follow should PV Water determine that avoidance is infeasible in light of factors such as the nature of the find, Project design, costs, and other considerations. See also Mitigation Measure CUL-1k. If, based on the recommendation of the qualified archaeologist, it is determined that a discovered archaeological resource constitutes a historical <u>property resource, unique archaeological resource, and/or tribal cultural resource</u> pursuant to NHPA, CEQA and data recovery through excavation is the only feasible mitigation available, a Phase III Archaeological Resources Data Recovery and Treatment Plan shall be prepared and implemented by the qualified archaeologist in coordination with PV Water that provides for the adequate recovery of the scientifically consequential information contained in the archaeological resource (see Mitigation Measure CUL-1e). PV Water, or its designee, shall consult with one or more Native American representatives listed on the California Native American Heritage Commission's contact list for the Projects in determining treatment of resources that are Native American in origin to ensure that cultural values ascribed to the resource, beyond those that are scientifically important, are considered.	X	X	X	X	X	X	2. Pre-Construction 3. Construction	PV Water and qualified archaeologist	

² Public Resources Code.

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TABLE 5-1 (CONTINUED)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Harkins Slough Facilities Upgrades Project Components		Struve Slough Project Components				Mitigation Schedule	Monitoring, Reporting Responsibility	Verification of Compliance by PV Water*
	Filter Plant Upgrades (including intake screen)	Southwest and Southeast Recharge Basins, Wells, and pipelines	Screened Intake	Pump Station	SS to Filter Plant Pipeline	Compensatory Mitigation Site			
Cultural Resources (cont.)									
- Procedures for Discovery of Human Remains and Associated Funerary Objects. The CRMMP shall outline the protocols and procedures to be followed in the event that human remains and associated funerary objects are encountered during construction. These shall include stop-work and protective measures, notification protocols, and compliance with California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98 (refer to Mitigation Measure CUL-2). - Reporting Requirements. The CRMMP shall outline provisions for monthly weekly and final reporting. The qualified archaeologist shall prepare weekly monthly status reports as a component of the monthly Project compliance report. The monthly cultural resources status report will detail detailing activities and locations observed (including maps) and summarizing any discoveries for the duration of monitoring to be submitted to PV Water via e-mail for each week in which monitoring activities occur. Upon completion of ground disturbance, the qualified archaeologist shall prepare a draft Archaeological Resources Monitoring Report and submit it to PV Water within 60 days after completion of the monitoring program or of treatment for significant discoveries should treatment extend beyond the cessation of monitoring. The final Archaeological Resources Monitoring Report shall be submitted to PV Water within 30 days of receipt of PV Water comments. The qualified archaeologist shall also submit the final Archaeological Resources Monitoring Report to the Northwest Information Center. If human remains are encountered, a confidential report documenting all activities shall be submitted to the California Native American Heritage Commission within 90 days after completion of any treatment (refer to Mitigation Measure CUL-2). - Cultural Materials Storage Duration Requirements. The CRMMP shall stipulate the temporary storage of cultural materials until appropriate reburial may take place. PV Water, or its designee, shall consult with one or more Native American representatives listed on the California Native American Heritage Commission's contact list for the Projects to determine appropriate storage protocols duration of cultural materials in accordance with Mitigation Measure CUL-4. - Protocols for Native American Monitoring and Input. The CRMMP shall outline the role and responsibilities of Native American Tribal representatives. It shall include communication protocols, an opportunity and timelines for review of cultural resources documents related to discoveries that are Native American in origin, and provisions for Native American monitoring. The CRMMP shall include provisions for Native American monitoring of construction-related ground disturbance, as well as during any subsurface investigation and data recovery for discovered resources that are Native American in origin (refer to Mitigation Measures CUL-1j).									
CUL-1g: Construction Worker Cultural Resources Sensitivity Training Program A worker cultural resources sensitivity training program shall be implemented for the Project. Prior to any ground-disturbing activity, all construction workers shall be required to view a Project-specific cultural resources awareness training presentation (PowerPoint), an initial sensitivity training session shall be provided by the qualified archaeologist to all project employees, contractors, subcontractors, and other professionals prior to their involvement in any ground-disturbing activities, with subsequent training sessions occurring on a monthly basis to accommodate new personnel becoming involved in the Projects (subsequent sessions can be coordinated with other Worker Environmental Awareness Program or safety training that may be required). Construction personnel shall be informed. The training shall include a description of the sensitivity of the Project sites vicinity and given a tutorial providing information on how to identify the types of resources that may be encountered. The training shall also include be instructed on the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains, confidentiality of discoveries, and safety precautions to be taken when working with cultural resources monitors. PV Water shall make it a requirement that construction personnel are made available for and attend training sessions required to view the training presentation and retain documentation demonstrating attendance.	X	X	X	X	X	X	2, Pre-Construction	PV Water and qualified archaeologist	
***NO LONGER WARRANTED; SEE REVISED MITIGATION MEASURES CUL-1I AND CUL-1J CUL-1h: Designation of Environmentally Sensitive Areas Prior to the start of ground disturbance, the portion of any avoided archaeological resources nearest Project-related activities shall be marked as Environmentally Sensitive Areas (this includes archaeological resources that qualify as historical resources, unique archaeological resources and/or tribal cultural resources, or those that have not been evaluated). These areas shall not be marked as archaeological resources, but shall be designated as "exclusion zones" on Project plans and protective fencing in order to discourage unauthorized disturbance or collection of artifacts. The qualified archaeologist, or their designee, shall periodically inspect these areas for the duration of Project activities in the vicinity to ensure that protective fencing remains intact and no incursions into the exclusion zones have occurred. Upon completion of all Project-related activities in the vicinity, all protective fencing and signage shall be removed.	X	X	X	X	X		2, Pre-Construction 3, Construction	PV Water and qualified archaeologist	
CUL-1i: Archaeological Monitoring All Project-related ground disturbance that produces visible soils within 200 feet of known archaeological resources within the APE shall be subject to archaeological monitoring (i.e., horizontal directional drilling need not be monitored if the archaeologist would not be able to view soils or spoils piles). The archaeological monitor(s) shall be familiar with the types of resources that could be encountered and shall work under the direct supervision of the qualified archaeologist. The archaeological monitor(s) shall keep daily logs detailing the types of activities and soils observed, and any discoveries.	X	X	X	X	X	X	3, Construction	PV Water and qualified archaeologist	

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TABLE 5-1 (CONTINUED)
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Harkins Slough Facilities Upgrades Project Components		Struve Slough Project Components				Mitigation Schedule	Monitoring, Reporting Responsibility	Verification of Compliance by PV Water*
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Cultural Resources (cont.)									
Archaeological monitor(s) shall have the authority to halt and re-direct ground disturbing activities in the event of a discovery until it has been assessed for significance and treatment implemented, if necessary. In the event of a discovery, the archaeological monitor shall follow the notification protocols outlined in the CRMMP (refer to Mitigation Measures CUL-1f), including notifying the Construction Manager and qualified archaeologist. The qualified archaeologist shall determine if the discovery is significant, and if so, develop appropriate treatment (refer to Mitigation Measures CUL-1c, CUL-1d, and CUL-1e). PV Water and the qualified archaeologist shall consult with one or more Native American representatives listed on the California Native American Heritage Commission's contact list for the Projects for resources that are Native American in origin, and in accordance with the protocols and procedures outlined in the CRMMP (refer to Mitigation Measure CUL-1f).									
CUL-1j: Provisions for Native American Monitoring Prior to the start of ~~Project-related~~ any ground-disturbance that produces visible soils within 200 feet of known archaeological resources within the APEing activity, PV Water shall contact one or more of the Native American tribes listed on the California Native American Heritage Commission's contact list for the Projects and offer to retain a monitor if the tribe wishes to participate in monitoring efforts. If resources of Native American origin are discovered, the retained Native American monitor shall provide monitoring services in accordance with protocols and procedures outlined in the CRMMP (refer to Mitigation Measure CUL-1f).	X	X	X	X	X	X	2. Pre-Construction	PV Water and Native American monitor	
CUL-1k: Inadvertent Discovery of Archaeological Resources In the event that ~~cultural archaeological~~ resources are encountered during Project activities ~~ground disturbance (e.g., by construction personnel or archaeological/Native American monitors)~~ , all activity in the vicinity of the find shall cease (within 100 feet), and the protocols and procedures for discoveries outlined in the CRMMP shall be implemented (refer to Mitigation Measure CUL-1f). The discovery shall be evaluated for potential significance by the qualified archaeologist. If the qualified archaeologist determines that the resource may be significant, the qualified archaeologist shall develop an appropriate treatment plan for the resource in accordance with the CRMMP (refer to Mitigation Measures CUL-1f). When assessing significance and developing treatment for resources that are Native American in origin, the qualified archaeologist and PV Water shall consult with one or more Native American representatives listed on the California Native American Heritage Commission's contact list for the Project to determine if it qualifies as a tribal cultural resource pursuant to Public Resources Code section 21074. The qualified archaeologist shall also determine if work may proceed in other parts of the Project areas while treatment (e.g., data recovery) for cultural resources is being carried out.	X	X	X	X	X	X	3. Construction	PV Water and qualified archaeologist	
***COVERED BY REVISED MITIGATION MEASURE CUL-1F CUL-1i: Curation Disposition of Native American archaeological materials shall be determined through consultation between one or more Native American representatives listed on the California Native American Heritage Commission's contact list for the Projects, the qualified archaeologist, and PV Water. Disposition of human remains and associated funerary objects shall be determined through consultation between the Most Likely Descendant, landowner, and PV Water (refer to Mitigation Measure CUL-2). Any significant historic-period archaeological materials that are not Native American in origin shall be curated at a repository accredited by the American Association of Museums that meets the standards outlined in 36 CFR 79.9. If no accredited repository accepts the collection, then it may be curated at a non-accredited repository as long as it meets the minimum standards set forth by 36 CFR 79.9. If neither an accredited nor a non-accredited repository accepts the collection, then it may be offered to a public, non-profit institution with a research interest in the materials, or donated to a local school or historical society in the area for educational purposes, to be determined by the qualified archaeologist in consultation with PV Water.	X	X	X	X	X		3. Construction 4. Post-Construction	PV Water and qualified archaeologist	
CUL-2: Inadvertent Discovery of Human Remains If human remains are encountered <u>during Project activities</u> , then PV Water shall halt work in the vicinity (within 100 feet) of the discovery and contact the County Coroner in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. If the County Coroner determines the remains are Native American, then the Coroner shall notify the California Native American Heritage Commission in accordance with Health and Safety Code subdivision 7050.5(c), and Public Resources Code Section 5097.98. The California Native American Heritage Commission shall designate a Most Likely Descendant for the remains pursuant to Public Resources Code Section 5097.98. Until the landowner has conferred with the Most Likely Descendant, the contractor shall ensure the immediate vicinity where the discovery occurred is not disturbed by further activity, is adequately protected according to generally accepted cultural or archaeological standards or practices, and that further activities take into account the possibility of multiple burials. ~~If human remains are encountered, the qualified archaeologist, in consultation with the Most Likely Descendant shall prepare a confidential report documenting all activities and it shall be submitted to the California Native American Heritage Commission within 90 days after completion of any treatment.~~	X	X	X	X	X	X	3. Construction 4. Post-Construction	PV Water and qualified archaeologist	

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MITIGATION MONITORING AND REPORTING PROGRAM

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Energy, Utilities, Public Services, and Recreation									
**ES-1: A study to identify utilities along proposed alignments will be conducted by <u>PV Water PVAWA</u> during pre-design states of projects. The following mitigation measures are required for segments identified in final design as having potential conflicts with significant utilities: a. Utility excavation and encroachment permits would be required from the appropriate agencies, including the Public Works Departments of Santa Cruz County, City of Watsonville, Caltrans, and Union Pacific Railroad. These permits include measures to minimize utility disruption. <u>PV Water PVAWA</u> and its contractors shall comply with permit conditions. Permit requirements shall be included in construction contract specifications. b. Utility locations would be verified through field survey (potholing) and use of an underground locating service. c. A detailed engineering and construction plan shall be prepared as part of the design plans and specifications. This plan shall include procedures for the excavation, support, and fill of areas around utility cables and pipes. All affected utility services would be notified of <u>PV Water's PVAWA's</u> construction plans and schedule. Arrangements would be made with these entities regarding protection, relocation, or temporary disconnection of services. d. In areas where the pipeline would parallel wastewater mains, engineering and construction plans shall include trench wall support measures to guard against trench wall failure, and possible resulting loss of structural support for the wastewater main. e. Residents and businesses in the project area shall be notified in writing by the contractor of planned utility service disruption two to four days in advance, in conformance with state and County standards.	X	X	X	X	X	X	1. Design 2. Pre-Construction 3. Construction	PV Water, contractor to comply with encroachment permits	
**ES-2: <u>PV Water PVAWA</u> shall include in its construction specifications a requirement for the contractor to provide plans for recovering, reusing, and recycling construction, demolition, and excavation wastes and providing for composting of plant material, where feasible.	X	X	X	X	X	X	1. Design 2. Pre-Construction 3. Construction	Contractor to implement, PV Water to monitor	
Aesthetic Resources									
AES-1: Construction Lighting PV Water shall require contractors to direct nighttime lighting used during construction away from residential areas; use the minimum amount of night lighting necessary for construction and safety, and shield and hood outdoor lighting to prevent light spillover effects during Project construction.		X			X		1. Design 3. Construction	Contractor to implement, PV Water to monitor	

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Draft

WATSONVILLE SLOUGH SYSTEM MANAGED AQUIFER RECHARGE AND RECOVERY PROJECTS

Supplemental Environmental Impact Report

Prepared for

September 2020



Large File

Please use the links below to access
project document:

https://santacruzcountycal-my.sharepoint.com/:b:/g/personal/pln030_co_santa-cruz_ca_us/IQAo9YK6TWU3QoIE23sNhVHkAWED2QQR58kUhGykGE2uvPs?e=fJzDX5

[Browse - California Code of Regulations Table of Contents](#)§ 15096. *Process for a Responsible Agency.*

14 CA ADC § 15096

Barclays Official California Code of Regulations

Barclays California Code of Regulations

Title 14. Natural Resources

Division 6. Resources Agency

Chapter 3. Guidelines for Implementation of the California Environmental Quality Act (Refs & Annos)

Article 7. EIR Process

14 CCR § 15096

§ 15096. *Process for a Responsible Agency.*Currentness

(a) General. A responsible agency complies with CEQA by considering the EIR or negative declaration prepared by the lead agency and by reaching its own conclusions on whether and how to approve the project involved. This section identifies the special duties a public agency will have when acting as a responsible agency.

(b) Response to Consultation. A responsible agency shall respond to consultation by the lead agency in order to assist the lead agency in preparing adequate environmental documents for the project. By this means, the responsible agency will ensure that the documents it will use will comply with CEQA.

(1) In response to consultation, a responsible agency shall explain its reasons for recommending whether the lead agency should prepare an EIR or negative declaration for a project. Where the responsible agency disagrees with the lead agency's proposal to prepare a negative declaration for a project, the responsible agency should identify the significant environmental effects which it believes could result from the project and recommend either that an EIR be prepared or that the project be modified to eliminate the significant effects.

(2) As soon as possible, but not longer than 30 days after receiving a notice of preparation from the lead agency, the responsible agency shall send a written reply by certified mail or any other method which provides the agency with a record showing that the notice was received. The reply shall specify the scope and content of the environmental information which would be germane to the responsible agency's statutory responsibilities in connection with the proposed project. The lead agency shall include this information in the EIR.

(c) Meetings. The responsible agency shall designate employees or representatives to attend meetings requested by the lead agency to discuss the scope and content of the EIR.

(d) Comments on Draft EIRs and Negative Declarations. A responsible agency should review and comment on draft EIRs and negative declarations for projects which the responsible agency would later be asked to approve. Comments should focus on any shortcomings in the EIR, the appropriateness of using a negative declaration, or on additional alternatives or mitigation measures which the EIR should include. The comments shall be limited to those project activities which are within the agency's area of expertise or which are required to be carried out or approved by the agency or which will be subject to the exercise of powers by the agency. Comments shall be as specific as possible and supported by either oral or written documentation.

(e) Decision on Adequacy of EIR or Negative Declaration. If a responsible agency believes that the final EIR or negative declaration prepared by the lead agency is not adequate for use by the responsible agency, the responsible agency must either:

- (1) Take the issue to court within 30 days after the lead agency files a notice of determination;
- (2) Be deemed to have waived any objection to the adequacy of the EIR or negative declaration;
- (3) Prepare a subsequent EIR if permissible under Section 15162; or
- (4) Assume the lead agency role as provided in Section 15052(a)(3).

(f) Consider the EIR or Negative Declaration. Prior to reaching a decision on the project, the responsible agency shall consider the environmental effects of the project as shown in the EIR or negative declaration. A subsequent or supplemental EIR or negative declaration shall be prepared only as provided in Sections 15162 or 15163.

Exhibit G
CEQA/14 CCR 15096

(g) Adoption of Alternatives or Mitigation Measures.

(1) When considering alternatives and mitigation measures, a responsible agency is more limited than a lead agency. A responsible agency has responsibility for mitigating or avoiding only the direct or indirect environmental effects of those parts of the project which it decides to carry out, finance, or approve.

(2) When an EIR has been prepared for a project, the Responsible Agency shall not approve the project as proposed if the agency finds any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment. With respect to a project which includes housing development, the responsible agency shall not reduce the proposed number of housing units as a mitigation measure if it determines that there is another feasible specific mitigation measure available that will provide a comparable level of mitigation.

(h) Findings. The responsible agency shall make the findings required by Section 15091 for each significant effect of the project and shall make the findings in Section 15093 if necessary.

(i) Notice of Determination. The responsible agency should file a notice of determination in the same manner as a lead agency under Section 15075 or 15094 except that the responsible agency does not need to state that the EIR or negative declaration complies with CEQA. The responsible agency should state that it considered the EIR or negative declaration as prepared by a lead agency.

Credits

NOTE: Authority cited: Section 21083, Public Resources Code. Reference: Sections 21165, 21080.1, 21080.3, 21080.4, 21082.1 and 21002.1(b) and (d), Public Resources Code.

HISTORY

1. Amendment of subsections (b) and (d) filed 1-30-86; effective thirtieth day thereafter (Register 86, No. 5).

2. Change without regulatory effect amending NOTE filed 10-6-2005 pursuant to section 100, title 1, California Code of Regulations (Register 2005, No. 40).

This database is current through 6/19/26 Register 2026, No. 25.

Cal. Admin. Code tit. 14, § 15096, 14 CA ADC § 15096

END OF DOCUMENT