

RESOLUTION NO. 2023-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CASTROVILLE COMMUNITY SERVICES DISTRICT APPROVING THE MOSS LANDING WASTEWATER SYSTEM REHABILITATION PROJECT (“PROJECT”); ADOPTING THE FINAL INITIAL STUDY – MITIGATED NEGATIVE DECLARATION (“IS-MND”) PREPARED FOR THE PROJECT; APPROVING AND ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM (“MMRP”) PREPARED FOR THE PROJECT; AND MAKING THE MMRP A CONDITION OF PROJECT APPROVAL

WHEREAS, Castroville Community Services District (“District”) is a Community Services District created pursuant to Government Code Section 61000; and

WHEREAS, in 2014, the District absorbed the Moss Landing Sanitation District, which the District had been operating under contract for several years, and annexed the Moss Landing Wastewater System (MLWWS); and

WHEREAS, in October 2017, the District’s consultant performed a Sewer System Risk Assessment, which identified critical upgrades to be made to the MLWWS. Since then, the District has identified additional required improvements for the system, including additional manhole repair and air release valve upgrades; and

WHEREAS, these critical upgrades are necessary not only to improve the reliability of the MLWWS, but also to reduce the potential for unexpected leaks and/or breakages to affect nearby environmental resources such as Elkhorn Slough, Moss Landing Harbor, and the Monterey Bay National Marine Sanctuary; and

WHEREAS, the District’s proposes to construct the proposed Moss Landing Wastewater System Rehabilitation Project (“Project”), which Project involves the replacement or rehabilitation of existing facilities that are part of the MLWWS. The Project is intended to optimize the existing system to serve existing demand and would not serve additional growth or new demand. The proposed system improvements are described in Initial Study-Mitigated Negative Declaration (“IS-MND”) prepared for the Project and the preliminary Project plans are attached to the IS-MND in Appendix A; and

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code, §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.) (collectively, “CEQA”), an Initial Study analyzing all potential impacts of the Project was prepared for the District’s consideration as the lead agency under State CEQA Guidelines Section 15063; and

WHEREAS, on the basis of the Initial Study, which indicated that all potential environmental impacts from the Project would be less than significant with the incorporation of the mitigation measures in the Mitigation Monitoring and Reporting Program (“MMRP”), District staff determined that a Mitigated Negative Declaration (“MND”) should be prepared; and

WHEREAS, the Draft Initial Study-MND was prepared in accordance with CEQA and circulated for public review and comment between November 18, 2022 through December 19, 2022; and

WHEREAS, pursuant to Public Resources Code Section 21081.6 and State CEQA Guidelines Section 15074(d), a MMRP has been prepared for the Project, a copy of which is attached; and

WHEREAS, all comments on the Draft Initial Study-MND submitted by members of the public as well as any responsible, trustee, and interested agencies during the public review period for the Draft Initial Study-MND were received, considered and responded to; and

WHEREAS, the Final Initial Study-MND consists of the responses to comments and the Initial Study-MND; and

WHEREAS, the District Board of Directors conducted a duly noticed public meeting on January 17, 2023 to consider the proposed Project and its potential environmental impacts, the Final Initial Study-MND, MMRP, and all oral and written evidence presented to it during all meetings; and

WHEREAS, all of the findings and conclusions made by the District Board of Directors pursuant to this Resolution are based upon the oral and written evidence before it as a whole; and

WHEREAS, the District Board of Directors has reviewed the Final Initial Study-MND, the MMRP, and all other relevant information contained in the administrative record regarding the Project, and no comments or additional information submitted to the Board of Directors, and no other circumstances have produced substantial new information requiring substantial revisions that would trigger recirculation of the Draft Initial Study-MND or additional environmental review of the Project under State CEQA Guidelines Section 15073.5; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED that the Castroville Community Services District Board of Directors hereby finds:

1. CEQA (Mitigated Negative Declaration) - On the basis of the whole record before the Castroville Community Services District's Board of Directors (including the Final Initial Study-Mitigated Negative Declaration ["IS-MND"], comments received, and the administrative record), the Final IS-MND has been completed in compliance with CEQA and there is no substantial evidence that the Moss Landing Wastewater System Rehabilitation Project ("Project") as designed and mitigated, will have a significant effect on the environment. The Final IS-MND reflects Board's the independent judgment and analysis.

EVIDENCE:

- a) The California Environmental Quality Act (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) require preparation of an Initial Study for projects that are subject to CEQA.
- b) Castroville Community Services District ("CCSD") prepared an Initial Study pursuant to CEQA for the Project. The Initial Study is on file in the Castroville offices of the CCSD located at 11497 Geil Street, Castroville, California, 95012, and is hereby incorporated by reference.
- c) The IS-MND identified several potentially significant effects, but Project revisions and mitigation measures that would avoid or mitigate the effects to a point where clearly no significant effects would occur have been incorporated into the Project and/or made conditions of the Project.
- d) An MMRP has been prepared to ensure compliance during Project implementation, and is hereby incorporated herein by reference. The District shall be responsible for implementing the MMRP throughout the duration of project construction and operation.
- e) The Draft IS-MND for Moss Landing Wastewater System Rehabilitation Project ("Project") was prepared in accordance with CEQA and circulated for public review from November 18, 2022

through December 19, 2022. Comments from the California State Water Resources Control Board (SWRCB) and California Department of Transportation (Caltrans) were received.

- f) Tribal Cultural Resources - In accordance with Public Resources Code Section 21080.3.1, often referred to as Assembly Bill 52-Native Americans: CEQA, non-exempt projects subject to environmental review shall request a Tribal Consultation to determine if potential impacts to tribal cultural resources exist. On October 31, 2022, CCSD staff held a consultation meeting with the Rumsen Am:a Tu:rataj Olone (RATO). The RATO indicated the cultural importance and sensitivity of the Moss Landing area to the Tribe. To reduce potential impacts to tribal cultural resources to a less than significant level, mitigation measures recommended by RATO for Native American monitoring and procedures for unanticipated discoveries of tribal cultural resources have been incorporated. The project as proposed and mitigated would have a less than significant impact to tribal cultural resources.
- g) Caltrans – Comments received and responses provided in the Responses to Comments included with the Final IS-MND.
- h) SWRCB - Comments received and responses provided in the Responses to Comments included with the Final IS-MND.
- i) California Coastal Commission – No comments received.
- j) Members of the Public - No comments received.
- k) Issues that were analyzed in the IS-MND include: aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy, geology/soils, greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, transportation/traffic, tribal cultural resources, utilities/service systems, and wildfire.
- l) The project was found to have no impact on agriculture and forestry resources, energy, land use/planning, mineral resources, population and housing, public services, recreation, transportation, and wildfire.
- m) The Project was identified to have less than significant impacts on aesthetics, air quality, energy, greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality, noise, transportation, and utilities/service systems.
- n) The project was found to have potential impacts to biological, cultural, paleontological, and tribal cultural resources as well as noise, and mitigation measures have been incorporated to reduce impacts to these resources to a less-than-significant level.
- o) Evidence that has been received and considered includes: the technical studies/reports, the Draft and Final IS-MND, and staff report that reflect the CCSD's independent judgment, and information and testimony presented during the public hearing. These documents are on file with the CCSD and are hereby incorporated herein by reference.
- p) Staff analysis contained in the IS-MND and the record as a whole indicate the project could result in changes to the resources listed in Section 753.5(d) of the California Department of Fish and Wildlife (CDFW) regulations. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless CDFW determines that the project will have no effect on fish and wildlife resources. The Draft IS-MND was sent to CDFW for review and comment and to recommend necessary conditions to protect biological resources in this area. No comments were received.
- q) CCSD, located at 11497 Geil Street, Castroville, California, 95012, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the IS-MND is based.
- r) The Project plans and related support materials prepared by CCSD for the proposed Moss Landing Wastewater System Rehabilitation Project.

BE IT HEREBY FURTHER RESOLVED that:

1. Pursuant to Public Resources Code Section 21080, subdivision (c)(2), the District Board of Directors approves and adopts the Final Initial Study-MND prepared for the Project.
2. Pursuant to Public Resources Code Section 21081.6, the District Board of Directors approves and adopts the MMRP prepared for the Project and makes the MMRP a condition of Project approval.
3. The District Board of Directors approves the Project as described in the Final Initial Study-MND.
4. The District Board of Directors directs staff to file a Notice of Determination with the County of Monterey and the State Clearinghouse within five (5) working days of approval of the Project

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Castroville Community Services District duly held on the 17 day of January 2023 by the following vote.

Ayes: Director(s) Stefani, Oania, Cochran & Padilla

Noes: Director(s) _____

Absent: Director(s) _____

Abstained: Director(s) _____

ATTEST:

Lidia Santos
Lidia Santos, Secretary
(SEAL)

Cosme Padilla
Cosme Padilla, Board President

FINDINGS TO ADOPT MND: CEQA (Mitigated Negative Declaration) - On the basis of the whole record before the Castroville Community Services District's Board of Directors (including the Final Initial Study-Mitigated Negative Declaration ["IS-MND"], comments received, and the administrative record), the Final IS-MND has been completed in compliance with CEQA and there is no substantial evidence that the Moss Landing Wastewater System Rehabilitation Project ("Project") as designed and mitigated, will have a significant effect on the environment. The Final IS-MND reflects Board's the independent judgment and analysis. The Board approves and adopts the Final IS-MND prepared for the Project. The Board also approves and adopts the Mitigation Monitoring and Reporting Program (MMRP) prepared for the Project and makes the MMRP a condition of Project approval.

EVIDENCE:

- a) The California Environmental Quality Act (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) require preparation of an Initial Study for projects that are subject to CEQA.
- b) Castroville Community Services District ("CCSD") prepared an Initial Study pursuant to CEQA for the Project. The Initial Study is on file in the Castroville offices of the CCSD located at 11497 Geil Street, Castroville, California, 95012, and is hereby incorporated by reference.
- c) The IS-MND identified several potentially significant effects, but Project revisions and mitigation measures that would avoid or mitigate the effects to a point where clearly no significant effects would occur have been incorporated into the Project and/or made conditions of the Project.
- d) An MMRP has been prepared to ensure compliance during Project implementation, and is hereby incorporated herein by reference. The District shall be responsible for implementing the MMRP throughout the duration of project construction and operation.
- e) The Draft IS-MND for Moss Landing Wastewater System Rehabilitation Project ("Project") was prepared in accordance with CEQA and circulated for public review from November 18, 2022 through December 19, 2022. Comments from the California State Water Resources Control Board (SWRCB) and California Department of Transportation (Caltrans), were received.
- f) Tribal Cultural Resources - In accordance with Public Resources Code Section 21080.3.1, often referred to as Assembly Bill 52-Native Americans: CEQA, non-exempt projects subject to environmental review shall request a Tribal Consultation to determine if potential impacts to tribal cultural resources exist. On October 31, 2022, CCSD staff held a consultation meeting with the Rumsen Am:a Tu:rataj Olone (RATO). The RATO indicated the cultural importance and sensitivity of the Moss Landing area to the Tribe. To reduce potential impacts to tribal cultural resources to a less than significant level, mitigation measures recommended by RATO for Native American monitoring and procedures for unanticipated discoveries of tribal cultural resources have been

incorporated. The project as proposed and mitigated would have a less than significant impact to tribal cultural resources.

- g) Caltrans – Comments received and responses provided in the Responses to Comments included with the Final IS-MND.
- h) SWRCB - Comments received and responses provided in the Responses to Comments included with the Final IS-MND.
- i) California Coastal Commission – No comments received.
- j) Members of the Public - No comments received.
- k) Issues that were analyzed in the IS-MND include: aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy, geology/soils, greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, transportation/traffic, tribal cultural resources, utilities/service systems, and wildfire.
- l) The project was found to have no impact on agriculture and forestry resources, energy, land use/planning, mineral resources, population and housing, public services, recreation, transportation, and wildfire.
- m) The Project was identified to have less than significant impacts on aesthetics, air quality, energy, greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality, noise, transportation, and utilities/service systems.
- n) The project was found to have potential impacts to biological, cultural, paleontological, and tribal cultural resources as well as noise, and mitigation measures have been incorporated to reduce impacts to these resources to a less-than-significant level.
- o) Evidence that has been received and considered includes: the technical studies/reports, the Draft and Final IS-MND, and staff report that reflect the CCSD's independent judgment, and information and testimony presented during the public hearing. These documents are on file with the CCSD and are hereby incorporated herein by reference.
- p) Staff analysis contained in the IS-MND and the record as a whole indicate the project could result in changes to the resources listed in Section 753.5(d) of the California Department of Fish and Wildlife (CDFW) regulations. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless CDFW determines that the project will have no effect on fish and wildlife resources. The Draft IS-MND was sent to CDFW for review and comment and to recommend necessary conditions to protect biological resources in this area. No comments were received.
- q) CCSD, located at 11497 Geil Street, Castroville, California, 95012, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the IS-MND is based.
- r) The Project plans and related support materials prepared by CCSD for the proposed Moss Landing Wastewater System Rehabilitation Project.

Mitigation Monitoring and Reporting Program

The California Environmental Quality Act (CEQA) requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). This mitigation monitoring and reporting program is intended to track and ensure compliance with adopted mitigation measures during the project implementation phase. For each mitigation measure recommended in the Final Initial Study – Mitigated Negative Declaration (IS-MND), specifications are made herein that identify the action required, the monitoring that must occur, and the agency or department responsible for oversight.

Castroville Community Services District
Moss Landing Wastewater System Rehabilitation Project

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
Biological Resources							
BIO-1	Conduct Special Status Plant Species Survey						
Prior to the start of project construction activities for Manholes 11 to 13, a survey for special status plants shall be completed in all natural vegetation communities in which Monterey spineflower may be found. This survey shall be floristic in nature and shall be conducted to coincide with the blooming period of the spineflower from April to July. The survey shall be conducted by a qualified biologist during the blooming season prior to any ground disturbance. All special status plant species identified shall be mapped onto a site-specific aerial photograph or topographic map with the use of Global Positioning System (GPS) unit. Surveys shall be conducted in accordance with the most current protocols for botanical surveys established by the California Department of Fish and Wildlife (CDFW), United States Fish and Wildlife Service (USFWS), and the local jurisdictions if said protocols exist. A plant survey report shall be prepared that: 1) outlines the methodology of surveys and qualifications of the surveying biologist, 2) presents the results of the surveys, 3) presents an analysis of potential impacts to non-listed species and a determination of whether or not those impacts could result in jeopardy of a local or regional population, 4) presents a summary of listed species that would be impacted including numbers of individuals and/or acres of occupied habitat; 5) presents the required compensatory mitigation; and 6) recommends any additional tasks that would be required to avoid minimize and mitigate for special status plants such as preparation of a habitat mitigation and monitoring plan. A report of the survey results shall be submitted to the Castroville Community Services District. The CDFW and/or USFWS may also require documentation of surveys for consultation purposes. If special status plant species are identified within or adjacent to proposed disturbance areas, Mitigation Measure BIO-2 shall be implemented.	<ol style="list-style-type: none"> 1. Retain a qualified biologist to complete a survey for special status plants in all natural vegetation communities in which Monterey spineflower may be found 2. Review and approve the plant survey report 3. Implement Mitigation Measure BIO-2, if special status plant species are identified within or adjacent to proposed disturbance areas 	<ol style="list-style-type: none"> 1. Prior to the start of ground disturbance for Manholes 11 to 13 and to coincide with the blooming period of the spineflower from April to July 2. After completion of special status plant survey 3. Prior to and during construction, as needed 	<ol style="list-style-type: none"> 1. Once 2. Once 3. As needed 	Castroville Community Services District			

Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<p>BIO-2 Implement Special Status Plant Species Avoidance, Minimization, and Mitigation</p> <p>If federally and/or state listed or California Rare Plant Rank List 1B or 2 species are found during the special status plant survey and listed species would be directly and/or indirectly impacted, or there would be a population-level impact to non-listed species, then the plant(s) shall be demarcated and avoided to avoid population-level impacts. Listed and other special status plant occurrences that are not within the immediate disturbance footprint but are located within 50 feet of disturbance limits shall be demarcated as an Environmentally Sensitive Area (ESA) and shall have bright orange protective fencing (e.g., orange snow fencing) installed a minimum of 30 feet beyond their extent prior to and during construction activities. Reduction of avoidance buffer distance shall be approved by a qualified biologist. No construction activity shall be allowed within these avoidance areas. To avoid encroachment within ESAs, the limits of work shall be clearly shown on all project plans. In addition, work at Manholes 11 to 13 shall be monitored by a qualified biologist to ensure no encroachment. If significant impacts to Monterey spineflower cannot be avoided, Mitigation Measure BIO-3 shall be implemented</p>	<p>BIO-2</p> <ol style="list-style-type: none"> 1. Implement avoidance buffer requirements, if determined necessary under Mitigation Measure BIO-1 2. Retain a qualified biologist to monitor work at Manholes 11 and 13, if determined necessary under Mitigation Measure BIO-1 3. Implement Mitigation Measure BIO-3 if significant impacts to Monterey spineflower cannot be avoided 	<ol style="list-style-type: none"> 1. Prior to and during construction 2. Prior to and during construction 3. Prior to, during, and after construction, as needed 	<ol style="list-style-type: none"> 1. Continuously 2. Continuously 3. As needed 	Castroville Community Services District			
<p>BIO-3 Prepare Habitat Mitigation and Monitoring Plan</p> <p>If federally and/or state listed plants or non-listed special status plant populations cannot be avoided and will be impacted by development of the proposed project, the Castroville Community Services District (District) shall mitigate all impacts at a minimum ratio of 1:1 for occupied habitat area as a component of habitat restoration or through compensatory mitigation. A habitat mitigation and monitoring plan (HMMP) shall be prepared by a qualified biologist and submitted to the District for review and approval. The HMMP shall include, at a minimum, the following components:</p>	<ol style="list-style-type: none"> 1. Retain a qualified biologist to prepare a habitat mitigation and monitoring plan (HMMP) that includes mitigation of impacts at a minimum ratio of 1:1 for occupied habitat area, if determined necessary under Mitigation Measure BIO-2 2. Review and approve the HMMP 	<ol style="list-style-type: none"> 1. Prior to the completion of construction 2. Prior to the completion of construction 	<ol style="list-style-type: none"> 1. Once 2. Once 	Castroville Community Services District			

Castroville Community Services District
Moss Landing Wastewater System Rehabilitation Project

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<ul style="list-style-type: none"> Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type) Goal(s) of the compensatory mitigation project (type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved) Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values) Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan) Maintenance activities during the monitoring period, including weed removal as appropriate (activities, responsible parties, schedule) Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports) Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type An adaptive management program and remedial measures to address any shortcomings in meeting success criteria and/or to address catastrophic events such as wildfires Notification of completion of compensatory mitigation and agency confirmation Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism) 	<p>3. Implement the HMMP</p>	<p>3. After completion of construction</p>	<p>3. Once</p>				

Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
BIO-4 Smith's Blue Butterfly Host Plant Surveys Mitigation							
<p>Prior to grading and construction in undeveloped areas for Lift Station Nos. 1, 2, and 4, the Lift Station No. 2 Force Main, and all manhole improvements, a qualified biologist shall conduct surveys for seaside buckwheat (<i>Eriogonum parvifolium</i>) and seaside buckwheat (<i>Eriogonum latifolium</i>), host plants of Smith's blue butterfly, in areas of suitable habitat. These surveys can be completed as part of the special status plant species survey required under Mitigation Measure BIO-1.</p> <p>If no Smith's blue butterfly host plants are located, no further action is required. If host plants are located within proposed disturbance areas, the plants shall be buffered by a minimum of 25 feet and demarcated as an Environmentally Sensitive Area with high-contrast construction flagging or bright orange protective fencing (e.g., orange snow fencing). No construction activities shall be allowed within the buffered avoidance area. If construction would be required within the buffer area, a biological monitor shall be present for all work within the buffer avoidance area to ensure no direct impacts to host plants.</p> <p>If avoidance is not feasible, focused surveys shall be conducted to determine presence or absence of the butterfly species. These may include surveys during the adult flight period (mid-June through early September) and/or inspection of host plants for all life forms (egg, larva, pupa, and adult). If individuals of any life stage that may be impacted by the proposed project are detected during focused surveys, the plant cannot be disturbed without consultation with and take authorization from USFWS. If take authorization is received, a USFWS-permitted biologist shall salvage and relocate occupied host plants to an approved location nearby.</p> <p>An HMMP as described for special-status plant species under Mitigation Measure BIO-3 shall be prepared by a qualified biologist and submitted to USFWS for review and approval.</p>	<ol style="list-style-type: none"> 1. Retain a qualified biologist to conduct surveys for seaside buckwheat in areas of suitable habitat 2. Implement avoidance buffer requirements, including retention of a biological monitor for work within the buffered avoidance area, as needed 3. Field verify compliance with evidence requirements 4. If avoidance is not feasible, conduct focused surveys to determine presence or absence of Smith's blue butterfly 5. If individuals of any life stage that may be impacted by the proposed project are detected during focused surveys, avoid disturbance of the plant without consultation and authorization from USFWS 6. If take authorization is received, retain a USFWS-permitted biologist to salvage and relocate occupied host plants to an approved location nearby 	<ol style="list-style-type: none"> 1. Prior to grading and construction in undeveloped areas for Lift Station Nos. 1, 2, and 4, the Lift Station No. 2 Force Main, and all manhole improvements 2. Prior to and during construction 3. During construction 4. Prior to construction 5. Prior to and during construction activities that may impact host plants 6. Prior to construction activities that may impact host plants 	<ol style="list-style-type: none"> 1. Once 2. Continuously 3. Periodically 4. Once 5. Continuously 6. Once 	Castroville Community Services District			

Castroville Community Services District
Moss Landing Wastewater System Rehabilitation Project

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
	<ol style="list-style-type: none"> 7. Retain a qualified biologist to prepare an HMMP as described under Mitigation Measure BIO-3 8. Review and approve HMMP and submit to USFWS for approval 	<ol style="list-style-type: none"> 7. Prior to construction activities that may impact host plants 8. Prior to construction activities that may impact host plants 	<ol style="list-style-type: none"> 7. Once 8. Once 				
BIO-5 Nesting Bird Avoidance and Minimization Measures							
<p>The following avoidance and minimization measures shall be implemented during project construction activities:</p> <ul style="list-style-type: none"> Initial site disturbance shall occur outside the general avian nesting season (February 1 through September 15), if feasible. If initial site disturbance occurs in a work area within the general avian nesting season indicated above, a qualified biologist shall conduct a pre-construction nesting bird survey no more than 14 days prior to initial disturbances in the work area. The survey shall include the entire area of disturbance area plus a 50-foot buffer (relevant to non-raptor species) and 300-foot buffer (relevant to raptors) around the site. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 300 feet for raptor species. Larger buffers may be required and/or smaller buffers may be established depending upon the species, status of the nest, and construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer. If construction activities in a given work area cease for more than 14 days, additional surveys 	<ol style="list-style-type: none"> 1. Schedule initial site disturbance to occur outside general avian nesting season, if feasible 2. If initial site disturbance occurs within general avian nesting season or construction activities in a given work area cease for more than 14 days during the general avian nesting season, retain a qualified biologist to conduct a pre-construction nesting bird survey 3. If active nests are located, implement avoidance buffer requirements 4. If active nests are located, field verify compliance with avoidance buffers 5. If active nests are located, retain a qualified biologist to confirm when breeding/nesting is completed and young have fledged the nest 	<ol style="list-style-type: none"> 1. Prior to the start of construction 2. No more than 14 days prior to site disturbance in the work area 3. During construction activities, until the adults and young nesting birds are no longer reliant on the nest site 4. During construction activities 5. During construction activities and prior to the removal of avoidance buffers 	<ol style="list-style-type: none"> 1. Once 2. As needed 3. As needed 4. Periodically 5. As needed 	Castroville Community Services District			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<p>shall be conducted for the work area. If active nests are located, the aforementioned buffer zone measures shall be implemented.</p>							
<p>BIO-6 Implement Sensitive Plant Community and Environmentally Sensitive Habitat Area Avoidance and Minimization Measures</p> <p>The following measures shall be implemented for project construction activities associated with Manholes 11 to 13, Manholes 27 to 30, Lift Station No. 2 Force Main, Manholes 41 to 47, and Lift Station No. 4:</p> <ul style="list-style-type: none"> To the extent feasible, all project activities, including access routes, staging areas, stockpile areas, and equipment maintenance, shall be located outside of the limits of mapped sensitive habitats. Sensitive habitat areas shall be mapped by a qualified biologist and clearly shown on construction plans. Bright orange protective fencing (e.g., orange snow fencing) shall be installed at the outermost edge of sensitive habitats and shall not be disturbed except as required for project activities. Vegetation removal shall be limited to the minimum extent necessary to achieve project objectives. Mature trees shall be retained wherever feasible, and limbing of trees and shrubs shall be favored in lieu of removal. When feasible, stumps and burls of native vegetation shall be retained during construction to allow for re-sprouting following project completion. During construction, the District shall make all reasonable efforts to limit the use of imported soils for fill. Soils currently existing on site shall be used for fill material. If the use of imported fill material is necessary, the imported material shall be obtained from a source that is known to be free of invasive plant species. In addition, the construction specifications for Manholes 11 to 13, Manholes 27 to 30, Lift Station No. 2 Force Main, Manholes 41 to 47, and Lift Station No. 4 shall include the following best management 	<ol style="list-style-type: none"> Implement sensitive habitat avoidance requirements for project construction activities associated with Manholes 11 to 13, Manholes 27 to 30, Lift Station No. 2 Force Main, Manholes 41 to 47, and Lift Station No. 4 Include the specified best management practices for protection of sensitive plant communities in the contractor specifications for Manholes 11 to 13, Manholes 27 to 30, Lift Station No. 2 Force Main, Manholes 41 to 47, and Lift Station No. 4 Field verify compliance with the sensitive habitat avoidance requirements and best management practices 	<ol style="list-style-type: none"> Prior to and during construction Prior to issuance of contractor bid specifications During construction 	<ol style="list-style-type: none"> Continuously Once Periodically 	Castroville Community Services District			

Castroville Community Services District
Moss Landing Wastewater System Rehabilitation Project

Mitigation Measure/Condition of Approval	Action Required	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
practices to protect sensitive plant communities during project construction activities.						
<ul style="list-style-type: none"> Minimize removal or disturbance of existing vegetation outside of the footprint of project construction activities. Limit site access and parking, equipment storage and stationary construction activities to the designated staging areas to the maximum extent feasible. Prior to staging equipment on site, clean all equipment caked with mud, soils, or debris from off-site sources and/or previous construction sites to avoid introducing or spreading invasive exotic plant species. When feasible, remove invasive exotic plants from the Study Area. All equipment used on the premises shall be cleaned prior to leaving the site for other projects. Position all stationary equipment such as motors, pumps, generators, and/or compressors over drip pans. At the end of each day, move vehicles and equipment as far away as feasible from any water body adjacent to the project site in a level staging area. Position parked equipment also over drip pans or absorbent material Refuel and perform all vehicle and/or equipment maintenance off-site at a facility approved for such activities. To the greatest extent feasible, stabilize all exposed or disturbed areas in the Study Area. Install erosion control measures as necessary such as silt fences, jute matting, weed-free straw bales, plywood, straw wattles, and water check bars, and broadcasting weed-free straw wherever silt-laden water has the potential to leave the work site and enter the nearby aquatic features. Prohibit the use of monofilament erosion control matting to prevent wildlife entanglement. Modify, repair, and/or replace erosion control measures as needed. 						

Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<p>BIO-7 Construction Best Management Practices for Jurisdictional Waters</p> <p>The roadway drainage located near Manholes 11 to 13 shall be demarcated with fencing and avoided by construction personnel. The following best management practices shall be required for construction activities at Manholes 11 to 13</p> <ul style="list-style-type: none"> Staging and construction areas shall be limited to the minimum area necessary to achieve the project goal and minimize impacts to the roadway drainage, including locating access routes and ancillary construction areas away from the roadway drainage. To control erosion and sediment runoff during and after project construction, appropriate erosion control materials shall be deployed, including but not limited to straw wattles, and maintained in the vicinity of the project footprint. Raw cement, concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic species resulting from project-related activities, shall be prevented from contaminating the soil and/or entering the drainage. All refueling, maintenance, and staging of equipment and vehicles shall occur at least 100 feet from the drainage and in a location where a potential spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water source). Prior to the onset of work activities, a plan shall be in place for prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take shall an accidental spill occur. 	<p>Construction Best Management Practices for Jurisdictional Waters</p> <ol style="list-style-type: none"> Demarcate roadway drainage near Manholes 11 and 13 with fencing to be avoided by construction personnel Include the best management practices for protection of jurisdictional waters in the contractor specifications for Manholes 11 and 13 Field verify compliance with best management practices for protection of jurisdictional waters 	<ol style="list-style-type: none"> Prior to construction Prior to the issuance of contractor bid specifications During construction 	<ol style="list-style-type: none"> Once Once Periodically 	Castroville Community Services District			

Castroville Community Services District
Moss Landing Wastewater System Rehabilitation Project

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
Cultural Resources							
CR-1 Archaeological Treatment Plan for Lift Station No. 2 Force Main	<p>An Archaeological Treatment Plan (Plan) shall be prepared and approved by the District and State Water Resources Control Board prior to any ground disturbance taking place within 100 feet of the footprint of resource P-27-000335 as part of the Lift Station No. 2 Force Main portion of the proposed project. The Plan shall outline detailed treatment methods and protocols for monitoring personnel, monitoring ground disturbing activities, stop-work protocols, and treatment methods for rapid recovery and data recovery of any prehistoric site constituents of P-27-000335 that may be encountered during excavation. The Plan shall also specify:</p> <ul style="list-style-type: none"> • The type of equipment that shall be used to conduct excavations, both mechanical and hand; • Monitoring methods within resource boundaries, including stop-work authority and procedures; • Sampling methods for soils and features; • Protocol for recovery of artifacts, features, and soil samples; • Types and level of analysis to be conducted on site constituents, and • Final disposition of any artifacts or samples. <p>Any Native American tribes consulting under Assembly Bill 52 or Section 106 for the proposed project shall be given the opportunity to consult on and review the Plan prior to its implementation.</p>	<ol style="list-style-type: none"> 1. Retain a qualified archaeologist to prepare an Archaeological Treatment Plan as part of the Lift Station No. 2 Force Main portion of the proposed project 2. Offer the opportunity for consultation and review of the Plan to any Native American tribes consulting under AB 52 or Section 106 3. Review and approve the Plan 4. Submit the Plan for approval by the State Water Resources Control Board 	<ol style="list-style-type: none"> 1. Once 2. Once 3. Once 4. Once 	Castroville Community Services District			
CR-2 Archaeological Monitoring	<p>Archaeological monitoring of all project related ground disturbing activities shall be conducted by a qualified archaeologist, who shall work in conjunction with the Native American monitor retained as part of Mitigation Measure TCR 2. Archaeological monitoring shall be performed under the direction of an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (National Park Service</p>	<ol style="list-style-type: none"> 1. During project related ground disturbing activities 	<ol style="list-style-type: none"> 1. Continuously, unless reduced or halted at the discretion of the archaeological monitor 	Castroville Community Services District			

Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<p>1983). The monitor shall have the authority to halt and redirect work should any archaeological resources be identified during monitoring. If archaeological resources are encountered during ground-disturbing activities, work in the immediate area shall halt and the find shall be evaluated for listing in the California Register of Historical Resources and National Register of Historic Places. Archaeological monitoring may be reduced or halted at the discretion of the monitor, in consultation with the District, as warranted by conditions such as encountering bedrock, sediments being excavated are fill, or negative findings during the first 60 percent of ground disturbance. If monitoring is reduced to spot-checking, spot-checking shall occur when ground disturbance moves to a new location within the Area of Potential Effect and when ground disturbance will extend to depths not previously reached by past ground disturbance in that area (unless those depths are within bedrock).</p>	<p>2. If archaeological resources are encountered during ground-disturbing activities, halt work in the immediate area and evaluate the find</p>	<p>2. During project-related ground disturbing activities</p>	<p>2. As needed</p>				
<p>CR-3 Worker's Environmental Awareness Program</p> <p>A qualified archaeologist shall be retained to conduct a worker's environmental awareness program training on archaeological sensitivity for all construction personnel prior to the commencement of any ground disturbing activities. The training shall be conducted by an archaeologist who meets or exceeds the Secretary of Interior's Professional Qualification Standards for archaeology (National Park Service 1983) and may be conducted by the on-site archaeological monitor who meets these standards. Archaeological sensitivity training shall include a description of the types of cultural material that may be encountered, cultural sensitivity issues, regulatory issues, and the proper protocol for treatment of the materials in the event of a find.</p>	<p>Retain a qualified archaeologist to conduct a worker's environmental awareness training program on archaeological sensitivity for all construction personnel</p>	<p>Prior to the commencement of any ground disturbing activities</p>	<p>Once for each set of construction personnel</p>	<p>Castroville Community Services District</p>			

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Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<p>CR-4 Unanticipated Discovery of Cultural Resources</p> <p>If cultural resources are encountered during ground-disturbing activities, work in the immediate area shall halt and an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (National Park Service 1983) shall be contacted immediately to evaluate the find. If the discovery proves to be significant under the National Historic Preservation Act and/or CEQA, additional work such as data recovery excavation and Native American consultation may be warranted to mitigate any significant impacts.</p>	<p>1. If cultural resources are encountered during ground-disturbing activities, halt work in the immediate area and retain a qualified archaeologist immediately to evaluate the find</p> <p>2. If necessary, review and approve additional work for evaluation efforts and to mitigate any impacts to eligible resources</p>	<p>During ground-disturbing activities, as needed and if archaeological resources are identified</p>	<p>As needed</p>	<p>Castroville Community Services District</p>			
<p>GEO-1 Paleontological Resources Monitoring and Mitigation</p> <p>The following measures shall be implemented during construction of the new Lift Station No. 1:</p> <ul style="list-style-type: none"> 1. Retain a Qualified Paleontologist to direct all mitigation measures related to paleontological resources 2. Coordinate and verify implementation of paleontological Worker Environmental Awareness Program training for construction personnel 3. Retain a qualified paleontological monitor to conduct full-time paleontological monitoring 4. In the event of a fossil discovery, cease work in the immediate vicinity of the find and direct the Qualified Paleontologist to evaluate the find before 	<p>For Lift Station No. 1:</p> <ul style="list-style-type: none"> 1. Retain a Qualified Paleontologist to direct all mitigation measures related to paleontological resources 2. Coordinate and verify implementation of paleontological Worker Environmental Awareness Program training for construction personnel 3. Retain a qualified paleontological monitor to conduct full-time paleontological monitoring 4. In the event of a fossil discovery, cease work in the immediate vicinity of the find and direct the Qualified Paleontologist to evaluate the find before 	<p>1. Prior to the construction of the new Lift Station No. 1</p> <p>2. Prior to the start of construction of the new Lift Station No. 1</p> <p>3. During ground disturbing construction activities for the new Lift Station No. 1</p> <p>4. During ground disturbing activities, as needed and if a paleontological resource is identified</p>	<p>1. Once</p> <p>2. Once</p> <p>3. Continuously</p> <p>4. As needed</p>	<p>Castroville Community Services District</p>			

Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<p>notifying paleontological staff should fossils be discovered by construction staff.</p> <ul style="list-style-type: none"> <p>Paleontological Monitoring. Full-time paleontological monitoring shall be conducted during ground-disturbing construction activities associated with construction of the new Lift Station No. 1. Paleontological monitoring shall be conducted by a qualified paleontological monitor, who is defined as an individual who has experience with collection and salvage of paleontological resources and meets the minimum standards of the SVP (2010) for a Paleontological Resources Monitor. The duration and timing of the monitoring shall be determined by the Qualified Paleontologist based on the observation of the geologic setting from initial ground disturbance and subject to the review and approval by the District. If the Qualified Paleontologist determines that full time monitoring is no longer warranted, based on the specific geologic conditions once the full depth of excavations has been reached, they may recommend that monitoring be reduced to periodic spot-checking or ceased entirely. Monitoring shall be reinstated if any new ground disturbance is required, and reduction or suspension shall be reconsidered by the Qualified Paleontologist at that time. In the event of a fossil discovery by the paleontological monitor or construction personnel, all work in the immediate vicinity of the find shall cease. A Qualified Paleontologist shall evaluate the find before restarting construction activity in the area. If it is determined that the fossil(s) is (are) scientifically significant, the Qualified Paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources.</p> <p>Fossil Salvage. If fossils are discovered, the paleontological monitor shall have the authority to halt or temporarily divert construction equipment within 50 feet of the</p> 	<p>restarting construction activity in the area. If it is determined that the fossil(s) is (are) scientifically significant, direct the Qualified Paleontologist to complete fossil salvage, preparation, and curation</p> <p>5. Review and approve final paleontological mitigation report and submit to the designated museum repository if fossils are salvaged and curated</p>	<p>5. After completion of ground-disturbing activities for the new Lift Station No. 1</p>	<p>5. Once</p>				

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Mitigation Measure/Condition of Approval	Action Required	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<p>find until the monitor and/or lead paleontologist evaluate the discovery and determine if the fossil may be considered significant.</p> <p>Fossil Preparation and Curation. Once salvaged, significant fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the Qualified Paleontologist</p> <ul style="list-style-type: none"> Final Paleontological Mitigation Report. Upon completion of ground disturbing activity (and curation of fossils if necessary), the Qualified Paleontologist shall prepare a final report describing the results of the paleontological monitoring efforts associated with the project. The report shall include a summary of the field and laboratory methods, an overview of the project geology and paleontology, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations. The report shall be submitted to the District. If the monitoring efforts produce fossils, then a copy of the report shall also be submitted to the designated museum repository. 						

Table

N-1 Restrictions on Use of Vibratory Rollers

The project contractor(s) shall not use vibratory rollers within 30 feet of nearby structures. If necessary, the contractor shall use non-vibratory smooth wheel rollers or pneumatic tired rollers instead of vibratory rollers within these areas.

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| 1. Include restriction on use of vibratory rollers in contractor specifications | 1. Prior to issuance of construction bid package | 1. Once | Castroville Community Services District |
| 2. Field verify compliance with equipment restrictions | 2. During construction | 2. Periodically | |

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
Tribal Cultural Resources							
TCR-1	Unanticipated Discovery of Tribal Cultural Resources						
In the event that cultural resources of Native American origin are identified during ground-disturbing activities in areas outside of the Archaeological Treatment Plan Area for Lift Station No. 2 Force Main, all ground-disturbing work within 50 feet of the find shall be temporarily suspended or redirected until a qualified archaeologist has evaluated the nature and significance of the find, an appropriate Native American representative(s), based on the nature of the find, is consulted, and mitigation measures are put in place for the disposition and protection of any find pursuant to PRC Section 21083.2. Discoveries within the Lift Station No. 2 Force Main construction area shall be treated in accordance with the Archaeological Treatment Plan Area, prepared pursuant to Mitigation Measure CR-1, for this location. If the District, in consultation with local Native Americans, determines the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with State guidelines and in consultation with local Native American group(s) prior to the continuation of any ground-disturbing work within the vicinity of the find. The plan shall include avoidance of the resource or, if avoidance of the resource is infeasible, shall outline the appropriate treatment of the resource in coordination with the appropriate local Native American tribal representative and, if applicable, a qualified archaeologist. Examples of appropriate mitigation for tribal cultural resources include, but are not limited to: protecting the cultural character and integrity of the resource, protecting traditional use of the resource, protecting the confidentiality of the resource, or heritage recovery.	<ol style="list-style-type: none"> 1. If cultural resources of Native American origin are identified during ground-disturbing activities outside of the Archaeological Treatment Plan Area for Lift Station No. 2 Force Main, suspend or redirect all ground-disturbing work within 50 feet of the find or redirected, retain a qualified archaeologist to evaluate the find, and consult an appropriate Native American representative(s) 2. If the resource is determined to be a tribal cultural resource and thus significant under CEQA, retain a qualified archaeologist to prepare and implement a mitigation plan in consultation with local Native American group(s) 	<ol style="list-style-type: none"> 1. During ground-disturbing activities, as needed 2. As needed 	1. As needed	Castroville Community Services District			

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Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<p>TCR-2 Native American Monitoring</p> <p>The District shall retain a Native American consultant to conduct Native American monitoring of all project-related ground disturbing activities. Native American monitoring shall be provided by a locally affiliated tribal member (e.g., the Rumsen Am or Tur aka Ohlone Tribe), who shall work in conjunction with the archaeological monitor retained as part of Mitigation Measure CR 2. Monitors shall have the authority to halt and redirect work should any tribal cultural resources be identified during monitoring. Native American monitoring may be reduced to spot checking or eliminated at the discretion of the monitor, in consultation with the District, as warranted by conditions such as encountering bedrock, sediments being excavated are fill, or negative findings during the first 60 percent of rough grading. If monitoring is reduced to spot-checking, spot-checking will occur when ground-disturbance moves to a new location within the project site and when ground disturbance will extend to depths not previously reached (unless those depths are within bedrock). The Native American monitoring duties during construction of Lift Station 2 Force Main shall be outlined in the Archaeological Treatment Plan to be prepared under Mitigation Measure CR 1.</p>	<p>Retain a Native American consultant to conduct Native American monitoring of all project-related ground disturbing activities</p>	<p>During ground disturbing activities</p>	<p>Continuously, unless reduced or halted at the discretion of the Native American monitor</p>	<p>Castroville Community Services District</p>			