

ATTACHMENT 13- Environmental Compliance

Following is a description of the status of environmental compliance for each of the eight projects contained within this proposal.

1. Watsonville Recycled Water Treatment Facility (WRWTF)



CEQA/NEPA: Both CEQA and NEPA documents have been completed and have been adopted by the PVWMA. The Notice of Determination for the Revised Basin Management Plan (BMP) Environmental Impact Report that includes the WRWTF was filed in February 2002. The Environmental Impact Statement for the Revised BMP was issued in March 2004, and the Record of Decision was approved in September 2004.

Permits: PVWMA and the City of Watsonville are actively applying for and pursuing the various permits for the WRWTF. A Title 22 Report has been submitted to the California Department of Health Services for approval. Meetings have also been initiated with the California Coastal Commission and Santa Cruz County for procurement of development permits. The local, state, and federal permits needed for this project include the following:

Federal:

- USACE - Nationwide 12 and 18 Pre-construction Notification, State Historic Preservation Office, Programmatic Agreement;

State:

- SWRCB – Water Reclamation Permit, NPDES Permit Storm Water Pollution Prevention Program;
- RWQCB – Water Reclamation Permit, NPDES/WDR General Permit;
- California Department of Health Services – Title 22 Report approval;
- California Coastal Commission - Coastal Development Permit;

Local:

- Santa Cruz County Planning - Grading Permit, Riparian Exception Permit;
- City of Watsonville – Coastal Development Permit.

2. Coastal Distribution System (CDS)



CEQA/NEPA: Both CEQA and NEPA compliance are completed for the project. Two EIRs were completed for the project. The Notice of Determination for the PVWMA CDS Component of the Local Water Supply and Distribution Project EIR was filed in 2000, and the Notice of Determination for the Revised BMP EIR was filed in 2002. A Revised BMP EIS was completed in March 2004 with the Record of Determination approved in September 2004.

Permits: PVWMA has secured all necessary environmental permits for the construction and operation of the CDS. Permitting requirements are well established on the project as initial phases including the Accelerated Pipeline Project have laid the foundation for future phases. Local, state and federal permits needed for this project included the following:

Federal:

- ACE - Section 404 Clean Water Act Permit; Section 10 and 7 consultations;
- State Historic Preservation Office – Programmatic Agreement, Nationwide 12 and 18 Pre-construction Notification;

State:

- SWRCB - NPDES Permit for Storm Water Pollution Prevention Program;
- California Department of Fish and Game – 1601 Stream Bed Alteration Agreement;
- California Coastal Commission - Coastal Development Permits;

Local:

- Monterey County Planning - Grading Permit, Coastal Development Permit, Encroachment Permit;
- Santa Cruz County Planning - Grading Permit, Coastal Development Permit, Encroachment Permit, Riparian Exception Permit.

3. Corralitos Creek Surface Water Intake Enhancement



CEQA: To comply with CEQA, the City of Watsonville will complete an Initial Study and Biological Assessment of the project, and will most likely use a Mitigated Negative Declaration to address any project impacts. This is expected to be completed by November 2005.

Permits: The City expects to have all permitting completed by May 2006. The City will apply for permits from:

Federal:

- U.S. Army Corps; with Section 7 consultation from NMFS;

State:

- California Department of Fish and Game - 1600 permit;
- RWQCB - 401 Water Quality permit.

4. Aromas Water District Wellhead Treatment Project

Aromas Water District **CEQA:** Aromas Water District completed the necessary environmental documentation for the Plant. The Initial Study/Negative Declaration was completed and the Notice of Intent to Adopt was filed with the County of Monterey Clerk's Office on February 22, 2005. The District's Board of Directors will be reviewing comments generated by the document and is scheduled to adopt the environmental document at its November 2005 board meeting. It is expected that the notice of determination will then be filed in December 2005.

Permits: Permits needed for this project include:

Federal: None.

State:

- SWRCB - NPDES Permit for Storm Water Pollution Prevention Program;

Local:

- Monterey County Planning - Grading Permit, Coastal Development Permit, Encroachment Permit;
- Monterey County Public Works - Encroachment Permit;
- Monterey County Water Resources Agency - Encroachment Permit.

5. Ground Water Study and Restoration Feasibility Assessment & Biological Assessment of Upper Pajaro River and Tributaries



CEQA: Studies are categorically exempt from CEQA.

Permits: None needed.

6. Pajaro River Levee Reconstruction Project



**US Army Corps
of Engineers** ®

CEQA/NEPA: The EIR/EIS analysis is proceeding. Environmental Review is scheduled to be complete in November 2006. Coordination with U.S. Fish and Wildlife Service and Biological Assessment has begun.

Permits: Local, state, and federal permits for the overall project will be applied for prior to construction in 2008. This cannot occur until final design is complete in 2008. Notably, ratification of the Adaptive Management Maintenance Manual in Sub-Task B1 is expected to set the stage for nearly automatic approval of state and federal permits. Necessary permits will include:

Federal:

- U.S. Army Corps of Engineers – 404 Permit;

State:

- CA Coastal Commission- Coastal Development Permit;
- CA Dept Fish & Game- Streambed Alteration Agreement;
- Regional Water Quality Control Board- Waiver from Waste Discharge Requirements;

Local:

- County of Santa Cruz- Riparian Exception Permit; Grading Permit;
- County of Monterey- Grading Permit.

6.A. Task A.- Community Consensus; Benefit Assessment Vote; and Local Governance



CEQA: Not applicable. Benefit Assessment Districts and Planning are Categorically Exempt from CEQA. As a purely administrative program, this project has no negative environmental impacts. The benefit assessment vote under Proposition 218 is a CA State legal requirement for constructing public works projects.

Permits: Not applicable.

6.B. Task B- Lower Pajaro River Bench Excavation Project, Phase 1



CEQA: The CEQA process is underway for a Mitigated Negative Declaration.

Permits: A Draft 1600 Streambed Alteration Agreement has been received from the CA Department of Fish & Game. A federal Section 404 permit is not needed for this project. The local permits from Santa Cruz County will not be needed because as of June 7, 2005, an exemption now exists from the Grading and Riparian Exception Ordinances for maintenance work on right bank of the levee system. CEQA review was performed on revision to the two ordinances and resulted in a Negative Declaration. Permits that are needed are as follows:

Federal: None

State:

- CA Dept Fish & Game- Streambed Alteration Agreement (Draft is in process);
- Regional Water Quality Control Board- Waiver From Waste Discharge Requirements;

Local:

- County of Monterey- Grading Permit.



7. Soap Lake Floodplain Preservation Project, Phase 1



CEQA: The Pajaro River Watershed Flood Prevention Authority (FPA) has prepared an Initial Study/Negative Declaration to provide the public and Responsible and Trustee Agencies reviewing this project, with information about the potential effects of the Soap Lake Floodplain Preservation Project on the local and regional environment. This Initial Study analyzes the program level impacts of preserving the Soap Lake Floodplain. A public meeting was held on October 13, 2004 in Gilroy. The public review period ran from September through October 2004. A Negative Declaration for the Preservation Project has been circulated and was certified at the July 2005 FPA meeting. Specific projects in the future may need additional environmental documentation and could tier off of this document.

Permits: No federal, state, or local permits are needed for this phase of the project that is only land acquisition. Future phases of the project such as potential restoration work would require separate permits.

8. Erosion Control, Vegetative Treatment, and Riparian Restoration



CEQA & Permits: CEQA, local, state, and federal permits are completed for this project under the Santa Cruz County Resource Conservation District's Permit Coordination Program. This program covers fifteen conservation practices that have all completed CEQA and that have been approved for all permitting needs by: the U.S. Army Corps of Engineers; NOAA Fisheries; US Fish & Wildlife Service; California Department of Fish and Game, NOAA Fisheries, California Coastal Commission, State Historic Preservation Office, and the Central Coast Regional Water Quality Control Board. The County of Santa Cruz acted as the lead to complete CEQA review. The Permit Coordination Program supports local farmers, ranchers and landowners who are interested in improving water quality and wildlife habitat on their lands in Santa Cruz County by coordinating the complex regulatory review process for conservation projects that require permits. The program provides a single contact point for farmers, ranchers and landowners interested in improving natural resource conditions on their lands in Santa Cruz County using one or more of the fifteen proven, standardized conservation practices included under the Program. These practices are conditioned and authorized in advance by federal, state and local agencies through programmatic approvals entered into with the NRCS and the SCCRCD. These agreements authorize the NRCS and the SCCRCD to provide cooperators and land managers with design and construction specifications for projects utilizing the pre-approved conservation practices.