



City of San Juan Bautista

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AGENDA

CITY COUNCIL SPECIAL MEETING

TUESDAY ~ DECEMBER 14, 2021 ~ 6:00 P.M.

~ PUBLIC PARTICIPATION BY ZOOM ONLY ~

Join Zoom Webinar <https://zoom.us/j/81014004800>

or call 1 (669) 900-6833

Webinar ID: 810 1400 4800

PUBLIC COMMENTS WILL BE TAKEN ON AGENDA ITEMS BEFORE ACTION IS TAKEN BY THE CITY COUNCIL.
DURING THE MEETING: TO PROVIDE VERBAL PUBLIC COMMENTS ON AN AGENDA ITEM DURING THIS MEETING CALL THE PHONE NUMBER LISTED ABOVE OR LOG INTO ZOOM AND ENTER THE MEETING ID NUMBER AS LISTED ABOVE.

THIS MEETING WILL BE CONDUCTED PURSUANT TO GOVT. CODE §54953(e)(1)(A).

In order to minimize the spread of the COVID 19 virus the City Council is conducting this meeting by Zoom webinar and will be offering alternative options for public participation. You are encouraged to watch the meeting live on Zoom or Facebook.

When the Mayor announces public comment is open for the item which you wish to speak, press *9 on your telephone keypad or if joining by Zoom, use the raise your hand icon. When called to speak, please limit your comments to three (3) minutes, or such other time as the Mayor may decide, consistent with the time limit for all other speakers for the particular agenda item. Comments from other platforms will not be considered during the meeting. If you would like to participate you **MUST** log in to Zoom.

Written comments may be mailed to the Deputy City Clerk at City Hall (P.O. Box 1420, San Juan Bautista, CA 95045), or emailed to deputycityclerk@san-juan-bautista.ca.us not later than 5:00 p.m., December 14, 2021, and will be read into the record during public comment on the item.

In compliance with the Americans with Disabilities Act, the City will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the Deputy City Clerk a minimum of 48 hours prior to the meeting at (831) 623-4661.

If you challenge any planning or land use decision made at this meeting in court, you may be limited to raising only those issues you or someone else raised at the public hearing held at this meeting, or in written correspondence delivered to the City Council at, or prior to, the public hearing. Please take notice that the time within which to seek judicial review of any final administrative determination reached at this meeting is governed by Section 1094.6 of the California Code of Civil Procedure.

A Closed Session may be called during this meeting pursuant to Government Code Section 54956.9 (d)(2) if a point has been reached where, in the opinion of the legislative body of the City on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the City.

Materials related to all items on this agenda are available in the agenda packet on the City website www.san-juan-bautista.ca.us subject to Staff's ability to post the documents before the meeting, or by emailing deputycityclerk@san-juan-bautista.ca.us or calling the Deputy Clerk (831) 623-4661 during normal business hours.

- 1. Call to Order**
Pledge of Allegiance
Roll Call
- 2. Consent Items**
 - A. Approve the Affidavit of Posting Agenda**
 - B. Approve the Affidavit of Posting and Mailing of a Public Hearing Notice**
 - C. Approve Modified Memorandum of Understanding Between San Benito County and the Cities of San Juan Bautista and Hollister for the implementation of Senate Bill 1383 and Establishment of an Edible Food Recovery Program Consistent with California Code of Regulations, Title 14, Division 7, Chapter 12 Short Lived Climate Pollutants**
- 3. Public Hearing Items**
 - A. Adopt a Resolution of the City Council of the City of San Juan Bautista Approving a Mitigated Negative Declaration for the Force Main Project, and Approve the Preliminary Design Report for the San Juan Bautista Sanitary Sewer Force Main Project**
 - B. Conduct Protest Hearing Pursuant to Proposition 218 with Respect to Proposed Sewer Rates and Consider Introduction of an Ordinance Increasing Sewer Rates and Amending Section 3-5-150 of the San Juan Bautista Municipal Code Regarding Sewer Rates**
- 4. Adjournment**

AFFIDAVIT OF POSTING

I, TRISH PAETZ, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE DEPUTY CITY CLERK FOR THE CITY OF SAN JUAN BAUTISTA, AND THAT I POSTED THREE (3) TRUE COPIES OF THE ATTACHED JOINT CITY COUNCIL MEETING AGENDA. I FURTHER DECLARE THAT I POSTED SAID AGENDA ON THE 22ND DAY OF OCTOBER 2021, AND I POSTED THEM IN THE FOLLOWING LOCATIONS IN SAID CITY OF SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA.

1. ON THE BULLETIN BOARD AT CITY HALL, 311 SECOND STREET.
2. ON THE BULLETIN BOARD AT THE CITY LIBRARY, 801 SECOND STREET.
3. ON THE BULLETIN BOARD AT THE ENTRANCE TO THE UNITED STATES POST OFFICE, 301 THE ALAMEDA

SIGNED AT SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA, ON THE 22ND DAY OF OCTOBER 2021.

TRISH PAETZ, DEPUTY CITY CLERK

AFFIDAVIT OF POSTING PUBLIC HEARING NOTICE

I, TRISH PAETZ, DO NOW DECLARE UNDER THE PENALTIES OF PERJURY, THAT I AM THE DEPUTY CITY CLERK FOR THE CITY OF SAN JUAN BAUTISTA, AND THAT I POSTED THREE (3) TRUE COPIES OF THE ATTACHED CITY COUNCIL PUBLIC HEARING NOTICES. I FURTHER DECLARE THAT I POSTED SAID NOTICES ON THE 29th DAY OF OCTOBER 2021, AND I POSTED THEM IN THE FOLLOWING LOCATIONS IN SAID CITY OF SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA.

1. ON THE BULLETIN BOARD AT CITY HALL, 311 SECOND STREET.
2. ON THE BULLETIN BOARD AT THE CITY LIBRARY, 801 SECOND STREET.
3. ON THE BULLETIN BOARD AT THE ENTRANCE TO THE UNITED STATES POST OFFICE, 301 THE ALAMEDA

I FURTHER DECLARE THAT I ASSISTED WITH THE MAILING OF THE NOTICE TO ALL WATER AND SEWER CUSTOMERS IN THE CITY OF SAN JUAN BAUTISTA.

SIGNED AT SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA, ON THE 6th DAY OF DECEMBER 2021.

TRISH PAETZ, DEPUTY CITY CLERK



CITY OF SAN JUAN BAUTISTA CITY COUNCIL REPORT

AGENDA TITLE: **MODIFIED MEMORANDUM OF UNDERSTANDING
BETWEEN INTEGRATED WASTE MANAGEMENT
AGENCY MEMBERS IMPLEMENTING SENATE BILL
1383- EDIBLE FOOD RECOVERY PROGRAM**

MEETING DATE: DECEMBER 14, 2021

SUBMITTED BY: MIKE CHAMBLESS, ACTING R.M.A. DIRECTOR, SAN
BENITO COUNTY

DEPARTMENT HEAD: DON REYNOLDS, CITY MANAGER

RECOMMENDED ACTION(S):

It is recommended that the City Council adopt the attached Resolution and authorize the Mayor to execute a modified Memorandum of Understanding between the Integrated Waste Management Regional Agency Members (Hollister and the County) for the establishment of an Edible Food Recovery Program consistent with Senate Bill 1383. (San Benito County FILE NUMBER: 142)

BACKGROUND INFORMATION:

This same background was provided in the original November 16, 2021 Staff Report Item #5A.

SB 1383 Background:

In September 2016, Governor Brown signed into law Senate Bill 1383 (SB 1383) establishing methane emissions reduction targets. Methane emissions result from the decomposition of organic waste in landfills and are a source of greenhouse gas (GHG) emissions. Senate Bill 1383 directs the Department of Resources Recycling & Recovery (CalRecycle) to adopt regulations and requirements to achieve state-wide goals including a goal to reduce organic waste disposal at landfills by 75 percent by the year 2025; and requires that not less than 20% of edible food that is currently disposed of be recovered for human consumption by 2025.

CalRecycle oversees a variety of programs and policy initiatives to reduce the amount of solid waste sent to landfills and to promote recycling within the State, including organic waste recycling under SB 1383 requirements. CalRecycle considers the adoption of an ordinance(s) one of the most important aspects of early compliance and urges jurisdictions to meet the State's deadline under SB 1383 to avoid the high penalties associated with non-compliance.

To meet the state-wide goals of SB 1383 and its January 1, 2022 compliance implementation deadline, CalRecycle has established numerous organic waste disposal program requirements impacting municipal jurisdictions, generators, processors, and haulers. Some of the program requirements include:

- Providing organic waste collection service to all residents and businesses;
- Establishing an edible food recovery program that recovers edible food from the waste stream;
- Conducting outreach and education to all affected parties, including generators, haulers, facilities, edible food recovery organizations, and county and city departments;
- Procuring recycled organic waste products like compost, mulch, and renewable natural gas (RNG);
- Inspecting and enforcing compliance; and
- Maintaining accurate and timely records of compliance.

Under SB 1383, CalRecycle has the authority to financially penalize non-compliant jurisdictions up to \$10,000 per day.

SB 1383 Rural Exemption for the San Benito County Integrated Waste Management Regional Agency

Per Section 18984.12 (c) of the SB 1383 regulations, a qualifying rural county may adopt a resolution exempting the county from specific SB 1383 requirements based upon findings as to the purpose of and need for the exemption. The San Benito County Integrated Waste Management Regional Agency members, which include the Cities of San Juan Bautista and Hollister and the County of San Benito, qualify for the exemption if the rural jurisdiction (the County) receives delegation authority to apply for the exemption on the Agency members' behalf, which has previously been granted. On October 26, 2021, the County Board of Supervisors approved and affirmed a resolution that allows the County as Lead Agency to apply for a rural exemption on behalf of the Regional Agency members for SB 1383.

The rural exemption, if granted by CalRecycle, would exempt the Regional Agency members from the mandatory organics collection requirements and other associated requirements, until December 31, 2026 or until San Benito County reaches a population of 70,000 (Per U.S. Census Bureau, 2019 population is 62,808). The rural exemption would not grant exemption to the Regional Agency members from all the requirements of the law. The following SB 1383 requirements will still apply to each Regional Agency member regardless of the rural exemption status:

- Education and Outreach – 14 CCR, Article 4, Sections 18985.1 through 18985.3
- Jurisdiction Edible Food Recovery Programs, Food Generators, and Food Recovery – 14 CCR, Article 10, Sections 189991.1 through 18991.5
- Organic Waste Recycling Capacity Planning (Edible food capacity planning only) – Article 11, Section 18992.2
- Recycled Content Paper Procurement Requirements – 14 CCR, Article 12, Section 18993.3.
- Reporting – 14 CCR, Article 13, Sections 18993.1-18993.2
- Enforcement Requirements – Article 14, Sections 18995.1 through 18995.4

All of the above requirements are covered in the attached MOU, not including the Recycled Content Paper Procurement Requirements (Article 12, Section 18993.3.) as each city needs to implement this requirement independently. Each Regional Agency member will also be responsible for meeting CALGreen Building Standards and Model Water Efficient Landscape (MWELO) requirements (Article 8).

Memorandum of Understanding for Edible Food Recovery Program

An MOU between the Regional Agency members is necessary to outline the roles and responsibilities of each member agency for establishment of an edible food recovery program to recover leftover edible food from large commercial generators for human consumption, and to require specified generators to donate

such food, and to adopt a mechanism for enforcing such requirements. The responsibilities of each member agency are outlined in the MOU.

County Responsibilities Per the MOU, the County will create and coordinate an edible food recovery program compliant with California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants. For the edible food recovery program, the County will be responsible for the following:

- 1) Annually notifying commercial edible food generators of the program requirements
- 2) Annual inspection of applicable edible food generators
- 3) Reporting and recordkeeping
- 4) Estimating edible food recovery capacity (in consultation with the Cities)
- 5) Enforcement lead

City Responsibilities Per the MOU, the Cities will be responsible for the following:

- 1) Enter into this Memorandum of Understanding
- 2) Adopt and make part of their municipal codes an enforceable ordinance establishing an Edible Food Recovery program, including the specific provisions provided to the Cities by the County
- 3) Provide program related information to the County as requested
- 4) Be responsible for all other applicable SB 1383 requirements not designated to the County
- 5) Assist the County on any related issues requiring jurisdictional assistance, enforcement, or lead in resolving issue(s) related to complaints or noncompliance.

Edible Food Recovery Ordinance

Per the MOU, the County will develop and coordinate a standardized and uniform San Benito Countywide Edible Food Recovery Program consistent with and compliant to California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants. The program will operate within San Juan Bautista's and Hollister's boundaries and will replace the need for San Juan Bautista and Hollister to create such a program on their own. This program will operate in the unincorporated areas of the county as well as the jurisdictions in the county agreeing to the MOU. The purpose of this ordinance is to comply with SB 1383 and reduce the amount of edible food going to landfill. In summary, the ordinance will include the following:

- Commercial Edible Food Generators (Tier 1 and Tier 2) shall be required to but not limited to:
 - o Arrange to safely recover for human consumption the maximum amount of edible food that would otherwise be disposed.
 - o Enter in contract or written agreement with Food Recovery Organizations or Food Recovery Services for the collection of edible food that would otherwise be disposed or for the acceptance of edible food that would otherwise be disposed that the commercial edible food generator self-hauls to the Food Recovery Organization or Service.
 - o Keep records

- o Allow the Enforcement Agency to review records and reports upon request
- Food Recovery Organizations and Services shall be required to but not limited to:
 - o Maintain applicable records and data related to Tier 1 and Tier 2 businesses for which they are in contract with or have a written agreement.
 - o Report total pounds of edible food recovered related to Tier 1 and Tier 2 businesses for which they are in contract with or have a written agreement.
 - o Provide information and consult with the Regional Agency members regarding existing, proposed, or expanded food recovery capacity

In summary, the ordinance inspection, investigation, and enforcement will include the following but not limited to:

- The County and City Enforcement Officer or its designated Enforcement Agency is authorized to conduct any inspection or investigation as is necessary and shall accept written complaints regarding an entity that may be potentially non-compliant
- Violation of any provision will be grounds of issuance of a Notice of Violation and assessment of an administrative citation and penalty by the County or City Enforcement Officer or its designated Enforcement Agency
- Enforcement actions are issuance of an administrative citation and assessment of a fine that may be enforced by the County, City, or designated enforcement agency

In order to comply with California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants by January 1, 2022(or soon thereafter), the City must adopt an edible food recovery ordinance to have an enforceable mechanism, however notice of violations and penalties to Tier 1 and Tier 2 businesses do not apply until 2024.

Unfunded Mandate

SB 1383 is an unfunded mandate and will require additional resources to administer. While the cost has not yet been ascertained, San Benito County Integrated Waste Management Regional Agency has allocated budget and staff this fiscal year to assist the Regional Agency members in compliance with the edible food recovery program requirements. Additional funding may be needed for County and City departments to cover the cost of their respective SB 1383 required activities.

San Benito County Integrated Waste Management Regional Agency

Per the Joint Power Integrated Waste Management Agreement signed in 1995 between the County of San Benito, the City of Hollister, and the City of San Juan Bautista, the County is the Lead Agency of the Regional Agency and staffs/manages the Integrated Waste Management programs to meet waste and recycling state mandates and reporting requirements for the Regional Agency members.

DISCUSSION:

Modified Memorandum of Understanding:

An MOU for the establishment of an Edible Food Recovery Program consistent with Senate Bill 1383 was approved by the Board of Supervisors on November 23, 2021 and the City of San Juan Bautista Council on November 16, 2021 (Agenda Item #5A). At the December 7, 2021 City of Hollister Council meeting, the MOU was presented to the Council for approval. City of Hollister approved a resolution to adopt an MOU between each Member Agency for the edible food program, contingent on a minor revision requested to the MOU that was presented to the Hollister council and previously approved by San Juan Bautista and the County. The revision includes clarification on "City Responsibilities" under Section 4.E.

Section 4.E was previously written as:

"E. Be responsible for all applicable SB 1383 and SB 1383 Regulations requirements not expressly designated to the Authority as set forth herein."

In this modified Memorandum of Understanding, Section 4.E is now revised as:

"E. Be responsible for other applicable SB 1383 regulatory requirements not expressly designated to the County as set forth herein, including compliance with CalGreen, MWELo and recycled content paper procurement requirements."

FISCAL IMPACT:

The edible food recovery program will be funded by solid waste franchise fees (unless the State passes legislation to fund this unfunded mandate) collected by, and administered through the County's Integrated Waste Management Regional Agency.

ATTACHMENTS: Resolution with Modified MOU

RESOLUTION NO. 2021- XXX

A RESOLUTION OF THE CITY OF SAN JUAN BAUTISTA AUTHORIZING THE MAYOR TO EXECUTE A MODIFIED MEMORANDUM OF UNDERSTANDING BETWEEN INTEGRATED WASTE REGIONAL AGENCY MEMBERS IMPLEMENTING SB1383- EDIBLE FOOD RECOVERY PROGRAM

WHEREAS, the County has been assisting the jurisdictions within the County with compliance and any applicable exemptions concerning AB 939, AB 341 and AB 1826 and is planning on assisting with SB 1383 applicable exemptions and compliance;

WHEREAS, the County of San Benito and its cities have a rural exemption from AB 1826 requirements to establish an organics waste collection program for businesses, due to the rural composition of the County and its cities.

WHEREAS, the County and its cities are applying for a rural exemption from SB 1383 requirements that include the establishment of an organic waste collection program for businesses and residents and other related activities, due to its rural composition and the associated difficulty and expense of establishing an organics waste collection system.

WHEREAS, the SB 1383 rural exemption does not exempt the County and its cities from establishing an edible food recovery program to recover leftover edible food from large commercial generators for human consumption, and to require specified generators to donate such food, and to adopt a mechanism for enforcing such requirements.

WHEREAS, the County's Board of Supervisors will enact a Mandatory Edible Food Reduction Ordinance as required by the California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants, to comply with such requirements.

WHEREAS, to promote consistency within jurisdictions throughout San Benito County and help its low population, low density jurisdictions, the County has offered to lead the creation of a County-wide Edible Food Recovery Program on behalf of the unincorporated areas of the county and the two Cities in the county governed by a Memorandum of Understanding (MOU) that was approved by the City November 16, 2021; and

WHEREAS, the MOU approved by the City was modified by Agency Member Hollister adding clarification to the two city's role in implementing SB1383, approved the original MOU, in Section 4.E

"E. Be responsible for other applicable SB 1383 regulatory requirements not expressly designated to the County as set forth heron, including compliance with CalGreen, MWELO and recycled content paper procurement requirements."

WHEREAS, the City Council at its special meeting December 14, 2021, considered and approves Hollister's modification to the MOU that adds clarification to the two city's role in implementing SB1383, approved the original MOU Section 4.E.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA NOW HEREBY FINDS:

1. That the recitals in this Resolution and accompanying staff report are true and correct and are hereby made a part of this Resolution.
2. It agrees to the modified proposed by the City of Hollister to the MOU for Edible Food Recovery, adding clarification of the two city's role in implementing SB1383 as provided in Section 4E of the MOU.
3. Authorize the Mayor to execute the revised MOU attached to this Resolution.

PASSED AND ADOPTED by the City Council of the City of San Juan Bautista at a regular meeting held on the 14th day of December 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Leslie Q. Jordan, Mayor

Shawna Freels, City Clerk

Attachment: Modified MOU between the Integrated Waste Regional Agency Members

**MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN THE COUNTY OF SAN BENITO AND THE CITIES OF SAN
JUAN BAUTISTA AND HOLLISTER FOR THE
ESTABLISHMENT OF AN EDIBLE FOOD RECOVERY PROGRAM CONSISTENT
WITH CALIFORNIA CODE OF REGULATIONS, TITLE 14, DIVISION 7, CHAPTER
12 SHORT-LIVED CLIMATE POLLUTANTS**

THIS MEMORANDUM OF UNDERSTANDING ("MOU") by and between the County of San Benito, entered into this 14 day of December, 2021, by and between the County of San Benito, hereinafter called "**the County**" and among the City of San Juan Bautista, and the City of Hollister, hereinafter called "**the Cities**."

W I T N E S S E T H:

WHEREAS, the County has been assisting the jurisdictions within the County with compliance and any applicable exemptions concerning AB 939, AB 341 and AB 1826 and is planning on assisting with SB 1383 applicable exemptions and compliance;

WHEREAS, the County of San Benito and its cities have a rural exemption from AB 1826 requirements to establish an organics waste collection program for businesses, due to the rural composition of the County and its cities.

WHEREAS, the County and its cities are applying for a rural exemption from SB 1383 requirements that include the establishment of an organic waste collection program for businesses and residents and other related activities, due to its rural composition and the associated difficulty and expense of establishing an organics waste collection system.

WHEREAS, the SB 1383 rural exemption does not exempt the County and its cities from establishing an edible food recovery program to recover leftover edible food from large commercial generators for human consumption, and to require specified generators to donate such food, and to adopt a mechanism for enforcing such requirements.

WHEREAS, the County's Board of Supervisors will enact a Mandatory Edible Food Reduction Ordinance as required by the California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants, to comply with such requirements.

WHEREAS, to promote consistency within jurisdictions throughout San Benito County and help its low population, low density jurisdictions, the County has offered to lead the creation of a County-wide Edible Food Recovery Program on behalf of the unincorporated areas of the county and the two Cities in the county; and

NOW, THEREFORE, it is hereby agreed by the parties hereto as follows:

AGREEMENT

1. Recitals.

The foregoing recitals are true and correct and hereby incorporated herein.

2. Term.

This MOU shall commence on the Effective Date and remain in full force and effect until terminated as set forth in Section 11.

3. County Responsibilities

The County shall:

- A. Create and coordinate an Edible Food Recovery Program compliant with California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants on behalf of the City so long as this Memorandum of Understanding is in effect in its entirety.
- B. Provide such services and activities for the Cities as described in Exhibit A, attached hereto and incorporated by reference herein.
- C. Offer to provide services relating directly to the California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants Edible Food Recovery regulations.
- D. Report to CalRecycle on behalf of the Cities.

4. City Responsibilities

The Cities shall:

- A. Adopts and make part of their municipal codes an enforceable ordinance establishing an Edible Food Recovery program as required under the California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants, including the specific provisions provided to the Cities by the County for edible food recovery definitions, requirements for Tier One and Tier Two Edible Food Generators, and requirements for Food Recovery Organizations and Food Recovery Services.
- B. Enter into this Memorandum of Understanding.
- C. Acknowledge, by ordinance described in A. above, that, notwithstanding this Memorandum of Understanding, that each City is, as stated in California Code of

Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants, ultimately responsible for compliance with the said Code.

- D. Provide information. Within thirty (30) days of request by the County, or as soon as such information is available, the City will share with the County, data, documents, contact information for commercial edible food generators or other information available and necessary for the County to carry out the responsibilities delegated to it in this MOU.
- E. Be responsible for other applicable SB1383 regulatory requirements not expressly designated to the County as set forth herein, including compliance with CalGreen, MWEL0 and recycled content paper procurement.
- F. Work with the County on any related issues requiring jurisdictional assistance or help in resolving the issue(s) related to complaints and/or noncompliance by any Tier 1 and Tier 2 Edible Food Generator or Food Recovery Organization and Service as defined in the California Code of Regulations, Title 14, Division 7, Chapter 12 Short Lived Climate Pollutants and operating within Cities boundaries.

5. Indemnification/Hold Harmless.

Each Party shall solely be liable for any and all damages, including attorney's fees, resulting from the actions or omissions arising from its performance of the terms of this MOU. Each Party (the "Indemnifying Party") shall indemnify, defend and hold harmless the other Party (the "Indemnified Parties") from and against any and all claims, demands, actions, losses, damages, assessments, charges, judgments, liabilities, costs and expenses (including reasonable attorneys' fees and disbursements) that may from time to time be asserted by third parties against the Indemnified Parties because of any personal injury, including death, to any person or loss of, physical damage to or loss of use of real or tangible personal property, to the extent caused by the negligence or misconduct of the Indemnifying Party, its agents, employees or contractors in the performance of this MOU.

For purposes of indemnification set forth in this MOU, "Indemnified Parties" means the applicable party, its affiliates, successors and assigns and its and their employees, directors, officers, agents, and volunteers. The Indemnified Parties: 1) shall notify the Indemnifying Party in writing promptly upon learning of any claim or suit for which indemnification may be sought, provided that failure to do so shall have no effect except to the extent the Indemnifying Party is prejudiced thereby; 2) shall have the right to participate in such defense or settlement with its own counsel and at its own expense, but the Indemnifying Party shall have control of this defense or settlement; and 3) shall reasonably cooperate with the defense.

6. Amendment of MOU and Merger Clause

This MOU, including the Exhibit attached hereto and incorporated herein by reference, constitutes the sole MOU of the parties hereto and correctly states the rights, duties, and obligations of each party as of this document's date. In the event that any term, condition, provision, requirement or specification set forth in this body of the MOU conflicts with or is inconsistent with any term, condition, provision, requirement, or specification in any exhibit and/or attachment to this MOU, the provisions of this body of the MOU shall prevail. Any prior MOU, promises, negotiations, or representations between the parties not expressly stated in this document are not binding. All subsequent modifications shall be in writing and will become effective when signed by both parties.

7. Records

The County shall maintain and preserve all records relating to this MOU in its possession and those of any third-party performing work related to this MOU for a period of five (5) years from the termination of this MOU.

8. Assignability

The County shall have the right to assign this MOU or any portion thereof to a third party or subcontract with a third party to perform any act required under this MOU without the prior written consent of the City.

9. Notices

Any written notice, request, demand, or other communication required or permitted hereunder shall be deemed to be properly given when deposited with the United States Postal Service, postage prepaid, or when transmitted by email communication, addressed:

In the case of the County, to:

Resource Management Agency Director, Mike Chambless
County of San Benito Office
2301 Technology Parkway, Hollister, CA
Email: MChambless@cosb.us

In the case of San Juan Bautista, to:

City Manager, Don Reynolds
City of San Juan Bautista
311 2nd Street, San Juan Bautista, CA
citymanager@san-juan-bautista.ca.us

In the case of Hollister, to:

City Manager, Brett Miller
City of Hollister
375 5th Street, Hollister, CA
brett.miller@hollister.ca.gov

10. Controlling Law and Venue

The validity of this MOU, the interpretation of its terms and conditions, and the performance of the parties hereto shall be governed by the laws of the State of California. Any action brought to enforce this action must be brought in the Superior Court of California in and for the County of San Mateo.

11. Term and Termination

Subject to compliance with the terms and conditions of the MOU, the term of this MOU shall commence on January 1, 2022, and shall automatically be renewed from year to year on the same terms and conditions. This MOU may be terminated without cause by the City or the County's Administrative Officer or their designee at any time upon thirty (30) days written notice to the other party.

12. Authority

The parties warrant that the signatories to the MOU have the authority to bind their respective entities.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have affixed their hands.

COUNTY OF SAN BENITO:
San Bentio County Board of Supervisors
Chair

By: _____
Bea Gonzales, Chair

Date: _____

CITY OF SAN JUAN BAUTISTA
Mayor

By: _____

Date: _____

CITY OF HOLLISTER

Mayor

By: _____

Date: _____

**APPROVED AS TO LEGAL FORM
SAN BENITO COUNTY COUNSEL**

Reed Gallogly, Deputy County Counsel

Date

EXHIBIT A - SCOPE OF ACTIVITIES

The activity listed below relating to the County of San Benito's Edible Food Recovery Program will be conducted by the County and the Cities.

The Counties will:

I. Establishment

The County will develop and coordinate a standardized and uniform San Benito Countywide Edible Food Recovery Program consistent with and compliant to California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants. The program will operate within San Juan Bautista's and Hollister's boundaries and will replace the need for San Juan Bautista and Hollister to create such a program on their own. This program will operate in the unincorporated areas of the county as well as the jurisdictions in the county agreeing to the MOU.

II. Notification of Commercial Edible Food Generators of the Requirements

Through email, letters, or other direct or electronic communication, the County shall annually notify Tier I and II Commercial Edible Food Generators within each Jurisdiction of their food recovery requirements as established pursuant to Section 18991.3 and 18991.4 of the Regulations. Such notification shall include website information to assist in compliance with the applicable food recovery requirements.

III. Inspections of Commercial Edible Food Generators.

Beginning January 1, 2022, the County or its designee shall conduct annual inspections of Tier One Edible Food Generators, food recovery organizations, and food recovery services within the County in a manner as necessary to comply with the requirements of Section 18995.1(a)(2) for the Cities. The County or its designee may conduct inspections of a random sampling of food recovery entities or prioritize inspections of entities that it determines are more likely to be out of compliance, provided that such manner of selection shall satisfy the requirements of the Regulations. Beginning January 1, 2024, the County or its designee shall additionally conduct annual inspections of Tier Two Edible Food Generators within the County in a manner as necessary to comply with the requirements of Section 18995.2(a)(2) for the Cities. The County may adjust the frequency or number of inspections from time to time if required by CalRecycle.

IV. Reporting and recordkeeping.

(i) The County shall prepare and submit the reports required pursuant to Section 18992.1 and 18992.2 on Edible Food recovery capacity planning. The County

shall submit the required reports in accordance with the schedule established in Section 18992.3.

(ii) In conformance with Section 18995.2 of the Regulations, the County will store and maintain the Implementation Record for each of the Jurisdictions.

(iii) Upon request by a CalRecycle representative, the County will provide access to the Implementation Record within 10 business days. In conformance with the California Public Records Act (Government Code §6250 *et seq.*), County will also respond to a request for public records contained in the Implementation Record. County and the Cities shall each notify the other if either the County or a City receive a request for all or part of the Implementation Record and coordinate a response to such request.

(iv) The County shall prepare and submit the Initial Jurisdiction Compliance Report and Jurisdiction Annual Reports to CalRecycle in compliance with Sections 18994.1 and 18994.2.

V. Edible food recovery capacity.

In conformance with Sections 18992.1 and 18992.2 of the Regulations, the County shall estimate existing Edible Food recovery capacity available in the County, in consultation with the Cities. If it is found that capacity is needed, the County shall work with the Jurisdictions that lack capacity to create a plan to expand capacity.

VI. Enforcement

1. The County will conduct enforcement of the ordinance within the County and participating Cities using a complaint-based system consistent with the California Code of Regulations, Title 14, Division 7, Chapter 12 Short-Lived Climate Pollutants. The County will respond to complaints, investigate, and resolve reported issue(s).
2. The County will comply with enforcement provisions detailed in the ordinance, in compliance with SB 1383, and in accordance with the County's own enforcement provisions.
3. The County will keep detailed records of enforcement in the County and the Cities for a minimum of five (5) years.
4. The County will submit the necessary reports to CalRecycle on the Edible Food Recovery Program.
5. The County will notify the Cities promptly about any related issues that arise that require the Cities assistance or to request the Cities lead in resolving the issue(s) related to noncompliance.

6. The Cities will work with the County on any related issues requiring jurisdictional assistance or lead in resolving the issue(s) related to complaints and/or noncompliance by any Tier 1 and Tier 2 Edible Food Generator or Food Recovery Organization and Service as defined in the California Code of Regulations, Title 14, Division 7, Chapter 12 Short Lived Climate Pollutants and operating within Cities boundaries.



CITY OF SAN JUAN BAUTISTA STAFF REPORT

AGENDA TITLE: SANITARY SEWER FORCE MAIN:

- 1) ADOPT A MITIGATED NEGATIVE DECLARATION; AND
- 2) APPROVE SANITARY SEWER FORCE MAIN PUBLIC IMPROVEMENTS

MEETING DATE: DECEMBER 14, 2021

SUBMITTED BY: DON REYNOLDS, CITY MANAGER

RECOMMENDED ACTION(S):

That the City Council approve a resolution

1. Adopt a Mitigated Negative Declaration and Mitigation Monitoring Program
2. Approve the Project as represented in the Preliminary Design Report (PDR)

BACKGROUND INFORMATION:

The City recently completed the City of San Juan Bautista Wastewater Master Plan (Akel Engineering Group, Inc. [Akel], completed in November 2020 and amended August 2021), which included the San Juan Bautista Wastewater Treatment Improvement Project Preliminary Engineering Report (PER). The PER analyzed three alternative projects. The recommended project which was ultimately selected by the City and agreed upon by the United States Environmental Protection Agency (EPA), was a comprehensive project that includes the following major components:

- Importing treated surface water with lower salt concentrations from the San Benito County Water District (SBCWD) West Hills Water Treatment Plant for blending with the City's well water;
- Banning domestic self-regenerating (brine producing) water softeners in the City;
- Increased monitoring and enforcement on the City's industrial users;
- Decommissioning the City's WWTP and converting the ponds into emergency storage basins;

- Exporting the City's domestic wastewater to the City of Hollister (Hollister) Domestic Wastewater Treatment Plant for treatment and disposal.

A Preliminary Design Report (attached - PDR) documents the intended design of the force main and associated pumping systems needed to convey the City's domestic wastewater to the Hollister Domestic WWTP. The project includes the demolition of existing, related City assets, decommissioning the Wastewater Treatment Plant, and building a new pumping station for the force main.

FISCAL IMPACT:

The proposed project will result in the need to adjust sewer rates.

ATTACHMENTS

1. City Council Resolution
2. Mitigated Negative Declaration (*Separate Attachment*)
3. Final Letter Response to Comments
4. Mitigation Monitoring and Reporting Program
5. Preliminary Design Report

RESOLUTION 2021 – XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA:

1) APPROVING A MITIGATED NEGATIVE DECLARATION and

2) APPROVING THE PRELIMINARY DESIGN REPORT

FOR THE SAN JUAN BAUTISTA SANITARY SEWER FORCE MAIN PROJECT

WHEREAS, The City of San Juan Bautista (City) currently has a National Pollutant Discharge Elimination System (NPDES) permit (Order No. R3-2009-0019) adopted by the Central Coast Regional Water Quality Control Board (Regional Board) for their Wastewater Treatment Plant's (W; and

WHEREAS, The WWTP has received repeated violation notices from the Regional Board for exceeding its effluent limitations for multiple constituents, including chloride, sodium, and total dissolved solids.

WHEREAS, The City recently completed the City of San Juan Bautista Wastewater Master Plan (Akel Engineering Group, Inc. [Akel], completed in November 2020 and amended August 2021), which included the San Juan Bautista Wastewater Treatment Improvement Project Preliminary Engineering Report (PER) (Stantec Consulting Services Inc. [Stantec], completed September 2020 and updated February 2021). The PER analyzed three alternative projects to bring the WWTP into regulatory compliance; and

WHEREAS, The recommended project, which has been selected by the City and agreed upon by the United States Environmental Protection is construction of a sanitary sewer force main and associated storage and pumping facilities and systems designed to convey the City's domestic wastewater to the City of Hollister WTP; and

WHEREAS, A Preliminary Design Report (PDR) has been prepared (October 2021 – attached) and that describes the project to be undertaken in sufficient detail to enable evaluation with respect to potential significant environmental effects, the overall project and the resulting cost of service to the City; and

WHEREAS, the City has completed a review of the potential environmental effects of the project in accordance with applicable sections of the California Environmental Quality Act and the National Environmental Policy Act for federal funding purposes, and Mitigation Measures are referenced in a Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program (attached).

NOW, THEREFORE, BE IT RESOLVED, that the by the City Council of the City of San Juan Bautista hereby adopts the attached Mitigated Negative Declaration and the associated Mitigation Monitoring and Reporting Program based on the following finding:

The City of San Juan Bautista is the Lead Agency and custodian of the documents and other material that constitutes the record of proceedings upon which this decision is based. The initial study indicates that the proposed project has the potential to result in significant adverse environmental impacts. However, the mitigation measures identified in the initial study and listed in the Mitigation Monitoring and Reporting Program will reduce the impacts to a less than significant level. There is no substantial evidence, in light of the whole record before the City of San Juan Bautista that the project, with mitigation measures incorporated, may have a significant effect on the environment.

BE IT FURTHER RESOLVED that the City Council does hereby accepts the Preliminary Design Report and approve the project represented therein subject to required Mitigations and related monitoring procedures outlined in the approved Mitigation Monitoring and Reporting Program, incorporated in full as part of the project hereby approved.

PASSED AND ADOPTED at a regular meeting of the San Juan Bautista City Council on the 14th day of December, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Leslie Q. Jordan, Mayor

ATTEST:

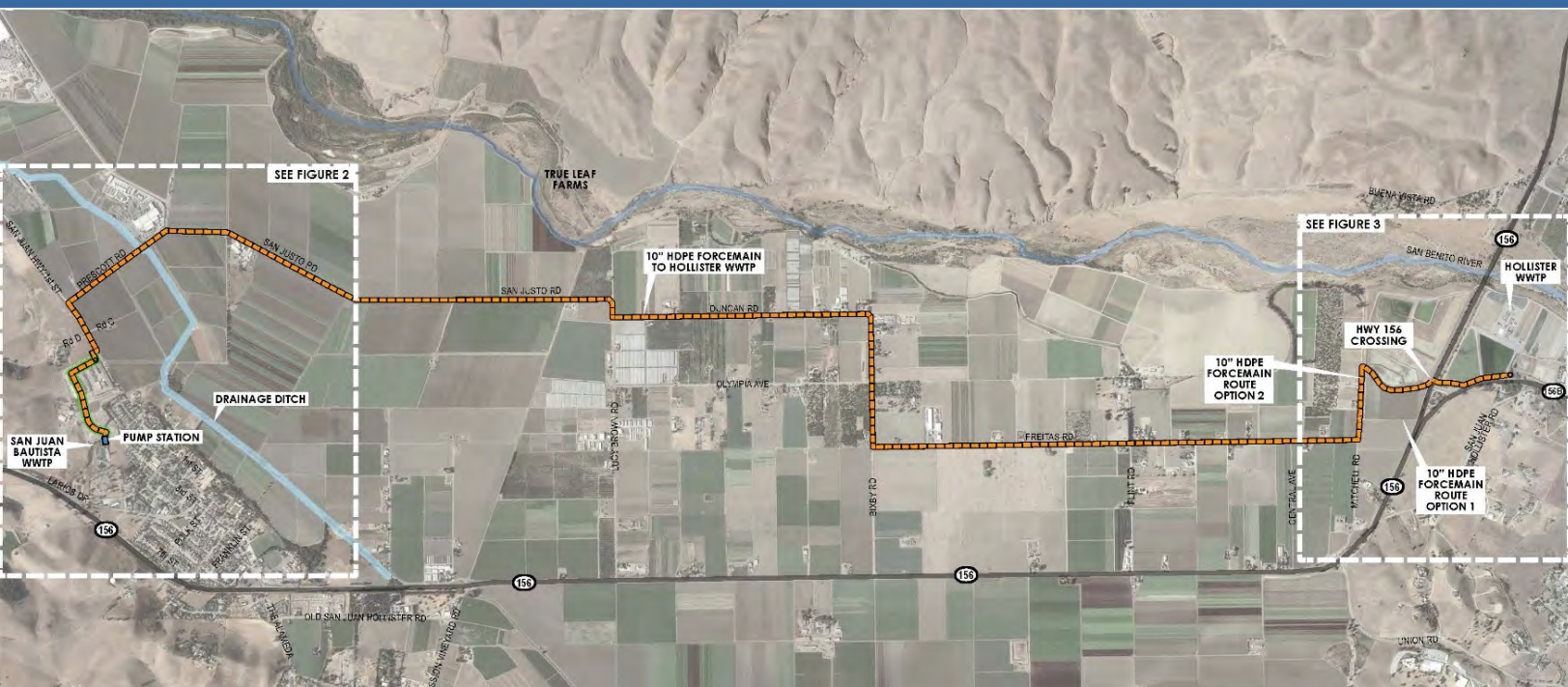
Shawna Freels, City Clerk

**#3A- Mitigated Negative Declaration (197 pages)
under separate cover**

Final CEQA-Plus Initial Study/
Mitigated Negative Declaration

San Juan Bautista to Hollister Sanitary Sewer Force Main

December 2021



Prepared by
EMC Planning Group



City of San Juan Bautista

The "City of History"

P.O. Box 1420
311 Second Street
San Juan Bautista
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City Council

Mayor
Leslie Jordan

Vice Mayor
César E. Flores

Councilmember
John Freeman

Councilmember
Mary V. Edge

Councilmember
Scott Freels

City Manager
Don Reynolds

City Clerk
Shawna Freels

City Treasurer
Michelle Sabathia

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

In compliance with the California Environmental Quality Act (CEQA), City of San Juan Bautista Planning Department has undertaken environmental review for the proposed San Juan Bautista to Hollister Sanitary Sewer Force Main and intends to adopt a Mitigated Negative Declaration. The City of San Juan Bautista invites all interested persons and agencies to comment on the proposed Mitigated Negative Declaration.

Lead Agency:	City of San Juan Bautista
Project Location:	San Juan Bautista to Hollister, San Benito County
Project Description:	The proposed project includes repurposing San Juan Bautista's existing wastewater treatment plant (WWTP) influent pump station and development of a new 10-inch diameter high-density polyethylene (HDPE) force main that would carry effluent from the San Juan Bautista WWTP to a manhole just upstream of the Hollister Domestic WWTP influent pump station.
Public Review Period:	Begins– November 5, 2021 Ends – December 6, 2021
Proposed Mitigated Negative Declaration is Available for Public Review at these Locations:	City of San Juan Bautista 311 Second Street San Juan Bautista, CA 95045 (831) 623-4661 Or online at: https://www.san-juan-bautista.ca.us/departments/planning/community_project_concepts_of_interest.php
Address Where Written Comments May be Sent:	Brian Foucht, Assistant City Manager Community Development Director City of San Juan Bautista PO Box 1420 San Juan Bautista, CA 95045 ACM-CDDirector@san-juan-bautista.ca.us
Public Hearing:	December 14, 2021, 6 pm Council Chambers 311 Second Street, San Juan Bautista

Distribution List

Amah Mutsun Tribal Band Attn: Valentin Lopez, Chairperson P.O. Box 5272 Galt, Ca 95632	Amah Mutsun Tribal Band of Mission San Juan Bautista Attn: Irenne Zwierlein, Chairperson 789 Canada Road Woodside, Ca 94062	Indian Canyon Mutsun Band of Costanoan Ann Marie Sayers, Chairperson P.O. Box 28 Hollister, CA 95024
Xolon-Salinan Tribe Karen White, Chairperson P. O. Box 7045 Spreckels, CA, 93962	Planning Director City of Hollister 375 Fifth Street Hollister, CA 95023	Public Works Director City of Hollister 375 Fifth Street Hollister, CA 95023
San Benito County Public Works Director 2301 Technology Parkway Hollister, CA 95023	San Benito County Planning Director 2301 Technology Pkwy. Hollister, CA 95023	San Benito County Sheriff 2301 Technology Parkway Hollister, CA 95023
San Benito County Water District P.O. Box 899 Hollister, CA 95024	San Benito County Environmental Health 1111 San Felipe Rd. Ste. 101 Hollister, CA 95023	San Benito Co. Dept. of Agriculture 3224 Southside Rd. Hollister, CA 95023
San Benito County Farm Bureau 530 San Benito Street Hollister, CA 95023	San Benito County Council of Governments 330 Tres Pinos Rd. Suite C-7 Hollister, CA 95023	John Smith Road Landfill P.O. Box 1480 Hollister, CA 95023
Monterey Bay Air Resources District 24580 Silver Cloud Ct. Monterey, CA 93940	California Department of Fish and Wildlife Central Coast Region 1234 E. Shaw Ave. Fresno, CA 93710	California Regional Water Quality Control Board (Region 3) 895 Aerovista Place, Suite 101 San Luis Obispo, CA. 93401-7906
AMBAG Clearinghouse Attn: Heather Adamson 24580 Silver Cloud Ct Monterey, CA 93940	Patricia Gomez PG&E Service Planning 401 Work Street Salinas, CA 93901	San Benito County Free Library 470 Fifth Street Hollister, CA 95023
Department of the Army San Francisco District, Corps of Engineers Regulatory Division 450 Golden Gate Avenue, 4th Floor San Francisco, California 94102-3404 Brian Cary Clean Water State Revolving Fund Program Division of Financial Assistance, State Water Board 1001 "I" Street, 16th Floor Sacramento, CA 95814	Mark Ogonowski Senior Fish and Wildlife Biologist U.S. Fish and Wildlife Service 2493 Portola Road, Suite B Ventura, California 93003 Esther De La Cruz USDA 1636 E. Alisal St. Salinas, CA 93905	Renee Robison Senior Environmental Scientist Cal Dept of Fish and Wildlife 1234 E. Shaw Ave Fresno, CA 93710

FINAL CEQA-PLUS INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION

SAN JUAN BAUTISTA TO HOLLISTER SANITARY SEWER FORCE MAIN

PREPARED FOR
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Assistant City Manager / Community Development Director
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December 2021

This document was produced on recycled paper.





City of San Juan Bautista

The “City of History”

MITIGATED NEGATIVE DECLARATION

In Compliance with the California Environmental Quality Act (CEQA)

Project Name:	San Juan Bautista to Hollister Sanitary Sewer Force Main
Lead Agency:	City of San Juan Bautista
Project Proponent:	City of San Juan Bautista
Project Location:	San Juan Bautista to Hollister, San Benito County
Project Description:	<p>The proposed project includes repurposing San Juan Bautista’s existing wastewater treatment plant (WWTP) influent pump station and development of a new 10-inch diameter high-density polyethylene (HDPE) force main that would carry effluent from the San Juan Bautista WWTP to a manhole just upstream of the Hollister Domestic WWTP influent pump station.</p>
Public Review Period	<p>Begins– November 5, 2021</p> <p>Ends – December 6, 2021</p>
Written Comments To	<p>Brian Foucht, AICP, Assistant City Manager Community Development Director City of San Juan Bautista P.O. Box 1420, San Juan Bautista, CA 95045 ACM-CDDirector@san-juan-bautista.ca.us</p>
Proposed Findings	<p>The City of San Juan Bautista is the custodian of the documents and other material that constitute the record of proceedings upon which this decision is based.</p> <p>The initial study indicates that the proposed project has the potential to result in significant adverse environmental impacts. However, the mitigation measures identified in the initial study would reduce the impacts to a less than significant level. There is no substantial evidence, in light of the whole record before the lead agency (the City of San Juan Bautista) that the project, with mitigation measures incorporated, may have a significant effect on the environment. See the following project-specific mitigation measures:</p>

Mitigation Measures

Air Quality

- AQ-1 The City of San Juan Bautista will prepare a Construction Management Plan and implement it during construction activities. The plan will include the following restrictions:
- a. Heavy-duty diesel vehicles will have 2010 or newer model year engines, in compliance with the California Air Resources Board's Truck and Bus Regulation, and will not be staged within 500 feet of occupied residences; and
 - b. Idling of construction equipment and heavy-duty diesel trucks will be avoided where feasible, and if idling is necessary, it will not exceed five minutes.
- AQ-2 All construction equipment will be maintained and properly tuned in accordance with manufacturer's specifications and will be checked by a certified visible emissions evaluator. All non-road diesel construction equipment will, at a minimum, meet Tier 3 emission standards listed in the Code of Federal Regulations Title 40, Part 89, Subpart B, §89.112. Further, where feasible, construction equipment will use alternative fuels such as compressed natural gas, propane, electricity or biodiesel.

Biological Resources

- BIO-1 Prior to approval of grading permits for the WWTPs and sewer main route, a biologist qualified in botany shall conduct a focused survey of the proposed area of impact (including construction staging areas) for Congdon's tarplant in accordance with current CDFW and CNPS rare plant survey protocols (CDFW 2018 and CNPS 2001). The survey shall occur during the peak blooming period for this species to determine its presence or absence (typically August through September). If possible, a known reference population of the target species in the project vicinity shall first be visited to verify that the species is observable, and the focused survey shall be conducted within two weeks of observing the reference population in full bloom.

If the focused surveys identify Congdon's tarplant within the project site boundary and it would be affected by the proposed project, then appropriate mitigation shall be developed by the biologist and implemented by the City of San Juan Bautista prior to issuance of a grading permit. Measures may include, but are not limited to:

- a. A qualified biologist shall identify an on-site or off-site mitigation area suitable for restoration of habitat and seed transplantation for this annual herb. The City of San Juan Bautista shall be responsible for the placement of a conservation easement over the mitigation area and the provision of funds to ensure the restoration of the mitigation area and its preservation in perpetuity.
- b. Prior to approval of a grading permit, a qualified biologist or native plant specialist shall perform seed collection from all special-status plants located within the impact areas and implement seed installation at the mitigation area at the optimal time. Additionally, topsoil from the special-status species occurrence area(s) shall be salvaged (where practical) for use in the mitigation area.
- c. A maintenance and monitoring program shall be developed by a qualified biologist and established for a minimum of five years after mitigation area installation to verify that restoration activities have been successful. Maintenance activities may include, but not be limited to, watering during the plant establishment period, supplemental seed planting as needed, and removal of non-native plants. Monitoring shall include, at a minimum, quarterly monitoring reports for the first year and annual reports for the remaining four years. The performance standard for successful mitigation shall be a minimum 3:1 replacement ratio (i.e., three plants observed in mitigation area for each plant lost from the project site) achieved in at least one of the five years of monitoring.

The City of San Juan Bautista will be responsible for implementation of this mitigation measure. Compliance with this measure shall be documented prior to approval of a grading permit.

- BIO-2 Prior to approval of a grading permit, a qualified biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of special-status species potentially occurring in the project vicinity, including, but not limited to, American badger, San Joaquin kit fox, California tiger salamander, California red-legged frog, burrowing owl, special-status bats, and nesting birds and raptors. Their habitats, general measures that are being implemented to conserve species as they relate to the project, and the boundaries within which construction activities will occur will be explained. Informational handouts with photographs clearly illustrating the species' appearances shall be used in the training session. All new construction personnel shall undergo this mandatory environmental awareness training.

The qualified biologist will train biological monitors selected from the construction crew by the construction contractor (typically the project foreman). Before the start of work each day, the monitor will check for animals under any equipment such as vehicles and stored pipes within active construction zones. The monitor will also check all excavated steep-walled holes or trenches greater than one foot deep for trapped animals. If a special-status species is observed within an active construction zone, the qualified biologist will be notified immediately and all work within 50 feet of the individual will be halted and all equipment turned off until the individual has left the construction area.

The City of San Juan Bautista shall document evidence of completion of this training prior to issuance of a grading permit.

BIO-3 Not more than 14 days prior to the commencement of ground-disturbing activities, a qualified wildlife biologist shall conduct surveys of the grassland habitat on site to identify any potential American badger burrows/dens. If the survey results are negative (i.e., no badger dens observed), a letter report confirming absence will be prepared and submitted to the City of San Juan Bautista and no further mitigation is required.

If the results are positive (badger dens are observed), the qualified biologist shall determine if the dens are active by installing a game camera for three days and three nights to determine if the den is in use.

- a. If the biologist determines that a den may be active, coordination with the CDFW shall be undertaken to develop a suitable strategy to avoid impacts to American badger. The strategy may include the following: the biologist shall install a one-way door in the den opening and continue use of the game camera. Once the camera captures the individual exiting the one-way door, the den can be excavated with hand tools to prevent badgers from reusing them. If the biologist determines that the den is a maternity den, construction activities shall be delayed during the maternity season (February to August), or until the badgers leave the den on their own accord or the biologist determines that the den is no longer in use.
- b. If the game camera does not capture an individual entering/exiting the den, the den can be excavated with hand tools to prevent badgers from reusing them.

After dens have been excavated and the absence of American badger confirmed, a letter report will be prepared and submitted to the City of San Juan Bautista.

BIO-4 The U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011) shall be implemented prior to initiation of and during any construction activity on the project site to avoid unintended take of individual San Joaquin kit foxes.

Preconstruction/pre-activity surveys for San Joaquin kit fox shall be conducted by a qualified biologist no less than 30 days prior to the beginning of ground disturbance and/or construction activities or any project activity that may impact San Joaquin kit fox. The surveys shall include all work and staging areas and a minimum 200-foot buffer of the project site. The preconstruction surveys shall identify kit fox habitat features on the project site, evaluate use by kit fox and, if possible, assess the potential impacts of the proposed activity. The status of all dens shall be determined and mapped.

If a natal/pupping den is discovered within the project area or within 200 feet of the project boundary, the City shall consult with the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service to establish an appropriate avoidance buffer. The avoidance buffer shall be maintained until such time as the burrow is no longer active and/or an incidental take permit is determined to be required and is obtained.

In addition, the following measures shall be observed:

- a. Project-related vehicles shall observe a 20-mph speed limit in all project areas; this is particularly important at night when kit foxes are most active. To the extent possible, night-time construction shall be minimized. Off-road traffic outside of designated project area shall be prohibited.
- b. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of the project, all excavated, steep-walled holes or trenches more than two feet deep shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the procedures under number 11 of the Construction and Operational Requirements in the Standardized Recommendations must be followed.
- c. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipe becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or

otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the U.S. Fish and Wildlife Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity, until the fox has escaped.

- d. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers and removed at least once a week from a construction or project site.
- e. No firearms shall be allowed on the project site during construction activities.
- f. To prevent harassment, mortality of kit foxes or destruction of dens by dogs or cats, no pets shall be permitted on site during construction activities.
- g. Use of rodenticides and herbicides on the project site during construction shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the U.S. Fish and Wildlife Service. If rodent control must be conducted, zinc phosphide shall be used because of proven lower risk to kit fox.
- h. In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape.
- i. Any contractor, employee, or agency personnel who inadvertently kills or injures a San Joaquin kit fox shall immediately report the incident to the City of San Juan Bautista, which will contact the CDFW and USFWS as needed.
- j. The City of San Juan Bautista shall prepare weekly reports on construction monitoring activities for the project file.

BIO-5 To avoid/minimize impacts to burrowing owls potentially occurring within the project site and staging areas, a biologist qualified in ornithology shall conduct surveys for burrowing owl. The approved biologist shall conduct a two-visit (i.e., morning and evening) presence/absence survey at areas of suitable habitat

on and adjacent to the project site boundary no less than 14 days prior to the start of construction or ground disturbance activities. Surveys shall be conducted according to the methods for take avoidance described in the *Burrowing Owl Survey Protocol and Mitigation Guidelines* (California Burrowing Owl Consortium 1993) and the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012). If no burrowing owls are found, a letter report confirming absence will be prepared and submitted to the City of San Juan Bautista and no further mitigation is required.

Because burrowing owls occupy habitat year-round, seasonal no-disturbance buffers, as outlined in the *Burrowing Owl Survey Protocol and Mitigation Guidelines* (CBOC 1993) and the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012), shall be in place around occupied habitat prior to and during any ground disturbance activities. The following table includes buffer areas based on the time of year and level of disturbance (CDFW 2012), unless a qualified biologist approved by the CDFW verifies through non-invasive measures that either: 1) birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance Buffers (meters)		
		Low	Med	High
Nesting Sites	April 1 – Aug 15	200 m	500 m	500 m
Nesting Sites	Aug 16 – Oct 15	200 m	200 m	500 m
Nesting Sites	Oct 16 – Mar 31	50 m	100 m	500 m

If burrowing owl is found and avoidance is not possible, burrow exclusion may be conducted by qualified biologists only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. Occupied burrows shall be replaced with artificial burrows at a ratio of one collapsed burrow to one constructed artificial burrow (1:1). Evicted burrowing owls may attempt to colonize or re-colonize an area that would be impacted, thus ongoing surveillance during project activities shall be conducted at a rate sufficient to detect burrowing owls if they return.

If surveys locate occupied burrows in or near construction areas, consultation with the CDFW shall occur to interpret survey results and develop a project-specific avoidance and minimization approach. Once the absence of burrowing owl has been confirmed, a letter report will be prepared and submitted to the City of San Juan Bautista.

BIO-6 Approximately 14 days prior to tree removal or construction activities, a qualified biologist shall conduct a habitat assessment for bats and potential roosting sites in trees to be removed and in trees within 50 feet of the construction easement. These surveys shall include a visual inspection of potential roosting features (bats need not be present) and a search for presence of guano within the project site, construction access routes, and 50 feet around these areas. Cavities, crevices, exfoliating bark, and bark fissures that could provide suitable potential nest or roost habitat for bats shall be surveyed. Assumptions can be made on what species is present due to observed visual characteristics along with habitat use, or the bats can be identified to the species level with the use of a bat echolocation detector such as an “Anabat” unit. Potential roosting features found during the survey shall be flagged or marked.

If no roosting sites or bats are found, a letter report confirming absence shall be prepared and submitted to City of San Juan Bautista and no further mitigation is required.

If bats or roosting sites are found, bats shall not be disturbed without specific notice to and consultation with CDFW.

If bats are found roosting outside of the nursery season (May 1 through October 1), CDFW shall be consulted prior to any eviction or other action. If avoidance or postponement is not feasible, a Bat Eviction Plan will be submitted to CDFW for written approval prior to project implementation. A request to evict bats from a roost includes details for excluding bats from the roost site and monitoring to ensure that all bats have exited the roost prior to the start of activity and are unable to re-enter the roost until activity is completed. Any bat eviction shall be timed to avoid lactation and young-rearing. If bats are found roosting during the nursery season, they shall be monitored to determine if the roost site is a maternal roost. This could occur by either visual inspection of the roost bat pups, if possible, or by monitoring the roost after the adults leave for the night to listen for bat pups. Because bat pups cannot leave the roost until they are mature enough, eviction of a maternal roost cannot occur during the nursery season. Therefore, if a maternal roost is present, a 50-foot buffer zone (or different size if determined in consultation with the CDFW) shall be established around the roosting site within which no construction activities including tree removal or structure disturbance shall occur until after the nursery season.

BIO-7 California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle have been recorded in close proximity to the proposed project. Impacts to these federally and state listed species are considered potentially significant.

The City of San Juan Bautista shall obtain Incidental Take Permits from the USFWS and CDFW for potential project impacts to California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle, and implement all avoidance, minimization, and compensatory mitigation measures required by these permits.

Take permit conditions may include, but not be limited to, the following avoidance and minimization measures identified below before/during construction to minimize the potential for “take” of California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle:

1. At least 15 days prior to ground disturbance, the biologist shall submit the name and credentials of the project biologists who would conduct activities specified in this measure. No project activities shall begin until the biologist has received written approval from the USFWS and CDFW that the biologists are qualified to conduct the work.
2. The biologists shall have the authority to halt construction work at any time to prevent harm to California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle or when any of the permit-specified protection measures have been violated. Work shall re-commence only when authorized by the biologists. If work is stopped due to potential harm to protected species, the project biologists shall contact the USFWS and/or CDFW by telephone or email on the same day to communicate the event and coordinate appropriate action.
3. A biologist shall conduct biological construction monitoring in all work and staging areas with potential to impact California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle. Before the start of work each day, a biologist shall check for wildlife under any equipment such as vehicles and stored pipes within active construction zones. A biologist shall also check all excavated steep-walled holes or trenches greater than one foot deep for trapped animals. If California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle is observed within an active construction zone, a biologist shall be notified immediately and all work within 100 feet of the individual animal shall be halted and all equipment turned off until the biologist has captured and removed the individual from the work area. California tiger salamander, California red-

legged frog, Coast Range newt, western spadefoot, and western pond turtle shall be relocated to a USFWS/CDFW-approved off-site location according to permit specifications.

4. Offsite habitat mitigation. If necessary, offsite habitat shall be procured at an appropriate ratio of project site impact area to compensation habitat area, as determined in coordination with USFWS and/or CDFW. Offsite mitigation may include purchasing credits at a mitigation bank, or permanent protection of land with established aquatic and upland habitat or sites with known upland habitat where the creation of a pond may enhance the habitat value of the site.

BIO-8 To avoid impacts to nesting birds during the nesting season (January 15 through September 15), all construction activities should be conducted between September 16 and January 14, which is outside of the bird nesting season. If construction occurs during the bird nesting season, then a qualified biologist will conduct a pre-construction survey for nesting birds to ensure that no nests would be disturbed during project construction.

If project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), a qualified biologist shall conduct nesting bird surveys.

- a. Two surveys for active bird nests will occur within 14 days prior to start of construction, with the final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding each work area are typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys will be conducted at the appropriate times of day to observe nesting activities. Locations off the site to which access is not available may be surveyed from within the site or from public areas. If no nesting birds are found, a letter report confirming absence will be prepared and submitted to the City of San Juan Bautista and no further mitigation is required.
- b. If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize “normal” bird behavior and

establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g., defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active. Once the absence of nesting birds has been confirmed, a letter report will be prepared and submitted to the City of San Juan Bautista.

- BIO-9 Prior to issuance of a grading permit within the project boundary, the City of San Juan Bautista will retain a qualified biologist to determine the extent of potential wetlands and waterways regulated by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and CDFW. If the USACE claims jurisdiction, the City shall retain a qualified biologist to obtain a Clean Water Act Section 404 Nationwide Permit. If the impacts to the drainage features do not qualify for a Nationwide Permit, the City will proceed with the qualified biologist in obtaining an Individual Permit from the USACE. The City will then retain a qualified biologist to coordinate with the RWQCB to obtain a Clean Water Act Section 401 Water Quality Certification. If necessary, the City will also retain a qualified biologist to coordinate with the CDFW to obtain a Streambed Alteration Agreement.

To compensate for temporary and/or permanent impacts to Waters of the U.S. that would be impacted as a result of the proposed project, mitigation shall be provided as required by the regulatory permits. Mitigation would be provided through one of the following mechanisms:

- i. A *Wetland Mitigation and Monitoring Plan* shall be developed that will outline mitigation and monitoring obligations for temporary impacts to wetlands and other waters as a result of construction activities. The Wetland Mitigation and Monitoring Plan would include thresholds of success, monitoring and reporting requirements, and site-specific plans to compensate for wetland losses resulting from the project. The Wetland Mitigation and Monitoring Plan shall be submitted to the appropriate regulatory agencies for review and approval during the permit application process.
- ii. To compensate for permanent impacts, the purchase and/or dedication of land to provide suitable wetland restoration or creation shall ensure a no net

loss of wetland values or functions. If restoration is available and feasible, a minimum 1:1 mitigation to impact ratio would apply to projects for which mitigation is provided in advance.

- BIO-10 An arborist evaluation of all trees and project plans will be conducted prior to construction; implementation of specific protections for preserved trees during construction will be followed; and replacement plantings for damaged or removed trees will be installed. Compliance with this mitigation measure will ensure that impacts to protected trees are avoided, minimized, or mitigated.

Cultural Resources

- CUL-1 In the event that prehistoric traces (human remains, artifacts, concentrations of shell/bone/rock/ash) are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the San Juan Bautista Director of Community Development will be notified, and a qualified archaeologist will examine the find and make appropriate recommendations prior to commencement of construction. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Community Development.
- CUL-2 In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The San Benito County Coroner will be notified and will make a determination as to whether the remains are of Native American origin. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

Geology and Soils

- GEO-1 If paleontological resources (i.e., fossil remains) are discovered during excavation activities, the contractor will notify the City and cease excavation within 100 feet of the find until a qualified paleontological professional can provide an evaluation of the site. The qualified paleontological professional will evaluate the significance of the find and recommend appropriate measures for the disposition of the site (e.g., fossil recovery, curation, data recovery, and/or monitoring). Construction activities may continue on other parts of the construction site while evaluation and treatment of the paleontological resource takes place.

Noise

N-1 During all project construction activities, the following mitigation measures will be incorporated into construction documents and shall be implemented by the contractors:

- All construction equipment shall be properly maintained and equipped with intake and exhaust mufflers that are in good condition and recommended by the vehicle manufacturer.
- Unnecessary idling of internal combustion engines shall be strictly prohibited.
- Wheeled earth moving equipment shall be used rather than track equipment.
- A detailed construction plan shall be prepared and submitted with the grading and improvement plans identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
- A noise disturbance coordinator shall be designated to handle complaints and the site shall be posted with a phone number and email address so that the nearby residents have a contact person in case of a noise problem.
- Vehicle routes clean and smooth both on site and off site to minimize noise and vibration from vehicles rolling over rough surfaces.
- Nail guns shall be used where possible as they are less noisy than manual hammering.
- Stationary equipment, such as compressor and generators shall be housed in acoustical enclosures and placed as far from sensitive receptors as feasible.
- Utilize “quiet” air compressors and other stationary noise sources where technology exists.
- Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the project site.
- Restrict noise-generating activities at the construction site or in areas adjacent to the construction site to the hours of 7:00 AM to 7:00 PM Monday through Friday and 8:00 AM and 6:00 PM on Saturday. Construction-related noise-generating activities shall be prohibited on Sundays.

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FINAL CEQA-PLUS INITIAL STUDY

SAN JUAN BAUTISTA TO HOLLISTER SANITARY SEWER FORCE MAIN

PREPARED FOR

City of San Juan Bautista

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December 2021

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A. BACKGROUND

Project Title	San Juan Bautista to Hollister Sanitary Sewer Force Main
Lead Agency Contact Person and Phone Number	Brian Foucht, Assistant City Manager, Community Development Director City of San Juan Bautista (831) 623-4661 ext. 20
Date Prepared	October <u>December</u> 2021
Study Prepared by	EMC Planning Group Inc. 301 Lighthouse Avenue, Suite C Monterey, CA 93940
Project Location	San Juan Bautista to Hollister, San Benito County
Project Sponsor Name and Address	City of San Juan Bautista 311 Second Street San Juan Bautista, CA 95045
General Plan Designation	Public Facility (San Juan Bautista) Agriculture (San Benito County) Public Facility (Hollister)
Zoning	Public Facility (PF) (San Juan Bautista) Agricultural Productive (AP) (San Benito County) Public Facilities/Institutional (PF) (Hollister)

Setting

The project setting begins at the existing City of San Juan Bautista Wastewater Treatment Plant (WWTP) on Third Street in San Juan Bautista and terminates at the City of Hollister Domestic WWTP at the intersection of State Route 156 and San Juan Hollister Road, within Hollister. The majority of the project route is on existing road rights-of-way within farmland. [Figure 1, Location Map](#), shows the general location of the proposed project. The project is also located on a USGS map in [Appendix D](#).

Background

The City of San Juan Bautista (City) currently collects wastewater flows and conveys them through the wastewater collection system to the City-owned WWTP. This WWTP effluent has received repeated violation for chloride, sodium and total dissolved solids (TDS), and in more recent years, the Regional Water Quality Control Board has issued notices for high levels of biochemical oxygen demand (BOD), ammonia, and total suspended solids.

The City prepared the City of San Juan Bautista Wastewater Master Plan (Akel Engineering, 2020) to document the planned land uses for the City, identify existing and future wastewater flows generated within San Juan Bautista, and to plan wastewater infrastructure to provide adequate levels of service to the customers at the lowest lifecycle cost feasible. As part of the wastewater master plan, various solutions to mitigate the effluent quality concerns were also evaluated. These solutions would require either the upgrade of the existing WWTP or the construction of a force main and lift station to convey the City's wastewater to the Hollister Domestic WWTP. The wastewater master plan concluded the following:

1. The sewer flow projections used for ultimate build-out of the City's Planning Boundary are based on land uses from the City of San Juan Bautista 2035 General Plan and other planning documents from the City, as well as review and comments from City staff. Consumption data for the various land uses were extracted from City billing information and historical wastewater treatment plant flows were used to project future wastewater flows.
2. The existing deficiencies and needs for future development within the City will require a large investment in new infrastructure. This study analyzes this future development and identifies the improvements needed to serve it. Residential lands are currently built to 73 percent of the proposed land use capacity, while non-residential lands are developed to 68 percent of the proposed capacity. Thus, approximately 70 percent of the overall land use plan is built out.
3. Under existing conditions, the City's WWTP has received repeated violation notices from the Regional Water Quality Control Board for high levels of contaminants in the effluent. Various solutions to mitigate these effluent quality concerns were evaluated, with the preferred option including decommissioning the City's WWTP and rerouting wastewater flows to the City of Hollister's Domestic WWTP.

Project Description

The proposed project includes repurposing San Juan Bautista's existing WWTP influent pump station and development of a new 10-inch diameter high-density polyethylene (HDPE) force main that would carry effluent from the San Juan Bautista WWTP to a manhole just upstream of the Hollister Domestic WWTP influent pump station. [Figure 2, Proposed Route](#), illustrates the proposed route of the sanitary sewer force main. [Figure 3, West End Route Detail](#), and [Figure 4, East End Route Detail](#), provide more details regarding the improvements at the San Juan Bautista and Hollister wastewater treatment plants. Approximately three (3) acres would be affected by the proposed project.

Influent Pump Station and WWTP Storage

The City's current average dry weather flow (ADWF) is approximately 160,000 gpd (gallons per day) with an estimated build-out ADWF of 430,000 gpd. A new primary pump station will be constructed that will house three submersible pumps which will serve as the primary pumps to convey city wastewater to the Hollister Domestic WWTP. The three primary submersible pumps will be nearly capable of conveying peak hour wet weather flows through the intermediate planning horizon (2035). The existing San Juan Bautista WWTP influent pump station will be repurposed to house two submersible pumps which will serve as the emergency storage pumps for peak flow shaving during extreme wet weather events. The existing San Juan Bautista WWTP ponds will be converted to emergency storage basins. The lower pond will be lined in the future to serve as an equalization basin when the build-out peak-hour wet weather flows are realized. Two sump (i.e., drain) pumps will be available to support the storage function of the existing ponds. The remaining existing facilities will be decommissioned (existing pumps, aerators, filters, and ultraviolet disinfection equipment). [Figure 5, Pump Station and Storage Improvements](#), presents the location and components of the improvements.

A construction staging area will be located on the San Juan Bautista WWTP site near the existing influent pump station, using available undeveloped space within the WWTP fence line.

Force Main

The proposed route runs the new force main inside the existing, unused 18-inch gravity sewer in San Juan Bautista north for about 0.43 miles until it reaches the northwest end of Caetano Place. From there the proposed 10-inch, 6.97-mile main route is along Prescott Road, where it crosses a drainage near the True Leaf Farms agricultural processing facility, and turns east on San Justo Road. At Lucy Brown Road, the route turns south for a short length before running east again on Duncan Road. At Bixby Road the route turns south and then turns east on Freitas Road. The route then turns north on Mitchell Road until it reaches the

southeast border of the Hollister Domestic WWTP site. The route then follows the southern border of the Hollister Domestic WWTP percolation ponds until crossing State Route 156, heading further east until it terminates at the Hollister Domestic WWTP existing influent manhole. The proposed route is almost entirely in public rights-of-way.

The area of impact for the force main will include a trench width up to three-feet wide with an additional one foot on both sides for asphalt restoration if in the roadway and will be up to 15-feet deep. During construction, it is likely that more than a three-foot wide area would be disturbed. The trench and force main will be placed in the roadway shoulders to the maximum extent possible with limited lengths located within the paved roadway where the shoulder is unavailable or there are conflicts with other utilities or water features. Where the route crosses water features, pipe bridges will be utilized.

The proposed main improvements will be primarily within the County road rights-of-way, which is generally 40 to 60 feet. (See easement discussion below.) Agricultural crops or other improvements within the rights-of-way will not be disturbed.

Construction staging areas will be located on the San Juan Bautista WWTP site, the City of Hollister Domestic WWTP site, and along the force main alignment, within the public rights-of-way, where possible. It is likely that the contractor would rent some space from farms along the route. Preliminary plans for the force main alignment are included in [Appendix A](#).

Easement

The proposed project may need an easement of about 10'x100' from True Leaf Farms, just north of Prescott (at the canal crossing). The True Leaf Farms property is identified in Figure 3.

Construction Schedule

Construction is expected to begin sometime between Spring 2022 and Fall 2023, and is expected to last for approximately one year, including project award, notice to proceed, substantial completion, start-up, punch-list resolution, and project close out. Substantial completion is estimated to be nine months after the notice to proceed.

San Juan Bautista WWTP Decommissioning

The City of San Juan Bautista ultimately plans to decommission the WWTP and to instead operate the existing ponds as emergency storage when needed and eventually as equalization when build-out flows are realized. Upon completion of the proposed project, the ponds will no longer be configured for treatment.

Property Ownership

No federal lands are affected. Parcels to be affected by the proposed project are owned by the following entities:

1. City of San Juan Bautista – Wastewater Treatment Plant
2. City of Hollister – Wastewater Treatment Plant
3. County of San Benito – Public Roadways
4. True Leaf Farms – 10' x 100' – Possible Easement

Project Objectives

The City of San Juan Bautista has identified the following project objectives.

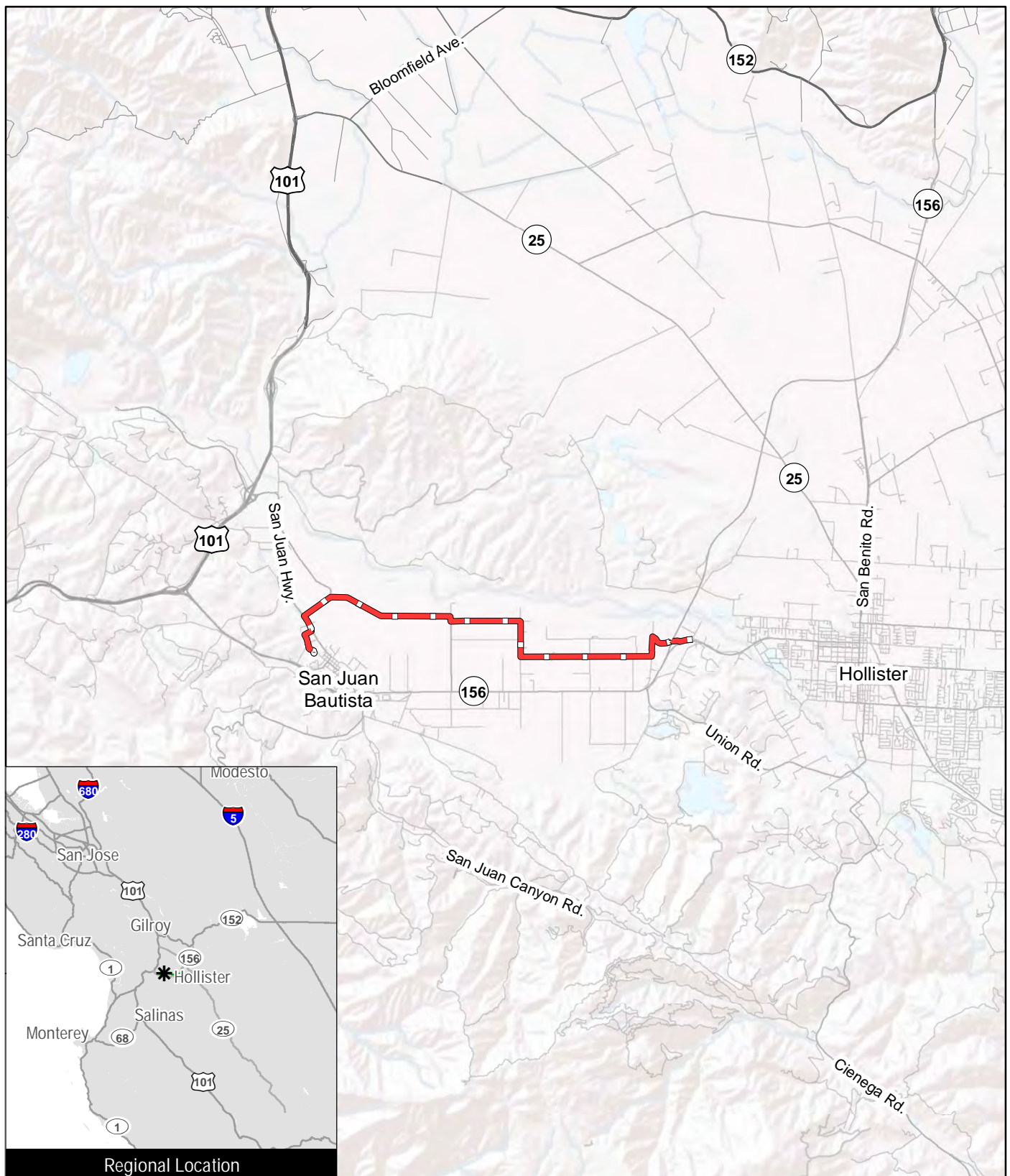
- Providing adequate wastewater collection system facilities to meet existing and projected peak dry weather flows and peak wet weather flows for the cities of San Juan Bautista and Hollister;
- Developing a project consistent with San Juan Bautista City Council Resolution 2020-51, and pursuant to the SJB and United States Environmental Protection Agency (“EPA”) Administrative Order on Consent, (executed August 8th, 2020);
- Bringing San Juan Bautista’s water and wastewater systems into compliance with local National Pollutant Discharge Elimination System (“NPDES”) permit limits; and
- Developing a project that will provide ease of operation and maintenance, reliability, and flexibility with future regulations.

Other Public Agencies Whose Approval is or May be Required

- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- California Department of Fish and Wildlife
- Regional Water Quality Control Board
- California Department of Transportation
- County of San Benito
- California State Water Resources Control Board (Funding)
- U.S. Department of Agriculture (Funding)

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

The City of San Juan Bautista sent out letters offering consultation to tribes traditionally and culturally affiliated with the project area on June 18th 2021. On August 7, 2021, Mr. Valentin Lopez, Chair of the Amah Mutsun Tribal Band sent an email to the City requesting consultation. The City responded to that email twice to set up a consultation time, but has received no response. The City will continue to be available to consult with Mr. Lopez regarding the project.



Source: ESRI 2019



Figure 1
Location Map

San Juan Bautista to Hollister Sanitary Sewer Force Main
CEQA Plus Initial Study

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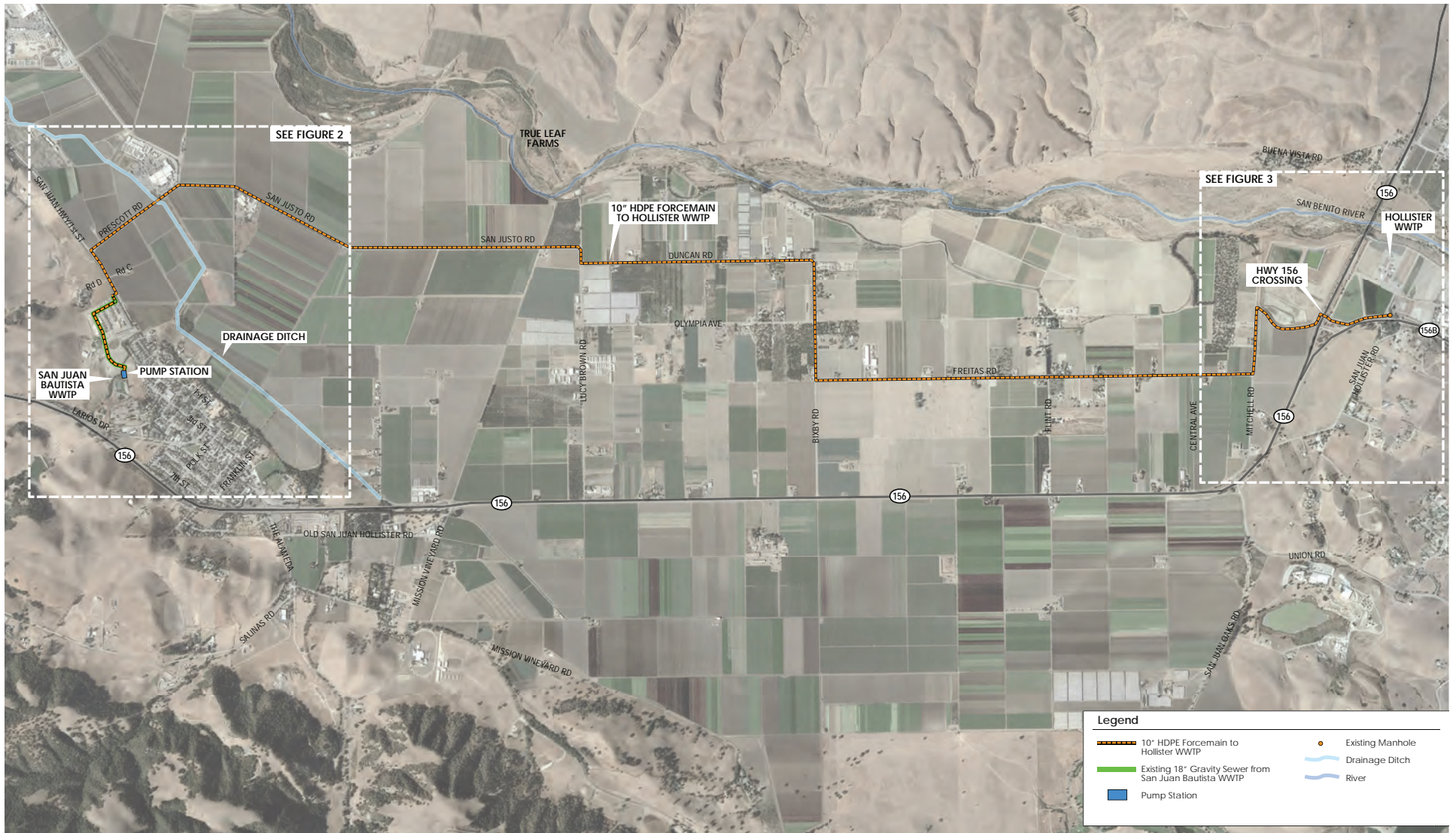


Figure 2
Proposed Route

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Source: Stantec 2021

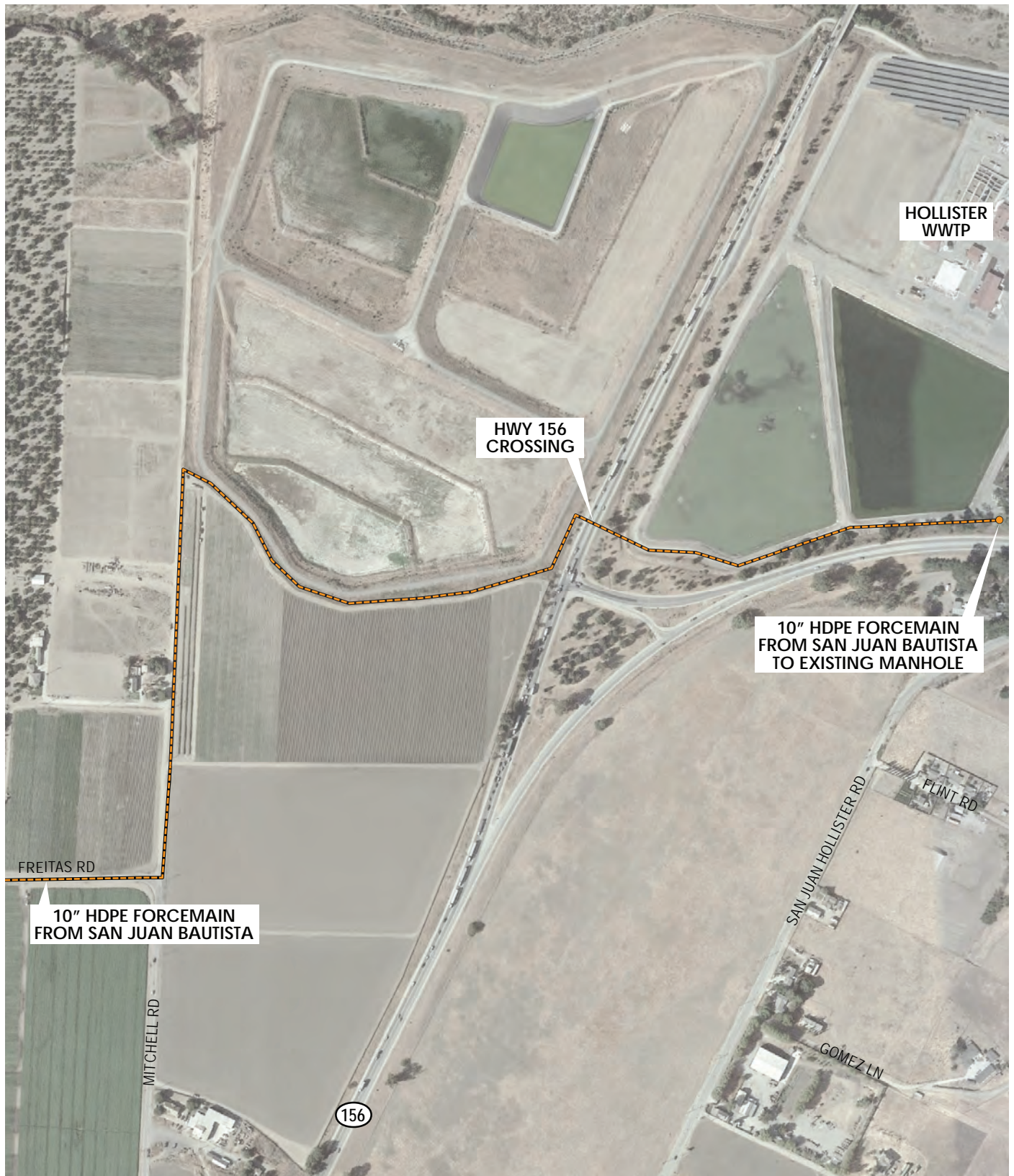
Figure 3

West End Route Detail



San Juan Bautista to Hollister Sanitary Sewer Force Main
CEQA Plus Initial Study

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Source: Stantec 2021

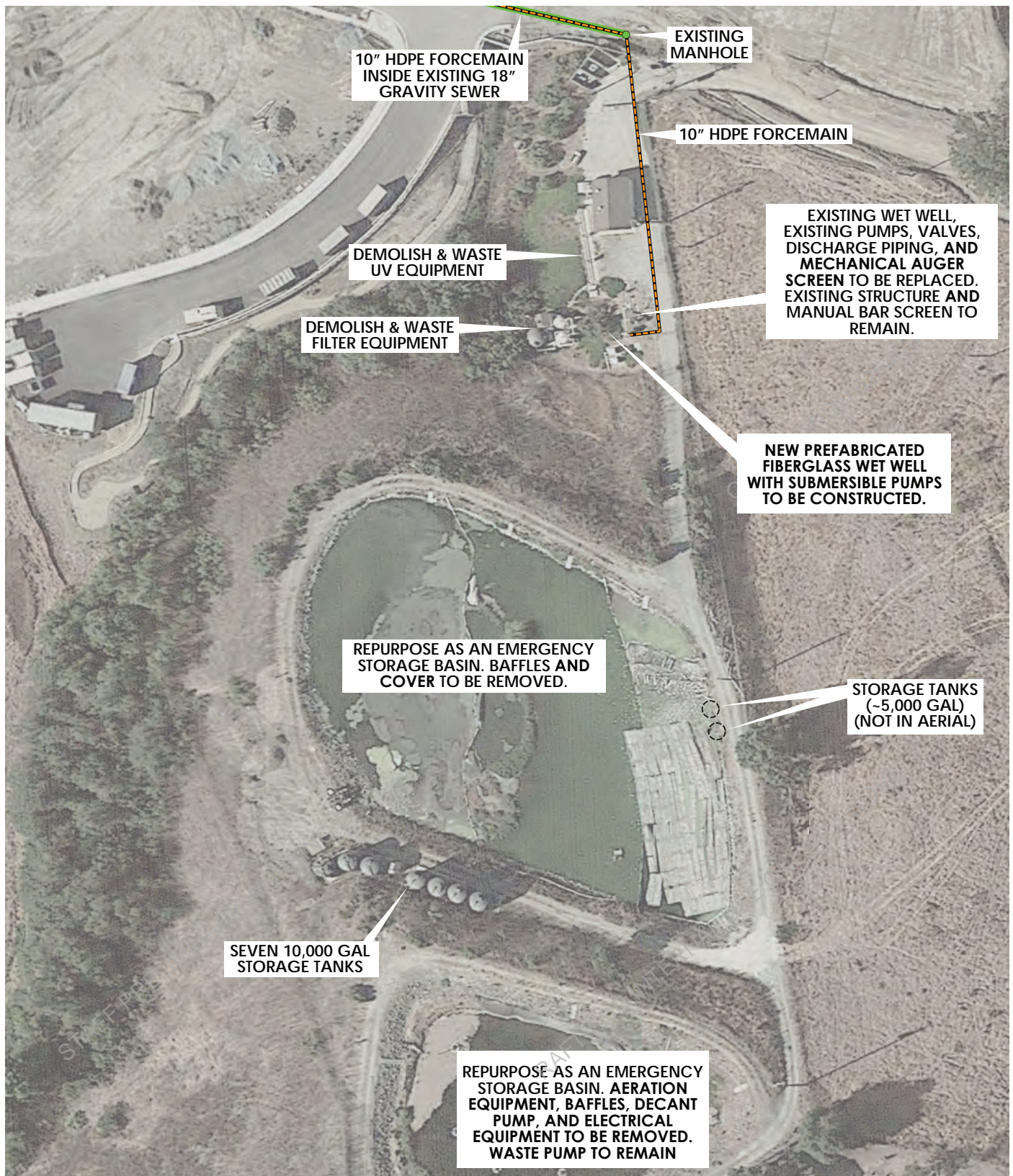
Figure 4

East End Route Detail



San Juan Bautista to Hollister Sanitary Sewer Force Main
CEQA Plus Initial Study

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Source: Stantec 2021

Figure 5

San Juan Bautista WWTP Proposed Improvements



San Juan Bautista to Hollister Sanitary Sewer Force Main
CEQA Plus Initial Study

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B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings of Significance |

C. DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Brian Foucht, Assistant City Manager
Community Development Director

Date

D. EVALUATION OF ENVIRONMENTAL IMPACTS

Notes

1. A brief explanation is provided for all answers except “No Impact” answers that are adequately supported by the information sources cited in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer is explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once it has been determined that a particular physical impact may occur, then the checklist answers indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less-Than-Significant Impact with Mitigation Measures Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less-Than-Significant Impact.” The mitigation measures are described, along with a brief explanation of how they reduce the effect to a less-than-significant level (mitigation measures from section XVII, “Earlier Analyses,” may be cross-referenced).
5. Earlier analyses are used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier document or negative declaration. [Section 15063(c)(3)(D)] In this case, a brief discussion would identify the following:
 - a. “Earlier Analysis Used” identifies and states where such document is available for review.
 - b. “Impact Adequately Addressed” identifies which effects from the checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and states whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. “Mitigation Measures” —For effects that are “Less-Than-Significant Impact with Mitigation Measures Incorporated,” mitigation measures are described which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances, etc.) are incorporated. Each reference to a previously prepared or outside document, where appropriate, includes a reference to the page or pages where the statement is substantiated.
7. “Supporting Information Sources” — A source list is attached, and other sources used or individuals contacted are cited in the discussion.
8. This is a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected. This is the format recommended in the CEQA Guidelines as amended 2018.
9. The explanation of each issue identifies:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any to reduce the impact to less than significant.

1. AESTHETICS

Except as provided in Public Resources Code Section 21099 (Modernization of Transportation Analysis for Transit-Oriented Infill Projects), would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? (1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. The proposed project includes the repurposing of the San Juan Bautista WWTP influent pump station and an underground force main to the Hollister WWTP. The pump station improvements would replace existing infrastructure and the force main would be entirely underground, except where it crosses drainage ditches, where pipe bridges would be used; therefore, the proposed project would not adversely affect a scenic vista.
- b. The proposed project crosses an eligible state scenic highway (State Route 156). While the proposed project may create some visual disturbance during construction, upon completion, the force main would be entirely underground and would not damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway.

- c. The proposed project consists of repurposing an existing WWTP pump station in San Juan Bautista, and a force main to the Hollister WWTP. The force main would be entirely underground, except where it crosses drainage ditches, where pipe bridges would be used. The above-ground improvements may be visible, but would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. The impact would be less than significant.
- d. The project would not include any new sources of light or glare. Construction would occur during daylight hours and there would not be nighttime lighting along the pipeline alignment. Therefore, no impact on light or glare would occur with project implementation.

2. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts on agricultural resources are significant environmental effects and in assessing impacts on agriculture and farmland, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. The 2018 San Benito County Important Farmland Map (California Department of Conservation) identifies the project route within San Juan Bautista as Urban and Built Up Land, and the project route within the Hollister Wastewater Treatment Plant as Other Land. However, for a majority of the route, which is located outside of the cities' limits, the area is identified as Prime Farmland or Farmland of Statewide Importance.

The force main improvement would be located adjacent to paved roadways and will be entirely underground. Construction activities would occur within the existing right of way, which is generally a total of 40 feet, and would be temporary. Although some crops are grown within the right-of-way, the project would not result in removal of or impacts to the crops or Prime Farmland or Farmland of Statewide Importance.

The improvements to the San Juan Bautista WWTP would be refurbishing the existing facilities. The project does would not result in the conversion of farmland designated by the California Farmland Mapping and Monitoring Program (FMMP) as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

- b. The force main alignment would be located adjacent to paved roadways, and the physical impact would be temporary. Therefore, the proposed project would not impact land zoned for agricultural uses, and would not conflict with any land that is currently under Williamson Act contract.
- c, d. The force main alignment is located entirely within existing road rights-of-way and does not include forest land or any land zoned for forest land and would not result in the loss of forest land or the conversion of forest land to a non-forest use.
- e. While the proposed force main alignment would be within in roads that run through or adjacent to areas of active agricultural land and may cause a temporary inconvenience to farming operations during construction, the proposed project does not include any components that would cause the conversion of farmland or forest land. The improvements to the San Juan Bautista WWTP would not cause the conversion of farmland or forest land.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan? (1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard? (1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations? (1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions, such as those leading to odors adversely affecting a substantial number of people? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. The project site is located in the North Central Coast Air Basin (hereinafter “air basin”), which is under the jurisdiction of the Monterey Bay Air Resources District (hereinafter “air district”). Regional air districts must prepare air quality plans specifying how state air quality standards will be met. The air district’s currently adopted plan is 2012-2015 Air Quality Management Plan for the Monterey Bay Region. The air district specifies Air Quality Management Plan consistency for population-related projects only. The proposed project is an infrastructure improvement that would not result in an increase in population. Therefore, the project would not conflict with or obstruct the implementation of the applicable air quality plan.
- b. The air district is responsible for monitoring air quality in the air basin, which is designated, under state criteria, as a nonattainment area for ozone and suspended particulate matter (PM₁₀). Under federal criteria, the air basin is at attainment (8-hour standard) for ozone and particulates. [Table 1, North Central Coast Air Basin Attainment Status](#), presents a summary of attainment status with federal and state standards. With respect to national standards, the air basin has achieved attainment.

Table 1 North Central Coast Air Basin Attainment Status

Pollutant	California Standards	National Standards
O ₃	Non-attainment	Attainment
PM ₁₀	Non-attainment	Attainment
PM _{2.5}	Attainment	Attainment
CO	Unclassified (San Benito County)	Attainment
NO ₂	Attainment	Attainment
SO ₂	Attainment	Attainment
Pb	Attainment	Attainment

SOURCE: Monterey Bay Air Resources District 2017

The air district has developed criteria pollutant emissions thresholds which are used to determine whether or not a proposed project would violate an air quality standard or contribute to an existing violation during operations and/or construction. A significant environmental impact would occur if the proposed project would generate emissions that would exceed state thresholds for criteria air pollutants.

Based on the air district's CEQA Air Quality Guidelines (hereinafter "air district CEQA Guidelines"), a project would have a significant operational air quality impact if it would:

- Emit 137 pounds per day or more of direct and indirect volatile organic compounds (VOC);
- Emit 137 pounds per day or more of direct and indirect nitrogen oxides (NO_x);
- Directly emit 550 pounds per day or more of carbon monoxide (CO);
- Emit 82 pounds per day or more of suspended particulate matter (PM₁₀) on-site and from vehicle travel on unpaved roads off-site; or
- Directly emit 150 pounds per day or more of sulfur oxides (SO_x).

Operational Impacts

The proposed project is primarily a construction activity. During operations, electricity would be used to power the three planned submersible and two planned storage pumps. These planned sources of energy demand would replace existing WWTP sources of energy demand that include pumps, aerators, filters, and UV equipment. Air emissions from electricity generation needed to operate the proposed project would not significantly increase relative to existing baseline conditions. Therefore, the project would not contribute to cumulative operational air emissions in the air basin and would have no cumulative impact.

Construction Impacts

Construction emissions would include mobile source exhaust emissions and emissions generated from fugitive dust associated with earthmoving equipment. Air district CEQA Guidelines Table 5-2, Construction Activity with Potentially Significant Impacts, identifies the level of construction activity that could result in significant temporary fugitive dust impacts if not mitigated. Construction activities with grading and excavation that disturb more than 2.2 acres per day and construction activities with minimal earthmoving that disturb more than 8.1 acres per day are assumed to be above the 82 pounds of particulate matter per day threshold of significance.

As a linear pipeline project, the amount of surface disturbance that would occur on any given day would be minimal. At a pipeline length of about 7.4 miles, an assumed average trench width of about four feet on average, and an assumed 10-month construction period (22 days/month of construction), on an average day, less than 0.02 acres would be disturbed. This is far below the 2.2-acre per day threshold. Therefore, fugitive dust emissions impacts would be less than significant.

- c. According to the air district CEQA Guidelines, a sensitive receptor is generally defined as any residence including private homes, condominiums, apartments, and living quarters; education resources such as preschools and kindergarten through grade twelve (K-12) schools; daycare centers; and health care facilities such as hospitals or retirement and nursing homes.

As a construction activity, the proposed project could result in limited localized emissions of dust and diesel exhaust. As illustrated in Figures 2, 3, and 4, the pipeline would be constructed primarily within existing road rights-of-way. Within the San Juan Bautista city limits, the route would pass adjacent to a single-family subdivision. Within the county, the route is along rural roads adjacent to which are a number of homes.

The project would not require intensive use of diesel-powered construction equipment that would generate significant diesel exhaust containing toxic air contaminants. Further, dust emissions should be minimal as described in “b” above. Nevertheless, the adjacent sensitive receptors could be exposed to pollutant concentrations that could conservatively be considered potentially significant. The City will implement the following measures to reduce this impact to a less-than-significant level.

Mitigation Measures

AQ-1 The City of San Juan Bautista will prepare a Construction Management Plan and implement it during construction activities. The plan will include the following restrictions:

- a. Heavy-duty diesel vehicles will have 2010 or newer model year engines, in compliance with the California Air Resources Board's Truck and Bus Regulation, and will not be staged within 500 feet of occupied residences; and
- b. Idling of construction equipment and heavy-duty diesel trucks will be avoided where feasible, and if idling is necessary, it will not exceed five minutes.

AQ-2 All construction equipment will be maintained and properly tuned in accordance with manufacturer's specifications and will be checked by a certified visible emissions evaluator. All non-road diesel construction equipment will, at a minimum, meet Tier 3 emission standards listed in the Code of Federal Regulations Title 40, Part 89, Subpart B, §89.112. Further, where feasible, construction equipment will use alternative fuels such as compressed natural gas, propane, electricity or biodiesel.

- d. The proposed project would not produce new odors during operation. Construction activities such as demolition and grading may temporarily generate objectionable odors. Since odor-generating construction activities would be localized and short-term in any one location, this impact would be less than significant.

4. BIOLOGICAL RESOURCES

Would the project:

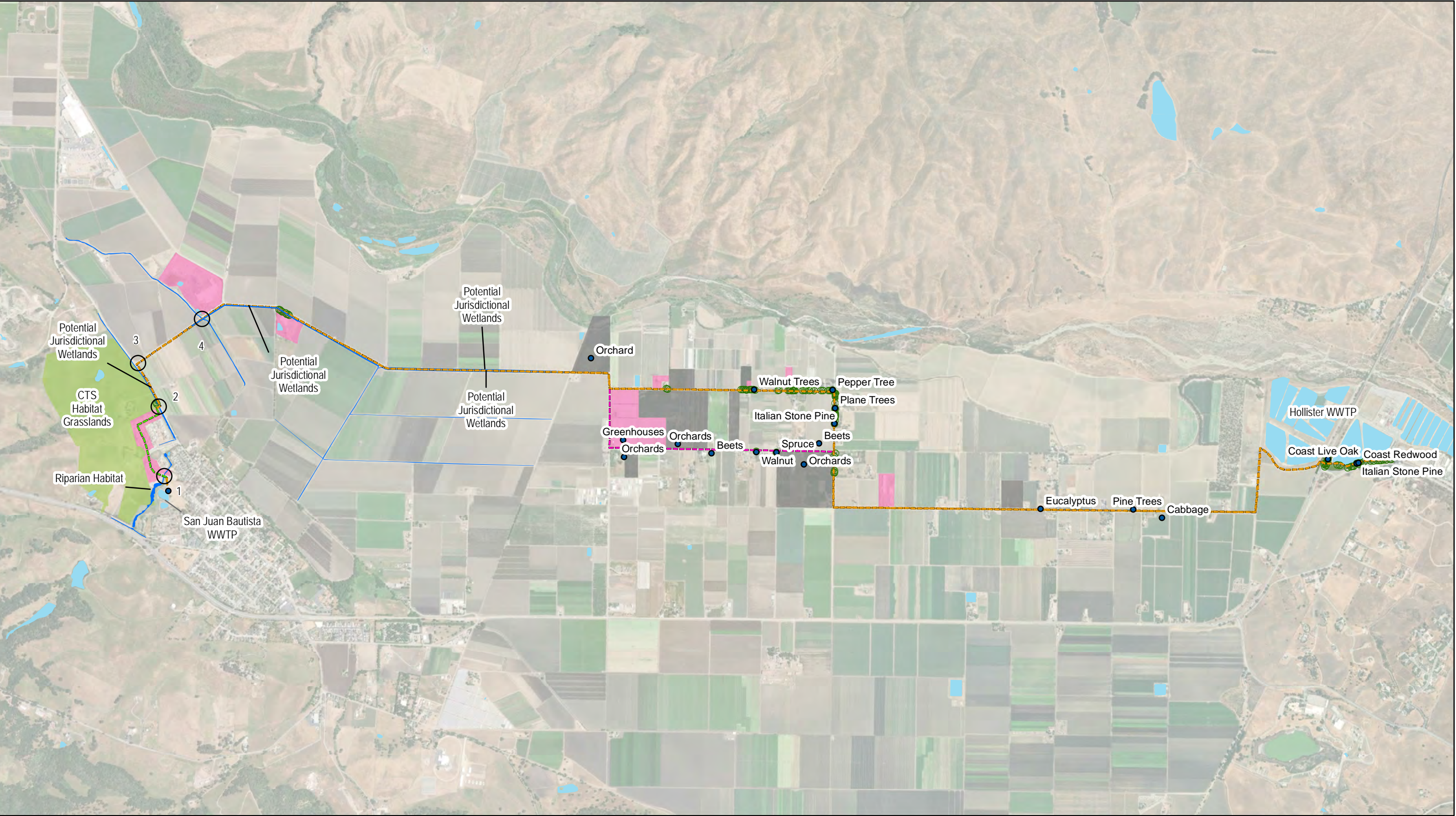
	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (2, 12, 21, 22, 23, 24, 32)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (22, 23, 28)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.), through direct removal, filling, hydrological interruption, or other means? (22, 23, 28)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (22, 23, 27)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (2, 12, 32)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (2, 12, 32)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

This section is based on reconnaissance-level biological field surveys conducted by EMC Planning Group biologist Patrick Furtado, M.S., on June 16, 2021 and July 8, 2021 to document existing plant communities/wildlife habitats and evaluate the potential for special-status species to occur on the project site. Biological resources were documented in field notes, including species observed, dominant plant communities, significant wildlife habitat characteristics, and riparian and wetland habitat. Qualitative estimations of plant cover, structure, and spatial changes in species composition were used to determine plant communities and wildlife habitats. Habitat quality and disturbance levels were also described.

Prior to conducting the survey, Mr. Furtado reviewed site plans, aerial photographs, natural resource database mapping and reports, and other relevant scientific literature. This included searching the U.S. Fish and Wildlife Service (USFWS) Endangered Species Database (USFWS 2021), California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CDFW 2021), and California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants (CNPS 2021) to identify special-status plants, wildlife, and habitats known to occur in the vicinity of the project site. Special-status species in this report are those listed as Endangered, Threatened, or Rare, or as Candidates for listing by the USFWS and/or CDFW; as Species of Special Concern or Fully Protected species by the CDFW; or as Rare Plant Rank 1B or 2B species by the CNPS.

The proposed project includes the construction of approximately seven miles of 10-inch sanitary sewer force main, improvements to approximately 0.4 miles of existing 18-inch gravity main, and an approximately 1.3-mile alternative route beginning at the wastewater treatment plant (WWTP) in San Juan Bautista and terminating approximately seven miles away at the Hollister WWTP by way of existing road rights-of-way and agricultural access roads. All work would occur within the right of way. In addition, construction staging areas will be located on the San Juan Bautista WWTP site, the City of Hollister WWTP site, along the force main alignment within the public rights-of way, and within disturbed or fallow agricultural lands rented from farms along the route. The project also includes improvements within the existing WWTPs and a lift station within undeveloped grasslands. [Figure 6, Habitat Map](#), shows the proposed and alternative pipeline routes, drainage channels and crossings, and habitats present.



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Preliminary consultation with Mark Oganowski, USFWS, Kelly Nelson, CDFW, and Renee Robison, CDFW, was initiated on October 8, 2021, to discuss potential impacts to listed species and protected habitats (USFWS and CDFW 2021). The permits required and processes needed to obtain permits for impacts to special-status species, their habitat, and protected wetlands and waterways are discussed further below.

Environmental Setting. The project site is located in San Benito County on the San Juan Bautista and Hollister U.S. Geological Survey (USGS) quadrangle maps, with approximate elevations of 192 feet above sea level at the San Juan Bautista WWTP and 250 feet above sea level at the Hollister WWTP.

A review was conducted of the National Wetlands Inventory (USFWS 2021) to identify jurisdictional aquatic features on or adjacent to the project site. Results showed the sewer main route both crossing and running parallel to wetland and riverine habitat.

The sewer main route begins at the San Juan Bautista WWTP where ruderal (weedy) vegetation is dominant. Non-native grasses such as wild oats (*Avena fatua*) and native coyote brush (*Baccharis pilularis*) were observed. Evidence of use of the treatment plant environs by small rodents such as Botta's pocket gopher (*Thomomys bottae*) and California ground squirrel (*Otospermophilus beecheyi*) was abundant.

A drainage channel with arroyo willow (*Salix lasiolepis*) and broadleaf cattail (*Typha latifolia*) borders the treatment plant and is the first streambed crossing along the sewer main route. The sewer route then follows residential streets north and east to First Street. Immediately before First Street, the sewer route runs along a drainage with Harding grass (*Phalaris aquatica*) for approximately 70 feet. At First Street the sewer route crosses a second streambed channel with broadleaf cattail habitat. The sewer route then leaves San Juan Bautista along First Street and is bordered on the west by open pastureland dominated by Harding grass and on the east by plowed agricultural fields.

The remainder of the sewer route to Hollister is bounded on both sides by agricultural fields, agricultural processing facilities, orchards, farms, and rural residences. The road shoulders along the sewer route are either free of vegetation or contain ruderal vegetation. Occasionally, single trees or rows of trees closely adjoin the roadside including blue gum (*Eucalyptus globulus*), Peruvian pepper tree (*Schinus molle*), walnut (*Juglans* spp.), and Italian stone pine (*Pinus pinea*).

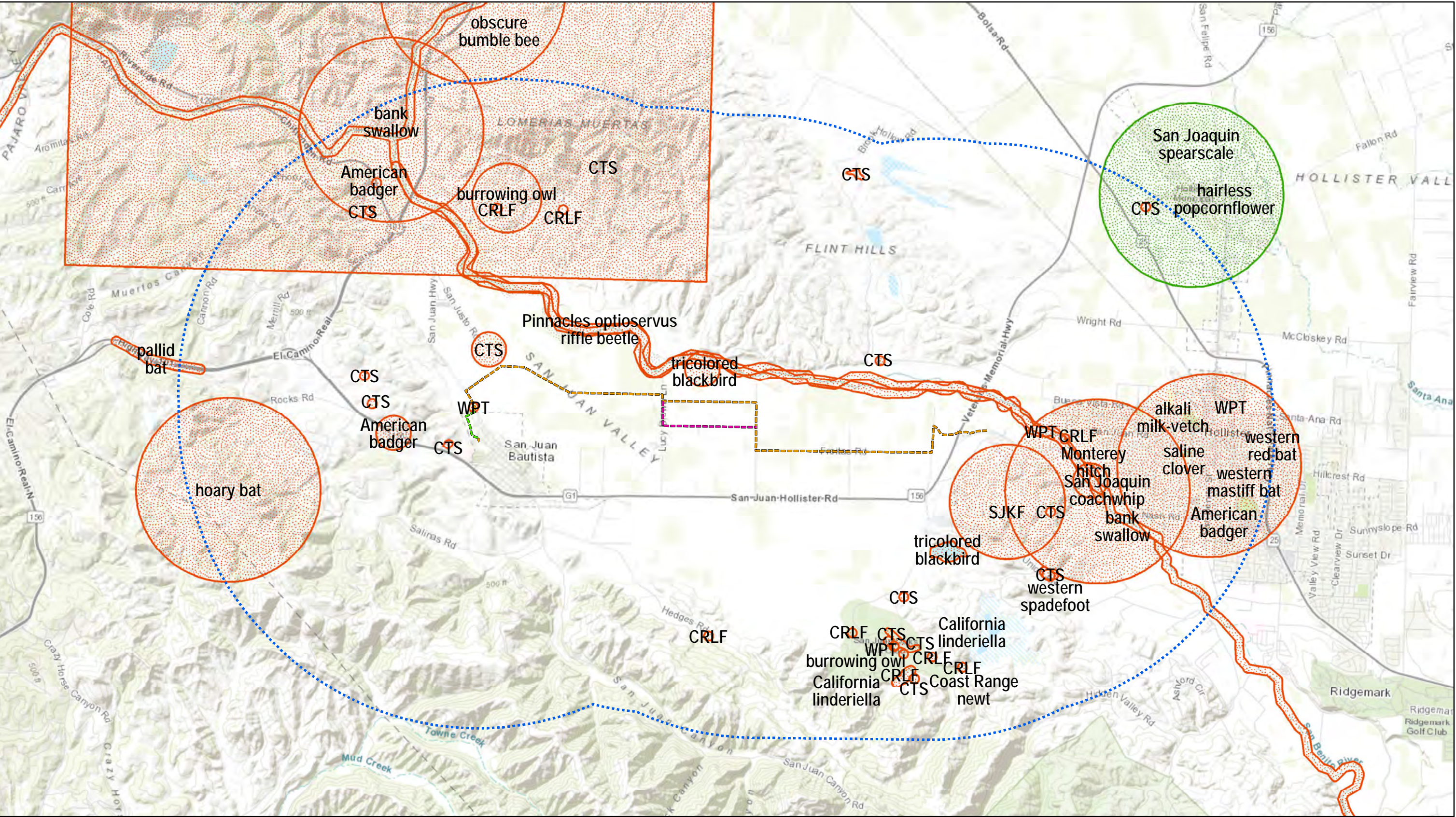
Common mammal species that could possibly occur along the sewer route include raccoon (*Procyon lotor*), striped skunk (*Mephitis mephitis*), Virginia opossum (*Didelphis virginiana*), and California ground squirrel (*Spermophilus beecheyi*); common reptiles may include western

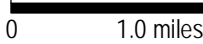

fence lizard (*Sceloporus occidentalis*) and common garter snake (*Thamnophis sirtalis*). Species of small rodents including mice (*Mus musculus*, *Reithrodontomys megalotis*, and *Peromyscus maniculatus*) and California vole (*Microtus californicus*) may also occur along the route. No mammal, reptile, or amphibian species were observed during the June and July 2021 surveys.


As the sewer main nears Hollister, the route crosses under the highway and through an area with mature coast live oak (*Quercus agrifolia*), several small coast redwood (*Sequoia sempervirens*) trees, non-native grasses, and yellow starthistle (*Centaurea solstitialis*) before entering the Hollister WWTP.


Within the Hollister WWTP, the sewer route is bounded on the north by two wastewater treatment ponds and a row of mature trees including Italian stone pine and coast redwood before terminating at an existing manhole. Ruderal vegetation within the treatment plant consists of non-native grasses, Italian thistle (*Carduus pycnocephalus*), and wild mustard (*Hirschfeldia incana*). Vegetation along the treatment pond shorelines include alkali Russian thistle (*Salsola soda*) and other chenopod species (*Chenopodium* spp. and *Atriplex* spp.). Wetland habitat encountered along the sewer main route is covered in detail below.

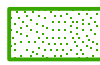
- a. **Special-Status Species.** A search of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB) was conducted for two target USGS quadrangles – San Juan Bautista and Hollister, and ten surrounding quadrangles – Watsonville East, Chittenden, San Felipe, Three Sisters, Prunedale, Tres Pinos, Salinas, Natividad, Mount Harlan, and Paicines to generate a list of potentially occurring special-status species in the project vicinity (CDFW 2021). Records of occurrence for special-status plants were also reviewed for those twelve USGS quadrangles in the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants (CNPS 2021). A U.S Fish and Wildlife Service (USFWS) Endangered Species Program threatened and endangered species list was generated for San Benito County (USFWS 2021). [Appendix B](#), includes tables with CNDDDB results, which list special-status species documented within the project vicinity, their listing status and suitable habitat description, and their potential to occur on the site. [Figure 7, Special-Status Species Known to Occur in the Project Vicinity](#), presents a map with CNDDDB results.








 Existing 18" Gravity Sewer - 0.4 mi

 Alternate 10" HDPE Forcemain - 1.3 mi

 Special-Status Plants

 10" HDPE Forcemain - 7.0 mi

 3.1-Mile Buffer

 Special-Status Wildlife

CRLF: California Red-Legged Frog

CTS: California Tiger Salamander

SJKF: San Joaquin Kit Fox


WPT: Western Pond Turtle

Source: ESRI 2021, Stantec 2021, CDFW 2021

Figure 7

Special-Status Species Known to Occur in the Project Vicinity

San Juan Bautista to Hollister Sanitary Sewer Force Main CEQA Plus Initial Study



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Critical habitat is a designation used by the USFWS for specific geographic areas that contain features essential to the conservation of an endangered or threatened species and that may require special management and protection. The project site is not within a critical habitat area.

Special-Status Plant Species. Of the special-status plant species with potential to occur on the project site, three species, alkali milk-vetch (*Astragalus tener* var. *tener*), hairless popcorn flower (*Plagiobothrys glaber*), and San Joaquin spearscale (*Extriplex joaquinana*), have a low potential to occur. However, after completing the reconnaissance-level survey it was determined that these three special-status plants are not expected to occur on the site given the existing level of disturbance and lack of suitable habitat.

One special-status plant species, Congdon's tarplant (*Centromadia parryi* spp. *congdonii*), has a moderate potential to occur on the project site, as it is known to grow in disturbed areas and along roadways.

Congdon's tarplant. Congdon's tarplant is a low-growing annual herb that typically blooms May to October, with peak blooming from late summer to early fall. It is found on a range of substrates and is tolerant of disturbed and ruderal (weedy) areas, often occurring in patches of non-native grassland. The closest documented occurrence was recorded in 1998 approximately eight miles southwest of the San Juan Bautista WWTP (Occurrence No. 38, CDFW 2021). This special-status plant has potential to occur in sparsely vegetated and disturbed roadsides along the sewer main route, including irrigation channels and field margins, and within both WWTPs. Project development could result in impacts to this species during construction. Loss or harm to Congdon's tarplant is considered a significant adverse impact. Implementation of Mitigation Measure BIO-1 would reduce potentially significant impacts to Congdon's tarplant to a less than significant level.

Mitigation Measure

- BIO-1 Prior to approval of grading permits for the WWTPs and sewer main route, a biologist qualified in botany shall conduct a focused survey of the proposed area of impact (including construction staging areas) for Congdon's tarplant in accordance with current CDFW and CNPS rare plant survey protocols (CDFW 2018 and CNPS 2001). The survey shall occur during the peak blooming period for this species to determine its presence or absence (typically August through September). If possible, a known reference population of the target species in the project vicinity shall first be visited to verify that the species is observable, and the focused survey shall be conducted within two weeks of observing the reference population in full bloom.

The biologist shall then prepare a brief report documenting the results of the survey and, if appropriate, propose measures for avoiding or minimizing possible impacts to Congdon's tarplant before and during construction, as included below. If the focused survey concludes the species is not present within the project site boundary, or if it is present but impacts to it can be completely avoided, then no mitigation would be required.

If the focused surveys identify Congdon's tarplant within the project site boundary and it would be affected by the proposed project, then appropriate mitigation shall be developed by the biologist and implemented by the City of San Juan Bautista prior to issuance of a grading permit. Measures may include, but are not limited to:

- a. A qualified biologist shall identify an on-site or off-site mitigation area suitable for restoration of habitat and seed transplantation for this annual herb. The City of San Juan Bautista shall be responsible for the placement of a conservation easement over the mitigation area and the provision of funds to ensure the restoration of the mitigation area and its preservation in perpetuity.
- b. Prior to approval of a grading permit, a qualified biologist or native plant specialist shall perform seed collection from all special-status plants located within the impact areas and implement seed installation at the mitigation area at the optimal time. Additionally, topsoil from the special-status species occurrence area(s) shall be salvaged (where practical) for use in the mitigation area.
- c. A maintenance and monitoring program shall be developed by a qualified biologist and established for a minimum of five years after mitigation area installation to verify that restoration activities have been successful. Maintenance activities may include, but not be limited to, watering during the plant establishment period, supplemental seed planting as needed, and removal of non-native plants. Monitoring shall include, at a minimum, quarterly monitoring reports for the first year and annual reports for the remaining four years. The performance standard for successful mitigation shall be a minimum 3:1 replacement ratio (i.e., three plants observed in mitigation area for each plant lost from the project site) achieved in at least one of the five years of monitoring.

The City of San Juan Bautista will be responsible for implementation of this mitigation measure. Compliance with this measure shall be documented prior to approval of a grading permit.

Implementation of this mitigation measure would reduce potential, significant impacts to Congdon's tarplant to less than significant by ensuring that surveys are conducted to determine its presence, and if present, measures are implemented to conserve and propagate the species in an alternative location. Therefore, this impact is less than significant with mitigation incorporated.

Special-Status Wildlife Species. Of the special-status wildlife species with potential to occur on the project site, the following species have the potential to occur on the project site: American badger (*Taxidea taxus*), burrowing owl (*Athene cunicularia*), California red-legged frog (*Rana draytonii*), California tiger salamander (*Ambystoma californiense*), Coast Range newt (*Taricha torosa*), Cooper's hawk (*Accipiter cooperi*), hoary bat (*Lasiurus cinereus*), pallid bat (*Antrozous pallidus*), San Joaquin kit fox (*Vulpes macrotis mutica*), Townsend's big-eared bat (*Corynorhinus townsendii*), tricolored blackbird (*Agelaius tricolor*), western mastiff bat (*Eumops perotis californicus*), western pond turtle (*Emys marmorata*), western red bat (*Lasiurus blossevillei*), western spadefoot (*Spea hammondi*), and white-tailed kite (*Elanus leucurus*). Nesting birds may also occur at the project site and are protected by the Migratory Bird Treaty Act.

American badger. American badger is a California Species of Special Concern. It is an uncommon, permanent resident found throughout most of the state, except in the northern North Coast area. This large member of the weasel family uses most shrub, forest, and herbaceous habitats with friable soils suitable for burrows. Prey species include fossorial rodents such as rats, mice, chipmunks, ground squirrels, and pocket gophers. Badger diet shifts seasonally depending on the availability of prey and may also include reptiles, insects, earthworms, eggs, birds, and carrion. Mixed oak woodland, coastal scrub, and grassland habitats provide cover, drier soils for burrowing, and prey resources for this species. American badger was recorded approximately 0.7 miles west of the San Juan Bautista WWTP (Occurrence No. 188, CDFW 2021). Grassland habitat occurs just north of the City of San Juan Bautista, on the west side of First Street (San Juan Highway), and provides suitable habitat for the American badger. American badgers are known to occur in the region and could den and forage on the project site. Project development could result in impacts to this species from direct mortality or injury during construction. Loss or harm to American badger is considered a significant adverse impact. Implementation of Mitigation Measures BIO-2 and BIO-3 would reduce potentially significant impacts to American badger to a less than significant level.

Mitigation Measures

BIO-2 Prior to approval of a grading permit, a qualified biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of special-status species potentially occurring in the project vicinity, including, but not limited to, American badger, San Joaquin kit fox, California tiger salamander, California red-legged frog, burrowing owl, special-status bats, and nesting birds and raptors. Their habitats, general measures that are being implemented to conserve species as they relate to the project, and the boundaries within which construction activities will occur will be explained. Informational handouts with photographs clearly illustrating the species' appearances shall be used in the training session. All new construction personnel shall undergo this mandatory environmental awareness training.

The qualified biologist will train biological monitors selected from the construction crew by the construction contractor (typically the project foreman). Before the start of work each day, the monitor will check for animals under any equipment such as vehicles and stored pipes within active construction zones. The monitor will also check all excavated steep-walled holes or trenches greater than one foot deep for trapped animals. If a special-status species is observed within an active construction zone, the qualified biologist will be notified immediately and all work within 50 feet of the individual will be halted and all equipment turned off until the individual has left the construction area.

The City of San Juan Bautista shall document evidence of completion of this training prior to issuance of a grading permit.

BIO-3 Not more than 14 days prior to the commencement of ground-disturbing activities, a qualified wildlife biologist shall conduct surveys of the grassland habitat on site to identify any potential American badger burrows/dens. If the survey results are negative (i.e., no badger dens observed), a letter report confirming absence will be prepared and submitted to the City of San Juan Bautista and no further mitigation is required.

If the results are positive (badger dens are observed), the qualified biologist shall determine if the dens are active by installing a game camera for three days and three nights to determine if the den is in use.

- a. If the biologist determines that a den may be active, coordination with the CDFW shall be undertaken to develop a suitable strategy to avoid impacts to American badger. The strategy may include the following: the biologist shall install a one-way door in the den opening and continue use of the game camera. Once the camera captures the individual exiting the one-way door, the den can be excavated with hand tools to prevent badgers from reusing them. If the biologist determines that the den is a maternity den, construction activities shall be delayed during the maternity season (February to August), or until the badgers leave the den on their own accord or the biologist determines that the den is no longer in use.
- b. If the game camera does not capture an individual entering/exiting the den, the den can be excavated with hand tools to prevent badgers from reusing them.

After dens have been excavated and the absence of American badger confirmed, a letter report will be prepared and submitted to the City of San Juan Bautista.

San Joaquin Kit Fox. The San Joaquin kit fox is a federally-listed endangered species and a state-listed threatened species. The present range of the San Joaquin kit fox extends from the southern end of the San Joaquin Valley, north to Tulare County, and along the interior Coast Range valleys and foothills to central Contra Costa County. San Joaquin kit foxes typically inhabit annual grasslands or grassy open spaces with scattered shrubby vegetation but can also be found in some agricultural habitats and urban areas. This species needs loose-textured sandy soils for burrowing, and they also need areas that provide a suitable prey base, including black-tailed hare, desert cottontails, and California ground squirrels, as well as birds, reptiles, and carrion.

The nearest and most recent observation of this species was documented approximately 0.3 miles south of the Hollister WWTP (Occurrence No. 605, CNDDDB 2021).

In April 1988, San Benito County adopted Ordinance No. 541, which established a habitat conservation plan study area for the San Joaquin kit fox and set interim mitigation fees for the preparation and adoption of a Habitat Conservation Plan to provide for the long-term protection of the species. To date, an applicable Habitat Conservation Plan has not been prepared or adopted by the County, however fees may still be collected for this proposed project.

The likelihood of this species occurring on the project site is considered moderate. Loss of or harm to individual kit foxes could result if they are present on the site or seek shelter during construction within artificial structures, such as stored pipes or exposed trenches. Loss or harm to San Joaquin kit fox is considered a significant adverse impact. Implementation of mitigation measures BIO-2, presented earlier, which requires a training session on special-status species potentially present on the construction site for all personnel, and BIO-4 would reduce this potentially significant impact to San Joaquin kit fox to a less-than-significant level.

Mitigation Measure

BIO-4 The *U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance* (USFWS 2011) shall be implemented prior to initiation of and during any construction activity on the project site to avoid unintended take of individual San Joaquin kit foxes.

Preconstruction/pre-activity surveys for San Joaquin kit fox shall be conducted by a qualified biologist no less than 30 days prior to the beginning of ground disturbance and/or construction activities or any project activity that may impact San Joaquin kit fox. The surveys shall include all work and staging areas and a minimum 200-foot buffer of the project site. The preconstruction surveys shall identify kit fox habitat features on the project site, evaluate use by kit fox and, if possible, assess the potential impacts of the proposed activity. The status of all dens shall be determined and mapped.

If a natal/pupping den is discovered within the project area or within 200 feet of the project boundary, the City shall consult with the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service to establish an appropriate avoidance buffer. The avoidance buffer shall be maintained until such time as the burrow is no longer active and/or an incidental take permit is determined to be required and is obtained.

In addition, the following measures shall be observed:

- a. Project-related vehicles shall observe a 20-mph speed limit in all project areas; this is particularly important at night when kit foxes are most active. To the extent possible, night-time construction shall be minimized. Off-road traffic outside of designated project area shall be prohibited.

- b. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of the project, all excavated, steep-walled holes or trenches more than two feet deep shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the procedures under number 11 of the Construction and Operational Requirements in the Standardized Recommendations must be followed.
- c. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipe becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the U.S. Fish and Wildlife Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity, until the fox has escaped.
- d. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers and removed at least once a week from a construction or project site.
- e. No firearms shall be allowed on the project site during construction activities.
- f. To prevent harassment, mortality of kit foxes or destruction of dens by dogs or cats, no pets shall be permitted on site during construction activities.
- g. Use of rodenticides and herbicides on the project site during construction shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such

compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the U.S. Fish and Wildlife Service. If rodent control must be conducted, zinc phosphide shall be used because of proven lower risk to kit fox.

- h. In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape.
- i. Any contractor, employee, or agency personnel who inadvertently kills or injures a San Joaquin kit fox shall immediately report the incident to the City of San Juan Bautista, which will contact the CDFW and USFWS as needed.
- j. The City of San Juan Bautista shall prepare weekly reports on construction monitoring activities for the project file.

Burrowing Owl. Burrowing owl is a California Species of Special Concern. Burrowing owls live and breed in burrows in the ground, especially in abandoned California ground squirrel burrows. Optimal habitat conditions include large open, dry and nearly level grasslands or prairies with short to moderate vegetation height and cover, areas of bare ground, and populations of burrowing mammals. This species is known to occur approximately 2.5 miles north of San Juan Bautista (Occurrence No. 435, CNDDDB 2021). The project site's non-native grassland provides marginally suitable foraging habitat for burrowing owl, and a few scattered small mammal burrows on the site could be utilized for nesting habitat, but burrowing owl has low potential to occur on the site. If burrowing owl is present on or adjacent to the project site, construction activities could result in the loss or disturbance of individual animals. This would be a significant adverse environmental impact. Implementation of mitigation measures BIO-2, presented earlier, which requires a training session on special-status species potentially present on the construction site for all personnel, and BIO-5 would reduce this potentially significant impact to less than significant.

Mitigation Measure

- BIO-5 To avoid/minimize impacts to burrowing owls potentially occurring within the project site and staging areas, a biologist qualified in ornithology shall conduct surveys for burrowing owl. The approved

biologist shall conduct a two-visit (i.e., morning and evening) presence/absence survey at areas of suitable habitat on and adjacent to the project site boundary no less than 14 days prior to the start of construction or ground disturbance activities. Surveys shall be conducted according to the methods for take avoidance described in the *Burrowing Owl Survey Protocol and Mitigation Guidelines* (California Burrowing Owl Consortium 1993) and the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012). If no burrowing owls are found, a letter report confirming absence will be prepared and submitted to the City of San Juan Bautista and no further mitigation is required.

Because burrowing owls occupy habitat year-round, seasonal no-disturbance buffers, as outlined in the *Burrowing Owl Survey Protocol and Mitigation Guidelines* (CBOC 1993) and the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012), shall be in place around occupied habitat prior to and during any ground disturbance activities. The following table includes buffer areas based on the time of year and level of disturbance (CDFW 2012), unless a qualified biologist approved by the CDFW verifies through non-invasive measures that either: 1) birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance Buffers (meters)		
		Low	Med	High
Nesting Sites	April 1 – Aug 15	200 m	500 m	500 m
Nesting Sites	Aug 16 – Oct 15	200 m	200 m	500 m
Nesting Sites	Oct 16 – Mar 31	50 m	100 m	500 m

If burrowing owl is found and avoidance is not possible, burrow exclusion may be conducted by qualified biologists only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. Occupied burrows shall be replaced with artificial burrows at a ratio of one collapsed burrow to one constructed artificial burrow (1:1). Evicted burrowing owls may attempt to colonize or re-colonize an area that would be impacted, thus ongoing surveillance during project activities shall be conducted at a rate sufficient to detect burrowing owls if they return.

If surveys locate occupied burrows in or near construction areas, consultation with the CDFW shall occur to interpret survey results and develop a project-specific avoidance and minimization approach. Once the absence of burrowing owl has been confirmed, a letter report will be prepared and submitted to the City of San Juan Bautista.

Bats. Trees and/or buildings or structures on or adjacent to the project site could provide roosting habitat for state-listed species of special concern hoary bat (*Lasiurus cinereus*), pallid bat (*Antrozous pallidus*), Townsend's big-eared bat (*Corynorhinus townsendii*), western mastiff bat (*Eumops perotis californicus*), and western red bat (*Lasiurus blossevillei*). Hoary bat is a solitary species that generally prefers dense foliage of medium to large trees. Pallid bat prefers roosting in open, dry habitats with rocky areas. Townsend's big-eared bat prefers roosting and nesting found in caves, tunnels, mines, and buildings. Western mastiff bat prefers crevices in cliff faces, high buildings, trees, and tunnels for roosting and tight rock crevices or crevices in buildings for nesting. Western red bat roosts primarily in trees. These species have been identified as occurring within two miles to the west and east of the project site (CNDDB 2021). Construction activities at the project site could result in the disturbance of roost and natal sites occupied by special-status bats on or adjacent to the project site, if present. Implementation of mitigation measures BIO-2, presented earlier, which requires a training session on special-status species potentially present on the construction site for all personnel, and BIO-6 would reduce this potential, significant impact to special-status bats to a less-than-significant level.

Mitigation Measure

BIO-6 Approximately 14 days prior to tree removal or construction activities, a qualified biologist shall conduct a habitat assessment for bats and potential roosting sites in trees to be removed and in trees within 50 feet of the construction easement. These surveys shall include a visual inspection of potential roosting features (bats need not be present) and a search for presence of guano within the project site, construction access routes, and 50 feet around these areas. Cavities, crevices, exfoliating bark, and bark fissures that could provide suitable potential nest or roost habitat for bats shall be surveyed. Assumptions can be made on what species is present due to observed visual characteristics along with habitat use, or the bats can be identified to the species level with the use of a bat echolocation detector such as an "Anabat" unit. Potential roosting features found during the survey shall be flagged or marked.

If no roosting sites or bats are found, a letter report confirming absence shall be prepared and submitted to City of San Juan Bautista and no further mitigation is required.

If bats or roosting sites are found, bats shall not be disturbed without specific notice to and consultation with CDFW.

If bats are found roosting outside of the nursery season (May 1 through October 1), CDFW shall be consulted prior to any eviction or other action. If avoidance or postponement is not feasible, a Bat Eviction Plan will be submitted to CDFW for written approval prior to project implementation. A request to evict bats from a roost includes details for excluding bats from the roost site and monitoring to ensure that all bats have exited the roost prior to the start of activity and are unable to re-enter the roost until activity is completed. Any bat eviction shall be timed to avoid lactation and young-rearing. If bats are found roosting during the nursery season, they shall be monitored to determine if the roost site is a maternal roost. This could occur by either visual inspection of the roost bat pups, if possible, or by monitoring the roost after the adults leave for the night to listen for bat pups. Because bat pups cannot leave the roost until they are mature enough, eviction of a maternal roost cannot occur during the nursery season. Therefore, if a maternal roost is present, a 50-foot buffer zone (or different size if determined in consultation with the CDFW) shall be established around the roosting site within which no construction activities including tree removal or structure disturbance shall occur until after the nursery season.

Special-Status Amphibians and Western Pond Turtle. The following species occur in the project vicinity and were assessed for the potential to occur on the project site:

- California tiger salamander, federally and state-listed Threatened;
- California red-legged frog, federally listed as Threatened and a California Species of Special Concern;
- Coast Range newt, California Species of Special Concern;
- Western spadefoot, California Species of Special Concern; and
- Western pond turtle, California Species of Special Concern.

California Tiger Salamander. California tiger salamander is a federally and state-listed Threatened species. The project site is not located within federally designated critical habitat for this species. The California tiger salamander is dependent on small

shallow bodies of water for breeding. It can be found in grasslands, most frequently within 400 feet of breeding pools or ponds and where California ground squirrels are prevalent and active. Ephemeral ponds that completely dry out by late summer and early fall are ideal habitat for this species because the dry period prohibits bullfrog and non-native fish residency. California tiger salamanders will occupy burrows of ground squirrels during summer and fall months, emerging to move toward breeding sites when the rainy season commences. They typically disperse to burrows and other hiding places in oak woodlands and grasslands within a quarter mile or less from breeding ponds by early summer.

CNDDDB records indicate that the closest known occurrence of California tiger salamander to the project site is approximately 0.3 miles southwest of the San Juan Bautista WWTP (Occurrence No. 270, CNDDDB 2021). Upland grassland habitat exists immediately west of the sewer main route along First Street north of San Juan Bautista. Therefore, project impacts on California tiger salamander are potentially significant. Implementation of mitigation measures BIO-2, presented earlier, which requires a training session on special-status species potentially present on the construction site for all personnel, and BIO-7 (below) would reduce this potential, significant impact to California tiger salamander to a less-than-significant level.

California Red-legged Frog. A federally-listed Threatened species and California Species of Special Concern, California red-legged frog occurs in lowlands and foothills primarily in perennial or ephemeral ponds, pools, and streams where water remains long enough (14-28 weeks) for breeding and metamorphosis of tadpoles. Specific breeding sites include streams, creeks, ponds, marshes, sag ponds, deep pools, backwater areas, dune ponds, lagoons, and estuaries. California red-legged frog may disperse from their aquatic breeding habitats to upland habitats during the dry season. They prefer upland habitats that provide moisture to prevent desiccation and protection from predators, including downed logs, woody vegetation, boulders, moist leaf litter, or other refugia during the dry season. In areas where upland habitats do not contain structure, they take refuge in burrows. However, if there is sufficient water at their breeding location, they may remain in aquatic habitats year-round instead of moving to adjacent uplands.

During wet seasons, frogs can move long distances between habitats, traversing upland areas or ephemeral drainages. Dispersal distances are typically less than 0.3 mile, with a few individuals moving 1.2-2.2 miles. Seeps and springs in open grasslands can function as foraging habitat or refugia for wandering frogs.

CNDDDB records indicate that the closest known occurrence of California red-legged frog to the project site is approximately 0.7 miles east of the Hollister WWTP (Occurrence No. 465, CNDDDB 2021). Upland grassland habitat exists immediately west of the sewer main route along First Street north of San Juan Bautista. Breeding habitat is potentially found in drainage channels. Therefore, project impacts on California red-legged frog are potentially significant. Implementation of mitigation measures BIO-2, presented above, which requires a training session on special-status species potentially present on the construction site for all personnel, and BIO-7 (below) would reduce this potential, significant impact to California red-legged frog to a less-than-significant level.

Coast Range Newt. Coast Range newt is a California Species of Special Concern. This species is endemic to California and distributed along the coast and coast range mountains from central Mendocino County south to San Diego County. It is found from sea level to at least 1,280 meters on Mt. Hamilton in Santa Clara County. Coast Range newt burrows in or uses soil, fallen logs, or debris for cover. Central California localities are found in wet forests, oak forests, chaparral, and rolling grasslands. It will occupy upland habitats when not breeding. During reproduction, Coast Range newts will migrate to intermittent streams, rivers, lakes, and ponds where they lay eggs in shallow water attached to submerged rocks or twigs. CNDDDB records indicate one occurrence of Coast Range newt approximately 2.2 miles south of the project site (Occurrence No. 4, CNDDDB 2021). Upland grassland habitat exists immediately west of the sewer main route along First Street north of San Juan Bautista.

Implementation of mitigation measures BIO-2, presented earlier, which requires a training session on special-status species potentially present on the construction site for all personnel, and BIO-7 (below) would reduce this potential, significant impact to Coast Range newt to a less-than-significant level.

Western Spadefoot. Western spadefoot is a California Species of Special Concern. This species lives within grassland habitats of Central California and the Southern California coast. It requires temporary pools of water free of predators (such as fish, bullfrogs, or crayfish) for egg-laying. Breeding usually occurs in late winter. With the exception of the breeding season and foraging excursions during rain events, this species spends most of its life aestivating in self-excavated burrows, although burrows of small mammals are sometimes utilized.

CNDDDB records indicate one occurrence of western spadefoot approximately 1.7 miles southeast of the Hollister WWTP (Occurrence No. 341, CNDDDB 2021). Upland grassland habitat exists immediately west of the sewer main route along First Street

north of San Juan Bautista. Spadefoots are highly sensitive to vibration while underground and may emerge prematurely. Disturbance from construction activities would likely cause disruption during dormancy periods. Therefore, project impacts on western spadefoot toad are potentially significant. Implementation of mitigation measures BIO-2, presented earlier, which requires a training session on special-status species potentially present on the construction site for all personnel, and BIO-7 (below) would reduce this potential, significant impact to western spadefoot to a less-than-significant level.

Western Pond Turtle. Western pond turtle is a California Species of Special Concern. It is uncommon to common in suitable aquatic habitat throughout California including freshwater marshes, stock ponds, lakes, rivers, and streams. This species is considered omnivorous. Aquatic plant material, including pond lilies, beetles and a variety of aquatic invertebrates as well as fishes, frogs, and even carrion have been reported among their food. Pond turtles require basking sites such as partially submerged logs, rocks, mats of floating vegetation, or open mud banks. Turtles slip from basking sites to underwater retreats at the approach of humans or potential predators.

CNDDDB records indicate that the closest known occurrence of western pond turtle to the project site is on the sewer main route near First Street and Lavagnino Drive in San Juan Bautista (Occurrence No. 254, CNDDDB 2021). Therefore, project impacts on western pond turtle are potentially significant. Implementation of mitigation measures BIO-2, which requires a training session on special-status species potentially present on the construction site for all personnel, and BIO-7 would reduce this potential, significant impact to western pond turtle to a less-than-significant level.

Mitigation Measure

BIO-7 California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle have been recorded in close proximity to the proposed project. Impacts to these federally and state listed species are considered potentially significant.

The City of San Juan Bautista shall obtain Incidental Take Permits from the USFWS and CDFW for potential project impacts to California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle, and implement all avoidance, minimization, and compensatory mitigation measures required by these permits.

Take permit conditions may include, but not be limited to, the following avoidance and minimization measures identified below before/during construction to minimize the potential for “take” of California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle:

1. At least 15 days prior to ground disturbance, the biologist shall submit the name and credentials of the project biologists who would conduct activities specified in this measure. No project activities shall begin until the biologist has received written approval from the USFWS and CDFW that the biologists are qualified to conduct the work.
2. The biologists shall have the authority to halt construction work at any time to prevent harm to California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle or when any of the permit-specified protection measures have been violated. Work shall re-commence only when authorized by the biologists. If work is stopped due to potential harm to protected species, the project biologists shall contact the USFWS and/or CDFW by telephone or email on the same day to communicate the event and coordinate appropriate action.
3. A biologist shall conduct biological construction monitoring in all work and staging areas with potential to impact California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle. Before the start of work each day, a biologist shall check for wildlife under any equipment such as vehicles and stored pipes within active construction zones. A biologist shall also check all excavated steep-walled holes or trenches greater than one foot deep for trapped animals. If California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle is observed within an active construction zone, a biologist shall be notified immediately and all work within 100 feet of the individual animal shall be halted and all equipment turned off until the biologist has captured and removed the individual from the work area. California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle shall be relocated to a USFWS/CDFW-approved off-site location according to permit specifications.

4. Offsite habitat mitigation. If necessary, offsite habitat shall be procured at an appropriate ratio of project site impact area to compensation habitat area, as determined in coordination with USFWS and/or CDFW. Offsite mitigation may include purchasing credits at a mitigation bank, or permanent protection of land with established aquatic and upland habitat or sites with known upland habitat where the creation of a pond may enhance the habitat value of the site.

Nesting Birds. Protected nesting birds, including bank swallow and raptor species such as Cooper's hawk and white-tailed kite, have the potential to nest in buildings or structures, on open ground, or in any type of vegetation, including trees, during the nesting bird season (January 15 through September 15). The project site and surrounding properties contain a variety of trees and shrubs, resulting in the potential for impacts to protected nesting birds. Construction activities, including ground disturbance, can impact nesting birds protected under the federal Migratory Bird Treaty Act and California Fish and Game Code, should nesting birds be present during construction. If protected bird species are nesting adjacent to the project site during the bird nesting season, then noise-generating construction activities could result in the loss of fertile eggs, nestlings, or otherwise lead to the abandonment of nests. Implementation of Mitigation Measures BIO-2, presented above, which requires a training session on special-status species potentially present on the construction site for all personnel, and BIO-8 would reduce potential, significant impacts to nesting birds to less than significant.

Mitigation Measure

BIO-8 To avoid impacts to nesting birds during the nesting season (January 15 through September 15), all construction activities should be conducted between September 16 and January 14, which is outside of the bird nesting season. If construction occurs during the bird nesting season, then a qualified biologist will conduct a pre-construction survey for nesting birds to ensure that no nests would be disturbed during project construction.

If project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), a qualified biologist shall conduct nesting bird surveys.

- a. Two surveys for active bird nests will occur within 14 days prior to start of construction, with the final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding each work area are typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys will be conducted at the appropriate times of day to observe nesting activities. Locations off the site to which access is not available may be surveyed from within the site or from public areas. If no nesting birds are found, a letter report confirming absence will be prepared and submitted to the City of San Juan Bautista and no further mitigation is required.
 - b. If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize “normal” bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g., defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active. Once the absence of nesting birds has been confirmed, a letter report will be prepared and submitted to the City of San Juan Bautista.
- b. **Riparian Habitat or Sensitive Natural Communities.** The proposed sanitary sewer main route may impact riparian habitat adjacent to the San Juan Bautista WWTP. Riparian habitat, consisting of arroyo willow (*Salix lasiolepis*), occurs less than 50 feet from the origin of the sewer main route and the proposed construction of a new pump station. Potential impacts to this riparian habitat are covered in detail in the following section on Wetlands and Waters of the U.S.

Natural Communities are California vegetation types ranked by their rarity and threat by CDFW. Natural Communities with ranks of S1-S3 are considered Sensitive Natural Communities to be addressed in the environmental review processes of CEQA and its equivalents. No Sensitive Natural Communities occur within five miles of the project site.

- c. **Wetlands and Waters of the U.S.** A review of the National Wetlands Inventory online database was conducted to identify the closest jurisdictional aquatic features on or adjacent to the project site (USFWS 2021). The proposed sanitary sewer main route and the alternative route cross under and run adjacent to several freshwater drainages that are potentially jurisdictional wetlands or Waters of the U.S. These aquatic features were identified on the National Wetlands Inventory and during the reconnaissance-level survey.

At the start of the sewer main route, immediately adjacent to the San Juan Bautista WWTP, the sewer main route crosses an unnamed drainage with flowing water and arroyo willow (*Salix lasiolepis*) riparian habitat (National Wetlands Inventory: Freshwater Forested/Shrub Wetland) and broadleaf cattail (*Typha latifolia*) habitat (National Wetlands Inventory: Freshwater Emergent Wetland) before continuing north by way of Third Street (see [Figure 6, Habitat Map, Channel Crossing 1](#)).

At First Street (San Juan Highway), the sewer main route crosses an unnamed drainage channel flowing parallel along the west side of First Street (see [Figure 6, Habitat Map, Channel Crossing 2](#)). This drainage channel contains flowing water and broadleaf cattail habitat (National Wetlands Inventory: Freshwater Forested/Shrub Wetland). The sewer main route then turns northwest and runs parallel to this wetland habitat for approximately 400 feet before turning northeast to continue along Prescott Road. The sewer main route crosses a dry and unvegetated drainage channel running along the east side of First Street. (see [Figure 6, Habitat Map, Channel Crossing 3](#)).

Along Prescott Road, a dry and unvegetated drainage channel parallels the south side of the road. Immediately before the sewer main reaches the True Leaf Farms processing plant it crosses a large (approximately 20 foot wide) and unnamed drainage channel with flowing water and wetland vegetation (National Wetlands Inventory: Riverine habitat northeast from Prescott Road and Freshwater Emergent Wetland habitat southeast of Prescott Road) (see [Figure 6, Habitat Map, Channel Crossing 4](#)).

Northeast of the drainage channel crossing at True Leaf Farms, the sewer main route parallels a vegetated drainage channel on the south side of Prescott Road (National Wetlands Inventory: Riverine habitat). This drainage channel with wetland habitat continues along the south side of San Justo Road and the sewer main route for approximately one mile. A row of pomegranate trees also borders the drainage channel.

The last mile of sewer main route along San Justo Road is paralleled on both sides of the road by dry, unvegetated agricultural drainage channels.

No roadside drainage channels are found on the sewer main alternate route along Lucy Brown Lane and Olympia Avenue or along the primary route along Duncan Road and Bixby Road. A small section of dry and unvegetated drainage channel is found on the north side of Freitas Road between Flint Road and Central Avenue.

Impacts to jurisdictional wetland and waterway features are considered significant adverse environmental impacts. The following mitigation measure would assure that this potentially significant impact is reduced to less than significant.

Mitigation Measure

BIO-9 Prior to issuance of a grading permit within the project boundary, the City of San Juan Bautista will retain a qualified biologist to determine the extent of potential wetlands and waterways regulated by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and CDFW. If the USACE claims jurisdiction, the City shall retain a qualified biologist to obtain a Clean Water Act Section 404 Nationwide Permit. If the impacts to the drainage features do not qualify for a Nationwide Permit, the City will proceed with the qualified biologist in obtaining an Individual Permit from the USACE. The City will then retain a qualified biologist to coordinate with the RWQCB to obtain a Clean Water Act Section 401 Water Quality Certification. If necessary, the City will also retain a qualified biologist to coordinate with the CDFW to obtain a Streambed Alteration Agreement.

To compensate for temporary and/or permanent impacts to Waters of the U.S. that would be impacted as a result of the proposed project, mitigation shall be provided as required by the regulatory permits. Mitigation would be provided through one of the following mechanisms:

- i. A *Wetland Mitigation and Monitoring Plan* shall be developed that will outline mitigation and monitoring obligations for temporary impacts to wetlands and other waters as a result of construction activities. The Wetland Mitigation and Monitoring Plan would include thresholds of success, monitoring and reporting requirements, and site-specific plans to compensate for wetland losses resulting from the project. The Wetland Mitigation and Monitoring Plan shall be submitted to the appropriate regulatory agencies for review and approval during the permit application process.
 - ii. To compensate for permanent impacts, the purchase and/or dedication of land to provide suitable wetland restoration or creation shall ensure a no net loss of wetland values or functions. If restoration is available and feasible, a minimum 1:1 mitigation to impact ratio would apply to projects for which mitigation is provided in advance.
- d. **Wildlife Movement.** Terrestrial species must navigate a habitat landscape that meets their needs for breeding, feeding and shelter. Natural and semi-natural components of the landscape must be large enough and connected enough to meet the needs of all species that use them. Wildlife movement corridors provide connectivity between habitat areas, enhancing species richness and diversity, and usually also provide cover, water, food, and breeding sites.

The project site is located between open space, approximately 1.5 miles to the south, and the San Benito River riparian corridor, approximately 0.25 miles to the north, and could potentially have an impact on wildlife movement. However, the project site is not located within any previously defined essential connectivity areas and is also adjacent to existing developed and agricultural areas. The project site is not likely to facilitate major wildlife movement due to current active disturbance. As such, the proposed project would have a less-than-significant impact on wildlife movement.

e. **Local Biological Resource Policies/Ordinances.**

City of San Juan Bautista. The City of San Juan Bautista General Plan has goals in place to protect natural resources and improve environmental quality while promoting growth and development. An important objective of the conservation element is the minimization of the effects of urbanization on natural resources. Policy CO 1.2.1 states that “All proposed development will strongly consider environmental

impacts” and the city will “maintain strong oversight of CEQA impact mitigation monitoring plans.” Additional goals in the conservation element call for the protection of wildlife, habitat, air quality, and water resources.

City of Hollister. The City of Hollister General Plan has goals in place for dealing with natural resources and conservation. Goal NRC1 is to “Assure enhanced habitat for native plants and animals, and special protection for threatened or endangered species.”

San Benito County. Measures to protect sensitive biological resources within San Benito County are identified in the *San Benito County 2035 General Plan* as follows:

Section 8 Natural and Cultural Resources Element, Goal NCR-2 is “To protect and enhance wildlife communities through a comprehensive approach that conserves, maintains, and restores important habitat areas.” Additional goals in Section 8 include: coordination for habitat preservation, the establishment of a habitat conservation plan, maintenance of habitat corridors, mitigation for wetland disturbance or removal, mitigation and regeneration of oak woodland communities, pre-development biological resource assessment, mitigation funding and site protection, and management of invasive plant and wildlife species.

Mitigation measures contained in this section will mitigate impacts to biological resources to a less than significant level. With these considerations, the proposed project would not conflict with local policies and ordinances related to biological resources.

Trees. The San Benito County Code of Ordinances 19.33 restricts the removal of mature trees countywide. Protected trees include native species such as coast live oak, blue oak (*Quercus douglasii*), and coast redwood. No person can conduct any tree cutting or removal without first obtaining a permit from the Director of the San Benito County Planning Department.

The City of Hollister Code of Ordinances 12.24.070 provides public utilities the authorization to root-trim, cut, prune, trim, remove, or replace any street tree in “order to maintain the usual, uninterrupted and safe providing of such public utility.”

The final project design should avoid all tree removal. Where exceptions are necessary, the appropriate tree removal permit with the following mitigation will be required.

Mitigation Measure

BIO-10 An arborist evaluation of all trees and project plans will be conducted prior to construction; implementation of specific protections for preserved trees during construction will be followed; and replacement plantings for damaged or removed trees will be installed. Compliance with this mitigation measure will ensure that impacts to protected trees are avoided, minimized, or mitigated.

- f. **Conservation Plans.** There are no critical habitat boundaries, habitat conservation plans, natural community conservation plans, or other approved local, regional, or state habitat conservation plans applicable to the proposed project site. Preliminary habitat conservation planning had been underway for many years by San Benito County. However, outside of fee collection, this effort is not currently active. San Benito County staff has indicated that habitat conservation planning will be re-initiated by the County as part of compliance with General Plan Policy NCR-2.3.

5. CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to section 15064.5? (33)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5? (33)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of dedicated cemeteries? (33)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

This section is based on the *Cultural Resources Evaluation of the Proposed San Juan Bautista to Hollister Sanitary Sewer Forcemain* (Cultural Resources Evaluation) prepared by Archaeological Resource Management July 21, 2021 and the *Historic Property Identification Report for the Proposed San Juan Bautista to Hollister Sewer Force Main* prepared by Archaeological Management August 2021. Cultural resources reports are exempt from the California Public Records Act and therefore, are not including as appendices. A field reconnaissance and a study of the maps and records were conducted by the Northwest Information Center of the California Historical Resources Information System to determine if any known archaeological resources were reported in or around the subject area.

- a. Archival research revealed that the recorded boundaries of three previously recorded historic resources are located in the proposed project area. All three are recordations of small historic residential/agricultural complexes. An additional eleven previously recorded historic homes are located within a one-quarter mile radius of the proposed project area. None of the structural elements of any of these recorded resources are located adjacent to or within 100 feet of the proposed project area. Therefore, it is concluded that the proposed project will have no impact on historic resources.
- b, c. No previously recorded archaeological resources are located within the proposed project area or within a one-quarter mile radius of the proposed project area and no significant cultural materials or were noted within the proposed project boundaries during surface reconnaissance. However, there remains the possibility that these

resources are located within the soils underlying project site area and that trenching activities associated with the proposed project could damage or destroy these previously undiscovered resources. Implementation of the following mitigation measure would ensure impacts are less than significant:

Mitigation Measures

- CUL-1 In the event that prehistoric traces (human remains, artifacts, concentrations of shell/bone/rock/ash) are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the San Juan Bautista Director of Community Development will be notified, and a qualified archaeologist will examine the find and make appropriate recommendations prior to commencement of construction. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Community Development.
- CUL-2 In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The San Benito County Coroner will be notified and will make a determination as to whether the remains are of Native American origin. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

6. ENERGY

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (1,38)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. The proposed project would demand energy both during its construction and operation. Construction energy demand will be primarily in the form of fuel used in construction equipment. Common construction equipment types such as excavators, backhoes, compactors and haul trucks would be employed. During operations, electricity would be used to power the three planned submersible and two planned storage pumps. These planned sources of energy demand would replace existing WWTP sources of energy demand that include pumps, aerators, filters, and UV equipment. These pumps are projected to create demand for approximately 130 megawatt hours per year of electrical energy. The existing WWTP facilities that would be replaced create demand of approximately 310 megawatt hours per year, or about 58 percent greater demand than the proposed uses (Kelly McGartland, Stantec, email communication with EMC Planning Group, August 30, 2021).

Neither the proposed project, nor the sources of energy demand it creates are unnecessary. Construction equipment fuel use would not be wasteful or inefficient as existing equipment that conforms to existing applicable regulatory standards would be used and the project is fundamental to providing a basic utility to the residents of a city. The proposed project would have a beneficial energy impact during operations relative to the existing WWTP operations.

- b. The project is a short-term construction activity and does not represent a project type for which inclusion of renewable energy production is possible. Therefore, the project has no potential to conflict with a policy or plan for renewable energy. As the only source of long-term energy demand, the replacement pumps would not likely increase operational demand for electricity relative to the existing pumps. In fact, it is possible that the new pumps will be more energy efficient than the existing equipment. For these reasons, the project does not have potential to conflict with a policy or plan for energy efficiency.

7. GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? (1, 2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(2) Strong seismic ground shaking? (1, 2, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(3) Seismic-related ground failure, including liquefaction? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(4) Landslides? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil? (1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, creating substantial direct or indirect risks to life or property? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (1, 20)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

- a. 1) According to the Alquist-Priolo Earthquake Fault Zone Map, portions of the proposed force main route and existing pump station are within the San Andreas Fault Zone, an active fault identified by the Alquist-Priolo Earthquake Fault Zoning Act. The San Juan Bautista WWTP is located approximately 1,200 feet southwest of the San Andreas fault and the force main crosses the fault at the intersection of 1st Street and D Street. However, the improvements at the San Juan Bautista WWTP would be to the existing facilities and would not cause an increase in potential substantial adverse effects, including the risk of loss, injury, or death involving seismic events. Additionally, construction of the proposed sewer force main and pump station improvements would be designed and constructed consistent with local and State standards which are required to adhere to state seismic design parameters identified in the California Building Code. The proposed improvements would not include structures for human use or habitation and would not directly or indirectly result in substantial adverse effects, including the risk of loss, injury, or death from fault rupture.
- 2) The project site is located within a seismically active region. Although project area may experience moderate to severe ground shaking in the event of an earthquake, the proposed project would include a new underground force main and improvements to an existing WWTP. The proposed project would be designed and constructed consistent with local and State standards which are required to adhere to state seismic design parameters identified in the California Building Code and would not include construction or of structures for human habitation that could result in directly or indirectly result in substantial adverse effects, including the risk of loss, injury, or death from strong seismic shaking.
- 3) Liquefaction is a phenomenon where loose, saturated, non-cohesive soils such as silts, sands, and gravels undergo a sudden loss of strength during earthquake shaking. The proposed project would include a new underground force main and improvements to an existing WWTP. The proposed project would be designed and constructed consistent with local, regional and State standards which are required to adhere to state seismic design parameters identified in the California Building Code and would not include construction or of structures for human habitation that could result in directly or indirectly result in substantial adverse effects, including the risk of loss, injury, or death from seismic-related ground failure including liquefaction.
- 4) The proposed project would not include components that would contribute to landslides in the local area because the improvements are to existing facilities or would be located within existing road rights-of-way. Therefore, people and structures would not be exposed to adverse effects from landslides.

- b. Construction of the proposed project would include the excavation activities for the pipeline trench during which the excavated soils would be exposed to wind and water erosion. During construction, contractors would be required to comply with federal, state, and local requirements and guidelines to minimize the potential for soil erosion, including the NPDES General Construction Permit (2009-0009-DWQ). The Construction General Permit requires development and implementation of a storm water pollution prevention plan (SWPPP) that uses storm water “Best Management Practices (BMPs)” to control runoff, erosion and sedimentation from the site both during and after construction. Following construction, surfaces would be restored to pre-construction conditions. With implementation of the standard construction BMPs, the potential for soil erosion during construction would be less than significant.
- c. The proposed WWTP improvements would be to an existing facility and would not change the underlying geologic/soil features of that facility. The proposed main would be constructed according to current engineering standards and would not include any components or characteristics that would undermine the roadways stability. Therefore, the proposed project would not cause the roadways to become unstable or potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.
- d. Expansive soils, also known as shrink-swell soils, refer to the potential of soil to expand when wet and contract when dry. After the new pipeline is placed within the trench, the trench would be backfilled with material that supports the long-term structural integrity of the pipe. The pipe would not be exposed to expansive soils and no impacts associated with expansive soils would be anticipated with project implementation.
- e. The project would not include components that would require the use of septic tanks or alternative wastewater disposal systems.
- f. The entire force main alignment would be placed within existing road rights-of-way (refer to Figure 2, Proposed Route) where soils were disturbed during construction of the roads. The likelihood of the existence of unique paleontological resources or unique geologic features is low. However, according to the San Benito County General Plan EIR paleontological resources, including a range of plant and animal fossil remains, have been encountered at many locations, including the San Benito River Valley in which the proposed force main route is located. Therefore, the possibility of the discovery of unanticipated paleontological resources remains ground disturbance activities. Implementation of the following mitigation measure would ensure impacts are less than significant.

Mitigation Measure

- GEO-1 If paleontological resources (i.e., fossil remains) are discovered during excavation activities, the contractor will notify the City and cease excavation within 100 feet of the find until a qualified paleontological professional can provide an evaluation of the site. The qualified paleontological professional will evaluate the significance of the find and recommend appropriate measures for the disposition of the site (e.g., fossil recovery, curation, data recovery, and/or monitoring). Construction activities may continue on other parts of the construction site while evaluation and treatment of the paleontological resource takes place.

8. GREENHOUSE GAS EMISSIONS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (1, 2, 38)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. The proposed project would generate GHG emissions during the construction process and during operations. Construction GHG emissions will be generated primarily by construction equipment, and by haul truck and employee travel to and from the active work site. Common construction equipment types such as excavators, backhoes, compactors and haul trucks would be used. Minor volumes of soil may be exported via smaller-volume haul trucks. Workers are assumed to travel to the site from an average distance of about 20 miles. During operations, electricity would be used to power the three planned submersible and two planned storage pumps. These planned sources of energy demand would replace existing WWTP sources of energy demand that include pumps, aerators, filters, and UV equipment.

The Road Construction Emissions Model (RoadMod), was used to quantify construction GHG emissions. The model results can be found in [Appendix C](#). RoadMod is commonly used to model criteria and GHG emissions from linear types of projects, of which pipelines are one type. Variables such as construction duration, project length, total project area and acreage of disturbance (in acres), haul truck trip numbers and trip lengths, worker number and trip lengths, and construction equipment types and number are loaded into the model to produce results. The model projects that construction activities would generate approximately 371 metric tons of carbon dioxide equivalent (MT CO₂e) over the 10-month construction period.

The air district has not published thresholds of significance for construction or operational GHG emissions for land development projects. It is common practice to defer to GHG threshold guidance provided by the Bay Area Air Quality Management District (BAAQMD) for evaluating GHG impacts. BAAQMD's most recent quantified GHG emissions threshold guidance is provided in its *California Environmental Quality*

Act Air Quality Guidelines (Bay Area Air Quality Management District 2017). BAAQMD does not provide a threshold of significance for construction GHG emission in that guidance. Rather, it concludes that construction best management practices should be incorporated into construction projects to reduce both their criteria air pollutant and GHG emissions. To ensure that feasible construction management practices are considered and implemented, mitigation measure GHG-1 shall be implemented as part of the construction process.

Mitigation Measure

GHG-1 To reduce construction GHG emissions, the City will include the following language on all construction documents requiring all contractors to implement the following construction best management practices where feasible:

- a. Diesel-powered, off-road construction equipment shall meet Tier 4 emissions standards, or in the alternative, Tier 2 or 3 engines may be used provided they include particular matter emissions control;
- b. Use alternative fuel equipment;
- c. Minimize construction equipment idling time to no more than five minutes;
- d. Use grid electric power to reduce the use of fuel-powered construction equipment;
- e. Power portable equipment with electricity or batteries; and
- f. Implement waste, disposal, and recycling strategies in accordance with Sections 4.408 and 5.408 of the 2016 California Green Building Standards Code (CALGreen Code).

Operational GHG emissions would be generated by demand for electricity to power the planned submersible and storage pumps. These pumps are projected to create demand for approximately 131.2 megawatt hours per year of electrical energy. The existing WWTP facilities that would be replaced create demand of approximately 310 megawatt hours per year, or about 58 percent greater demand than the proposed uses (Kelly McGartland, Stantec, email communication with EMC Planning Group, August 30, 2021). GHGs are produced by burning fossil fuels to generate electrical energy. Therefore, the proposed project would result in reduced GHG emissions during operations relative to the existing WWTP sources of electricity demand.

Given that the projected construction GHG emissions volume is small and would be reduced with implementation of construction best management practices as required in mitigation measure GHG-1, and that GHG emissions from electricity demand during operations would be reduced relative to existing WWTP conditions, the proposed project would have a less-than-significant impact from generating GHG emissions.

- b. The proposed project is solely a short-term construction activity. There is no applicable plan for reducing GHG emissions that includes thresholds of significance for construction emissions. Therefore, the project does not conflict with a GHG reduction plan regarding construction emissions. The project would have a beneficial GHG effect during operations, so would not conflict with a GHG reduction plan.

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (1, 7, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (1, 7, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, create a significant hazard to the public or the environment? (1, 10, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or a public-use airport, result in a safety hazard or excessive noise for people residing or working in the project area? (1, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. The proposed project consists of improvements to an existing WWTP and a new force main and would not result in permanent development that would involve the routine transport, use, or disposal of hazardous materials. The transport, use, and storage of

hazardous materials during construction maintenance activities would be conducted in accordance with applicable federal, state, and local statutes and regulations including best management practices as required by the SWPPP. Therefore, the proposed project would not create a substantial hazard to the public through the routine transport, use or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Impacts would be less than significant.

- b. As discussed under item “a” any handling, transporting, use, or disposal of hazardous or hazardous materials would be required to comply with all applicable federal, state, and local agencies and regulations. Both short-term construction and long-term operation of the project would be required to adhere to the policies and programs set forth by applicable regulatory agencies.
- c. The proposed route is located just within 0.25 miles of an existing school, Olympia School along Duncan Road. As discussed under items “a” and “b” the project would not routinely transport, use, or dispose of hazardous materials and any use and handling of hazardous materials during construction and maintenance activities would occur in accordance with applicable federal, state, and local laws and requirements. Therefore, operation of the project does not present a reasonably foreseeable release of hazardous materials in the vicinity of a school.
- d. Government Code Section 65962.5 requires that the Department of Toxic Substances Control compile and regularly update a list of hazardous waste facilities and sites. A search of Envirostor and Geotracker revealed that the proposed improvements are not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5. Neither a Phase I Environmental Site Assessment (ESA) nor a Transaction Screen Questionnaire (TSQ) were prepared for the project within the past six months.
- e. The proposed project is not located within an airport land-use plan or within two miles of a public airport or a public-use airport and would not result in a safety hazard or excessive noise for people residing or working in the project area.
- f. The project route does not serve as an emergency evacuation route and does not interfere with an adopted emergency response or evacuation plan.
- g. The project includes improvements to an existing WWTP and an underground force main and would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

10. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? (1, 7, 9, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(1) Result in substantial erosion or siltation on- or off-site; (1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; (1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(3) Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or (1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(4) Impede or redirect flood flows? (1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (17)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (1, 7, 9, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. A short-term increase of sediment discharge may occur during construction that could affect surface water quality. However, underground facilities (Linear Underground Projects) including any conveyance or pipeline affecting more than one acre are subject to the National Pollutant Discharge Elimination System (NPDES) General Construction Permit (Order 2009-0009-DWQ). Under the Construction General Permit, the Contractor will be required to develop and implement a SWPPP that contains Best Management Practices (BMPs) to control sediment and other construction-related pollutants in storm water discharges from the construction site.

The San Juan Bautista WWTP operates under Order No. R3-2009-0019. NPDES permit No. CA0047902. The City of San Juan Bautista has been in violation of several effluent limits for several years and currently remains in violation. According to *the San Juan Bautista Wastewater Master Plan*, based on conversations with the Regional Board and the *Water Quality Control Plan for the Central Coastal Basin*, the salinity limits are expected to decrease in the next permit renewal cycle and is assumed to be similar to limits enforced in the City of Hollister's WWTP NPDES permit. Additionally, on April 20, 2021, San Juan Bautista adopted Ordinance 2021-01, banning the use of domestic brine producing water softeners to reduce salinity in wastewater. Additional off-site effluent control measures with local industrial users would be required if necessary, to further reduce salinity before the wastewater is pumped to Hollister. According to the Environmental Protection Agency, the proposed project would serve to bring the City into compliance with NPDES standards by 2023. The proposed project would not substantially degrade water quality during construction and would improve water quality during project operation. Therefore, the proposed project would not cause a violation in water standards or wastewater discharge requirements.

- b. The proposed project would not require the use of groundwater resources and would have no effect on groundwater supplies. Temporary dewatering activities may be necessary if perched groundwater is encountered during trenching activities. However, the dewatering activities would not be expected to affect long-term groundwater supplies. The wastewater pipeline would be installed within existing road rights-of-way, where it would have no effect on groundwater recharge and the WWTP improvements would be the refurbishing of existing facilities. Therefore, there would be no impact.
- c. 1) The operation of a new sewer main and improvements to an existing WWTP, will not modify the existing drainage pattern on the improvement sites. A short-term increase of sediment discharge may occur during construction, earthmoving and

trenching activities that would remove some soil cover, disturb soil particles, and alter site drainage patterns, creating conditions conducive to wind and water erosion. As previously discussed, Linear Underground Projects including any conveyance or pipeline affecting more than one acre are subject to the NPDESs General Construction Permit. Prior to the commencement of any clearing, grading, or excavation, the project will comply General Permit as applicable including preparation and implementation of a SWPPP. The project will incorporate BMPs to control the discharge of storm water pollutants including sediments associated with construction activities and would substantially reduce offsite sediment transport and associated water quality degradation. With the implementation of these measures, this impact would be less than significant.

2) Implementation of the proposed project would not physically alter the roadways adjacent to where the wastewater main would be installed. Additionally, the improvements to the WWTP would include the repurposing of existing facilities would not increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite. There would be no impact.

3) Implementation of the proposed project include refurbishing an existing WWTP facility and a new underground force main. The project would not physically alter the roadways adjacent to where the wastewater pipeline would be installed. Therefore, the proposed project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. There would be no impact.

4) Implementation of the proposed project would not physically alter the roadways adjacent to where the wastewater main would be installed. Therefore, the proposed project would not impede or redirect flood flows. There would be no impact.

- d. The proposed improvements are not within a seiche or tsunami risk area. A portion of the proposed route (along Prescott Road and San Justo Road) is within the FEMA 100-year Flood Zone A. Implementation of required Construction Best Management Practices to control erosion and sediment in storm water discharges from active construction areas would ensure the risk of release of pollutants during a flood event would be less than significant.
- e. As discussed in item “a” consistent with the *Water Quality Control Plan for the Central Coastal Basin* the proposed project would serve to bring the City into compliance with NPDES standards by 2023 and would not substantially degrade water quality during construction or during project operation. Additionally, the proposed project would not use groundwater. Therefore, the proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

11. LAND USE AND PLANNING

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Physically divide an established community? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause any significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. The proposed project includes improvements to an existing WWTP facility and an underground force main. The project would not impact any residences or result in the physical division of an established community.
- b. The proposed project would be constructed within an existing WWTP facility and existing roadway right-of-way. The proposed force main would result in temporary construction impacts but would be entirely underground following construction. It would have no adverse effect on applicable land use plans, policies or regulations. The project would not cause a significant environmental impact due to conflicts with any land use plan, policies, or regulations adopted by the City of San Juan Bautista, City of Hollister, or the County of San Benito for the purpose of avoiding or mitigating environmental effects.

12. MINERAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Result in loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated in a local general plan, specific plan, or other land-use plan? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a, b. The proposed project would include the repurposing of an existing WWTP and construction of a new force main within existing road rights-of-way and would not result in the loss of known mineral resources of value to the region or residents of the state or result in the loss of availability of a locally important mineral resource recovery site. No adverse effects on mineral resources would occur.

13. NOISE

Would the project result in:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Generation of 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, or in applicable standards of other agencies? (1, 18)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Generation of excessive ground-borne vibration or ground borne noise levels? (1, 18)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public-use airport, expose people residing or working in the project area to excessive noise levels? (1, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

The project area is primarily characterized as agricultural in nature with some commercial and residential uses within proximity to the proposed route. The noise environment of the project area is defined primarily by motor vehicles (e.g., automobiles, trucks, and motorcycles) utilizing the roadways. Noise-sensitive land uses, or sensitive receptors, are generally defined as locations where people reside or locations where the presence of unwanted sound could adversely affect the use of the land. Noise-sensitive land uses typically include residences, hospitals, schools, libraries, and certain types of recreational uses.

- a. Construction equipment generates noise levels in the range of 83 to 96 dBA at a 25-foot distance from the source and in the range of 71 to 84 dBA at a 100 feet distance from the source. Although construction noise is considered a temporary noise impact and is generally not significant in terms of long-term noise exposure, it has a potential for disturbing nearby residences when equipment is operating in their vicinity. The nearest residences are located approximately 30 linear feet from the construction site along Duncan Road. Sound from a localized source (i.e., point source) spreads uniformly outward with sound levels attenuating at a rate of six dB for each doubling of distance from a point/stationary source. Therefore, temporary

noise levels could be upwards of 84 dB at the nearest residence. Implementation of the following mitigation measure would ensure construction impacts would be less than significant.

Mitigation Measure

N-1 During all project construction activities, the following mitigation measures will be incorporated into construction documents and shall be implemented by the contractors:

- All construction equipment shall be properly maintained and equipped with intake and exhaust mufflers that are in good condition and recommended by the vehicle manufacturer.
- Unnecessary idling of internal combustion engines shall be strictly prohibited.
- Wheeled earth moving equipment shall be used rather than track equipment.
- A detailed construction plan shall be prepared and submitted with the grading and improvement plans identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
- A noise disturbance coordinator shall be designated to handle complaints and the site shall be posted with a phone number and email address so that the nearby residents have a contact person in case of a noise problem.
- Vehicle routes clean and smooth both on site and off site to minimize noise and vibration from vehicles rolling over rough surfaces.
- Nail guns shall be used where possible as they are less noisy than manual hammering.
- Stationary equipment, such as compressor and generators shall be housed in acoustical enclosures and placed as far from sensitive receptors as feasible.
- Utilize “quiet” air compressors and other stationary noise sources where technology exists.

- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
- Restrict noise-generating activities at the construction site or in areas adjacent to the construction site to the hours of 7:00 AM to 7:00 PM Monday through Friday and 8:00 AM and 6:00 PM on Saturday. Construction-related noise-generating activities shall be prohibited on Sundays.

Implementation of the above mitigation measures would reduce construction-related noise levels during the day, and would prohibit construction activities during the more noise-sensitive nighttime hours. In addition, requirements for equipment condition and usage will minimize noise created by faulty or poorly maintained engine, drive-train and other components or excessive usage.

- b. Vibration levels generated during project construction activities may at times be perceptible at neighboring land uses, but due to the type of proposed project and distance of adjacent residences, vibration levels would not be expected to cause cosmetic or structural damage to buildings. Additionally, implementation of mitigation measure N-1 limits construction hours and requires a detailed construction plan be prepared that identifies a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize disturbance. The proposed project would not result in exposure of persons to or generation of excessive ground-borne vibration or ground borne noise levels.
- c. The proposed project is not located within the vicinity of a private airstrip or an airport land-use plan or within two miles of a public airport or public-use airport.

14. POPULATION AND HOUSING

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (1, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. The proposed project includes the repurposing of an existing WWTP influent pump station and construction of a new force main; it would not generate population growth directly or indirectly. According to the 2020 Wastewater Master Plan, which recommended the proposed improvements, these capacity improvements are necessary to service the needs of existing users and for servicing the future growth of the City. The sewer flow projections analyzed in the wastewater master plan to analyze ultimate build-out of the City's Planning Boundary were based on land uses from the City of San Juan Bautista 2035 General Plan and other planning documents from the City, as well as review and comments from City staff. Consumption data for the various land uses were extracted from City billing information and historical wastewater treatment plant flows (WWTP) were used to project future wastewater flows. These flows were used in sizing the future infrastructure facilities, including collection mains and lift stations. Flows were also used for allocating and reserving capacities in the existing or proposed facilities. Therefore, the proposed improvements are necessary to accommodate already anticipated future growth of San Juan Bautista and were sized to meet such growth, the project itself does not generate population growth.
- b. The proposed project includes the repurposing of an existing WWTP influent pump station and construction of a new force main; it would not displace people or housing.

15. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Fire protection? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Police protection? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Schools? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Parks? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other public facilities? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a-e. Implementation of the proposed project would not result in the development of new housing, businesses, or other development that would increase demand for fire or police protection or new schools, parks, or other public facilities. Therefore, there would be no physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives.

16. RECREATION

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a, b. Implementation of the proposed project would not result in the development of new housing, businesses, or other development that would increase the use of existing neighborhood and regional parks or other recreational facilities and would not require the construction or expansion of recreational facilities. Therefore, there would be no impact.

17. TRANSPORTATION

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? (1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in inadequate emergency access? (1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. Project implementation may require temporary partial lane closures within the force main route and increased traffic trips associated with construction including equipment and materials hauling to and from the pipeline alignment, construction worker transportation to and from the site, and the hauling of equipment and materials within the project area. Upon completion of construction, the disturbed areas would be restored to existing conditions. Due to the small construction footprint and continued roadway access the proposed project would not conflict within any plans or ordinances addressing the circulation system.
- b. CEQA Guidelines Section 15064.3(b) applies to land use and transportation projects that would be expected to increase vehicle miles driven during their operations. A vehicle miles traveled analysis was not necessary because the proposed project would not result in long-term effects on traffic flow, circulation, or traffic congestion. The proposed project would not conflict or be inconsistent with the CEQA Guidelines Section 15064.3, subdivision (b).
- c. The project does not include any components that would alter the geometric design features of the roadways along the proposed force main route as improvements would be underground. Therefore, there would be no impact.

- d. During trench excavation and pipeline placement, daytime road delays would occur along the proposed force main route that would require restricting vehicle traffic to one lane within the construction area. However, the project site does not contain any emergency facilities and does not serve as an emergency evacuation route. The proposed project would not interfere with an adopted emergency response or evacuation plan.

18. TRIBAL CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
(1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources code section 5020.1(k), or (33)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) A resource 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. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (33)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

- a. The City of San Juan Bautista sent out letters offering consultation to tribes traditionally and culturally affiliated with the project area on June 18th 2021. As of September 1st, the City had not received any requests for consultation. While there is always the potential for unknown tribal cultural resources or human remains to be present in the project area, impacts would be less than significant with implementation of the mitigation measures related to discovery of archaeological resources or human remains (refer to Section 5.0, Cultural Resources).

19. UTILITIES AND SERVICES SYSTEMS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (1, 5, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (5, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. The proposed project includes a new wastewater force main and the repurposing of an existing pump station, new storage and sump pump, and expanded electrical system and would not require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities that would cause significant environmental impacts.

- b. The proposed project may require the use of water for construction purposes but would have no effect on long-term water supplies following implementation of the proposed project. Therefore, there would be no impact.
- c. According to the memorandum of understanding between San Juan Bautista and Hollister, Hollister's wastewater treatment plant was designed to serve the greater Hollister urban area, and it has now, and for the foreseeable future, the capacity to treat the wastewater generated from San Juan Bautista. Therefore, the proposed project would not result in a determination by the wastewater treatment provider, which serves the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.
- d, e. Project construction would not be expected to generate significant volumes of solid waste. Solid waste produced will include aerators, baffles, filter, UV, pumps, valves, piping and other existing equipment on SJB WWTP site that will be demolished and excess native soil and pavement from trench excavation not used for backfill. The removal and disposal of solid waste will be carried out by the contractor, who will salvage some equipment, take concrete materials to a recycling facility, and the rest to the John Smith landfill. Any excess earth from excavations will be balanced with the site work and retained on site or placed where the filter pads were to build up that low area and prevent a catchment area from forming. Negligible volumes of debris would be generated during project construction. Because the materials disposed of at John Smith landfill would be negligible, the proposed project would not generate solid waste in excess of State or local standards or in excess of the landfill's remaining capacity and would not otherwise impair the attainment of solid waste reduction goals. Therefore, there would be no impact.

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan? (9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire? (9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a-d. The proposed improvements are not located on or near state responsibility areas or lands classified as very high fire hazard severity zones.

21. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Does the project have the potential to substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory? (2, 12, 21, 22, 23, 24, 32, 33)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects) (1, 2, 12, 18, 20, 21, 22, 23, 24, 32)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? (1, 10, 11, 14, 18)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

- a. **Biological Resources.** Based on the information and analysis provided in this initial study, implementation of the proposed project would not substantially degrade the quality of the environment and would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of rare or endangered plants or animals. However, potentially significant biological resources were identified in this initial study. With implementation of mitigation measures BIO-1 through BIO-10, the proposed project's impacts would be less than significant.

Cultural Resources. Based on the information and analysis provided in this initial study, implementation of the proposed project would not or eliminate important examples of the major periods of California history or prehistory. The cultural resources evaluation prepared for the project site determined that while there are historic resources within the project area, all are over 100 feet from the site and would not be impacted by development.

- b. Under Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects “that are individually limited, but cumulatively considerable.” As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means “that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.”

The proposed development would result in temporary air quality, biological, greenhouse gas, and noise impacts during construction and would have the potential to impact cultural and paleontological resources during construction. With the implementation of the identified standard permit conditions, BMPs, and mitigation measures construction impacts would be mitigated to a less than significant level. Because the nature of the identified impacts is temporary and would be mitigated, the proposed project would not have a cumulatively considerable impact.

- c. Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly.

Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include construction air quality, hazards and hazardous materials and noise. The proposed project would adhere to standard conditions and mitigation measures to reduce potential impacts to a less than significant level.

As discussed in Section 4, Air Quality, implementation of mitigation measures AQ-1 and AQ-2 would reduce potential air quality impacts to a less than significant level. No other direct or indirect adverse effects on human beings have been identified. As discussed in Section 9, Hazards and Hazardous Materials, any handling, transporting, use, or disposal of hazardous or hazardous materials would be required to comply with all applicable federal, state, and local agencies and regulations. Further, the proposed improvements are not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5. As discussed in Section 13, Noise, implementation of mitigation measure N-1 would ensure construction impacts would be less than significant.

E. COMPLIANCE WITH FEDERAL LAWS AND REGULATIONS

This section summarizes the federal environmental laws and regulations that apply to the project and describes the project's compliance with those laws and regulations. The federal regulations addressed in this section are based on guidance from the State Water Resources Control Board (SWRCB) for CEQA-Plus environmental review related to State Revolving Fund loans.

ARCHAEOLOGICAL AND HISTORIC PRESERVATION ACT

Passed and signed into law in 1974, the Archaeological and Historic Preservation Act (AHPA) amended and expanded the Reservoir Salvage Act of 1960. The AHPA provides for the preservation of historical and archeological data that might otherwise be irreparably lost or destroyed as the result of (1) flooding, the building of access roads, the erection of workmen's communities, the relocation of railroads and highways, and other alterations of the terrain caused by the construction of a dam by any agency of the United States, or by any private person or corporation holding a license issued by any such agency or (2) any alteration of the terrain caused as a result of any federal construction project or federally licensed activity or program.

According to the Advisory Council on Historic Preservation, if a project will affect historic properties that have archeological value, the AHPA may impose additional requirements on an agency. As discussed in Section 5, "Cultural Resources," and below under National Historic Preservation Act, the archival research revealed that the recorded boundaries of three previously recorded historic resources are located adjacent to the Area of Potential Effects and eleven previously recorded historic resources are located within a one-quarter mile radius of the APE. No sites or structures within the APE appear to be potentially eligible for inclusion in the National Register of Historic Places (NRHP). Therefore, there are no historic properties within the project area that have archaeological or historic value and the AHPA does not apply.

BALD AND GOLDEN EAGLE PROTECTION ACT

The bald eagle will continue to be protected by the Bald and Golden Eagle Protection Act (Act) even though it has been delisted under the Endangered Species Act. This law, originally passed in 1940, provides for the protection of the bald eagle and the golden eagle (as amended in 1962) by prohibiting the take, possession, sale, purchase, barter, offer to sell, purchase or barter, transport, export or import, of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit (16 U.S.C. 668(a); 50 CFR 22). "Take" includes pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or

disturb (16 U.S.C. 668c; 50 CFR 22.3). The 1972 amendments increased civil penalties for violating provisions of the Act to a maximum fine of \$5,000 or one year imprisonment with \$10,000 or not more than two years in prison for a second conviction. Felony convictions carry a maximum fine of \$250,000 or two years of imprisonment. The fine doubles for an organization. Rewards are provided for information leading to arrest and conviction for violation of the Act.

As discussed in Section 6.0, Biological Resources, habitat for protected nesting birds and raptors was identified and a mitigation measure requiring preconstruction nesting bird surveys is included. No bald or golden eagles were observed during the survey and no habitat was identified within the project boundaries. If these birds were to move into the project vicinity, surveys for nesting birds and raptors would identify and provide protection to nests. No further mitigation is required.

CLEAN AIR ACT

Regulatory Background

The proposed project area is located in the North Central Coast Air Basin (hereinafter “air basin”). Air quality within the air basin is regulated by the U.S. Environmental Protection Agency (EPA) and the California Air Resources board (CARB) at the federal and state levels, respectively, and locally by Monterey Bay Air Resources District (hereinafter “air district”). At the federal level, EPA implements the national air quality programs. EPA’s air quality mandates are drawn primarily from the federal Clean Air Act (CAA), enacted in 1970. The most recent major amendments were made by Congress in 1990. The CAA requires EPA to establish National Ambient Air Quality Standards (NAAQS). EPA has established primary and secondary NAAQS for the following criteria air pollutants: ozone, carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), particulate matter (i.e., respirable particulate matter with an aerodynamic diameter less than or equal to 10 microns [PM₁₀] and fine particulate matter with an aerodynamic diameter less than or equal to 2.5 microns [PM_{2.5}]), and lead. The CAA also requires each state to prepare an air quality control plan referred to as a State Implementation Plan (SIP).

The SIPs are a compilation of new and previously submitted plans, programs (such as monitoring, modeling, permitting, etc.), air district rules, state regulations, and federal controls. California grants air districts explicit statutory authority to adopt indirect source regulations and transportation control measures to reduce air pollutant emissions. Local air districts prepare SIP elements and submit them to CARB for review and approval. CARB forwards SIP revisions to the EPA for approval and publication in the Federal Register.

The CAA Amendments added requirements for states with nonattainment areas to revise their SIPs to incorporate additional control measures to reduce air pollution. Each state's SIP is modified periodically to reflect the latest emissions inventories, planning documents, and rules and regulations of the air basins as reported by their jurisdictional agencies. EPA reviews all state SIPs to check for consistency with the mandates of the CAA and its amendments and to determine whether implementing them will achieve air quality goals. If EPA determines a SIP to be inadequate, a Federal Implementation Plan that imposes additional control measures may be prepared for nonattainment areas. If the state fails to submit an approvable SIP or to implement the plan within the mandated time frame, sanctions may be applied to transportation funding and stationary air pollution sources in the air basins.

On November 30, 1993, EPA promulgated the general conformity regulations, which were established to ensure that federal actions do not cause or contribute to new violations of the NAAQS, do not worsen existing violations of the NAAQS, and do not delay attainment of the NAAQS. These regulations apply to a proposed federal action, except actions covered by federal transportation conformity, in an area designated as a nonattainment or maintenance area with respect to the NAAQS if the total direct and indirect emissions of the relevant criteria pollutant and precursor emissions caused by the proposed action would be equal to or exceed specified de minimis amounts. If these criteria are met, a determination of conformity would be required of the federal agency overseeing the project.

EPA designates each county (or portions of counties) within California as attainment, maintenance, or nonattainment based on the area's ability to maintain ambient air concentrations below the applicable NAAQS. Areas are designated as attainment if ambient air concentrations of a criteria pollutant or precursor are below the NAAQS. Areas are designated as nonattainment if ambient air concentrations exceed the NAAQS. Areas previously designated as nonattainment that subsequently demonstrated compliance with the NAAQS are designated as maintenance areas.

As reported previously in Section 3, the air basin is in attainment for all NAAQS. subsequently an official general conformity analysis pursuant to the CAA is not required. Further, the proposed project would not result in any emissions that would cause or contribute to new violations of the NAAQS, worsen existing violations of the NAAQS, and delay attainment of the NAAQS. As discussed previously in Section 3, with mitigation, the proposed project would not exceed state standards for criteria pollutant emissions, which are more stringent than the NAAQS. No additional mitigation is required. Therefore, the proposed project's emissions would not exceed any NAAQS and would not result in significant environmental effects.

COASTAL BARRIERS RESOURCES ACT

The Coastal Barrier Resources Act (PL 97-348) designated various undeveloped coastal barrier islands, depicted by specific maps, for inclusion in the Coastal Barrier Resources System (System). Areas so designated were made ineligible for direct or indirect federal financial assistance that might support development, including flood insurance, except for emergency life-saving activities. Exceptions for certain activities, such as fish and wildlife research, are provided, and National Wildlife Refuges and other, otherwise protected areas are excluded from the System. The System includes relatively undeveloped coastal barriers along the Atlantic and Gulf coasts, as well as the Great Lakes and Puerto Rico and the Virgin Islands.

The project area and surrounding lands are not located within the System. Therefore, compliance with this Act is not applicable.

COASTAL ZONE MANAGEMENT ACT

The Coastal Zone Management Act (PL 92-583), administered by National Oceanic and Atmospheric Administration Fisheries Service's (NOAA Fisheries) Office of Ocean and Coastal Resource Management, provides for management of the nation's coastal resources, including the Great Lakes, and balances economic development with environmental conservation.

The Act outlines two national programs, the National Coastal Zone Management Program and the National Estuarine Research Reserve System. The 34 coastal programs aim to balance competing land and water issues in the coastal zone, while estuarine reserves serve as field laboratories to provide a greater understanding of estuaries and how humans impact them. The Act's overall program objectives remain balanced to "preserve, protect, develop, and where possible, to restore or enhance the resources of the nation's coastal zone."

The project area and surrounding lands are not located within California's coastal zone, which generally extends 1,000 yards inland from the mean high tide line; therefore, compliance with this Act is not applicable.

ENDANGERED SPECIES ACT

Pursuant to the federal Endangered Species Act (ESA) (PL 93-205), the U.S. Fish and Wildlife Service (USFWS) and NOAA Fisheries have regulatory authority over federally listed species. Under ESA, a permit to "take" a listed species is required for any federal action that may harm an individual of that species. Take is defined under ESA Section 9 as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Under federal regulation, take is further defined to include habitat

modification or degradation where it would be expected to result in death or injury to listed wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. ESA Section 7 outlines procedures for federal interagency cooperation to conserve federally listed species and designated critical habitat. Section 7(a)(2) requires federal agencies to consult with USFWS and/or NOAA Fisheries to ensure that they are not undertaking, funding, permitting, or authorizing actions likely to jeopardize the continued existence of listed species.

As discussed in Section 6.0, Biological Resources, habitat for state and federally listed special-status species has been identified and preliminary consultation with USFWS has been initiated. Incidental take authorization will be obtained for this project. Consultation with NOAA Fisheries will not be needed.

ENVIRONMENTAL JUSTICE

Executive Order (EO) 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations” (59 Federal Register 7629 (1994)), directs federal agencies to identify and address disproportionately high and adverse health or environmental effects of their actions on minority and low-income populations, to the greatest extent practicable and permitted by law. The EO also directs each federal agency to develop a strategy for implementing environmental justice. EO 12898 is also intended to promote nondiscrimination in federal programs that affect human health and the environment, as well as provide minority and low-income communities access to public information and public participation.

The Council on Environmental Quality (CEQ) has oversight of the federal government’s compliance with EO 12898. To facilitate compliance, CEQ prepared and issued, in consultation with EPA, Environmental Justice Guidance under the National Environmental Policy Act (NEPA) (CEQ 1997). According to the CEQ’s Environmental Justice Guidance, the first step in conducting an environmental justice analysis is to define minority and low-income populations. Based on these guidelines, a minority population is present in a project area if either (a) the minority population of the affected area exceeds 50 percent or (b) the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population. By the same rule, a low-income population exists if the project area consists of 50 percent or more people living below the poverty threshold, as defined by the U.S. Census Bureau, or is significantly greater than the poverty percentage of the general population.

The second step of an environmental justice analysis requires a finding of a high or adverse effect. The CEQ guidance indicates that when determining whether the effects are high and adverse, agencies are to consider whether the risks or rates of impact “are significant (as employed by NEPA) or above generally accepted norms.” The final step requires a finding that the effect on the minority or low-income population be disproportionately high and adverse. The CEQ offers a non-quantitative definition stating that an effect is disproportionate if it appreciably exceeds the risk or rate to the general population.

The following population characteristics are considered in this analysis:

- race and ethnicity per the 2015-2019 American Community Survey 5-Year Estimates, and
- median and per capita income as it relates to the federal poverty threshold.

To make a finding that disproportionately high and adverse effects would likely fall on a minority or low-income population, three conditions must be met simultaneously: (1) there must be a minority or low-income population in the affected area, (2) a high and adverse effect must exist, and (3) the effect must be disproportionately high and adverse on the minority or low-income population.

For purposes of this analysis, information on demographics and income and poverty status was obtained for the City of San Juan Bautista, City of Hollister, and San Benito County. The data is estimated for 2015-2019 by the U.S. Census Bureau, which, for purposes of this analysis, is considered “existing conditions.”

Demographics

[Table 2, Demographics Data](#), presents the demographics from the 2015-2019 American Community Survey 5-Year Estimates for the City of San Juan Bautista, City of Hollister, and San Benito County. The majority of the force main route is within unincorporated San Benito County. It is estimated that approximately 86 percent of the population in the San Benito County identified themselves as white; approximately two percent identified themselves as black; three percent identified themselves as American Indian/Alaska Native; and four percent identified themselves as Asian. Approximately 60 percent of the County’s population identified themselves as Hispanic or Latino (U.S. Census Bureau 2019).

Table 2 Demographics Data

	City of San Juan Bautista		City of Hollister		San Benito County	
	Number	Percent of Total Population	Number	Percent of Total Population	Number	Percent of Total Population
Total Population	2,019	100.0%	38,687	100%	60,376	100.0%
Race						
White	1,565	77.5%	30,990	80.1%	52,054	86.2%
Black of African American	4	0.2 %	296	0.8 %	937	1.6%
American Indian and Alaska Native	0	0%	372	1%	1,668	2.8%
Asian	86	4.3%	885	2.3%	2,731	4.5%
Native Hawaiian and Other Pacific Islander	13	0.6%	26	0.1%	381	0.6 %
Other Race Not Identified Above	143	7.1%	3,925	10.1%	6,098	10.1%
Hispanic or Latino of Any Race						
Hispanic or Latino	1,174	58.1%	26,815	69.3%	36,089	59.8%
Not Hispanic or Latino	845	41.9%	11,872	25.4%	24,295	40.2%

SOURCE: U.S. Census Bureau 2019

Income and Poverty Status

[Table 3, Income and Poverty Status](#), presents household income, per capita income, and poverty status for the City of San Juan Bautista, City of Hollister, and San Benito County per the 2015-2019 American Community Survey 5-Year Estimates. The percent of individuals living below the poverty level ranged from 6.9 percent in San Juan Bautista, 9.8 percent in Hollister, and 10.4 percent in San Benito County compared to 11.8 percent in California (U.S. Census Bureau 2019).

Table 3 Income and Poverty Status

	City of San Juan Bautista		City of Hollister		San Benito County	
	Number	Percent of Total Population	Number	Percent of Total Population	Number	Percent of Total Population
Households	688	--	10,995	--	18,135	--
Median Household Income	\$79,537	--	\$80,629	--	\$86,958	—
Per Capita Income	\$32,218	--	27,629	--	\$33,174	—
Poverty Status- Individuals	--	6.9 %	--	9.8%	—	10.4%

SOURCE: U.S. Census Bureau 2019

Impact Evaluation

(1) Is there a Minority or Low-Income Population in the Affected Area?

According to the EPA, either the county or state percentages can be used when the scope of the “general population.” A definition of “meaningfully greater” is not given by the CEQ or EPA, although the EPA notes that any affected area that has a percentage of minorities that is above the State’s percentage is potentially a minority community and any affected area with a minority percentage at least double that of the state is definitely a minority community under Executive Order 12898.

As described above, in the 2015-2019 American Community Survey, approximately 60 percent of the population in San Benito County identified themselves as Hispanic or Latino, which above the state’s average (approximately 39 percent) (U.S. Census Bureau 2019).

Approximately 10.4 percent of individuals in the County were below the poverty level, which was below the state average (approximately 11.8 percent of individuals). Therefore, for purposes of this analysis, a disproportionately high low-income population is not present in the project area or the area served by the project.

(2) Is there a High and Adverse Effect? and (3) Is the Effect Disproportionately High and Adverse on the Minority Population?

Refurbishment of the WWTP and construction of the new force main would improve the reliability and operating efficiency of the wastewater system and would eliminate EPA violations and water quality impacts to the area. Therefore, the proposed project would have a beneficial overall impact for both minority and non-minority populations.

Temporary construction impacts associated with the project would occur at the existing WWTP and along roadways in the project area. Nearby residences could be subject to construction-related impacts, including increased air pollutants, noise and traffic. However, these impacts would be short-term, and construction would take place when most residents may not be home (i.e., during working and school hours). In addition, the operation of the improvements would not affect residences in the surrounding neighborhood. Therefore, construction and operation of the project would not have a disproportionately high and adverse effect on the minority population.

FARMLAND PROTECTION POLICY ACT

The purpose of the federal Farmland Protection Policy Act (FPPA) of 1981 (Public Law 97-98) is to minimize federal contributions to the conversion of farmland to nonagricultural uses by ensuring that federal programs are administered in a manner compatible with state government, local government, and private programs designed to protect farmland. The Natural Resources Conservation Service (NRCS) is the agency primarily responsible for implementing the FPPA.

U.S. Department of Agriculture (USDA) Regulations (7 CFR Part 658) implementing the FPPA requires federal agencies to conduct a farmland conversion impact rating (using USDA Form AD-1006) when a project may convert farmlands to non-agricultural uses. This impact rating should be done when the impacts of a project will affect farmlands in the following categories:

- prime farmland - the highest quality land for food and fiber production having the best chemical and physical characteristics for producing;
- unique farmland - land capable of yielding high value crops such as citrus fruits, olives; and
- farmlands designated as important by state and local governments, with the approval of the Secretary of Agriculture.

Neither the Act nor the regulations apply if:

- the project site does not contain farmland in categories identified above.
- the project is on prime farmland that is already “committed” to urban development or water storage (applies to prime farmland only – refer to 7 CFR 658.2(a)).
- projects were beyond the planning stage prior to August 6, 1984.
- projects involve grants, loans, or mortgage insurance for purchase or rehabilitation of existing structures.

The 2018 San Benito County Important Farmland Map (California Department of Conservation) identifies the project route within San Juan Bautista as Urban and Built Up Land, and the project route within the Hollister Wastewater Treatment Plant as Other Land. However, for a majority of the route, which is located outside of the cities' limits, the area is identified as Prime Farmland or Farmland of Statewide Importance.

As discussed in Section 2, "Agricultural Resources," of this Initial Study, the project includes improvements to an existing WWTP facility and a force main that would be located within existing road right-of ways and would not impact prime farmland, unique farmland, or farmland designated as important by state and local governments.

Consultation with NRCS (including submittal of the Farmland Conservation Impact Rating form) does not apply to project sites that do not contain farmland in categories identified above, and therefore, is not required for the project.

FISH AND WILDLIFE COORDINATION ACT

Projects that may impact a stream or other water body by impounding, diverting, deepening a channel, or otherwise controlling or modifying flow for any purpose (including navigation and drainage) will require consultation with the USFWS and CDFW. The FWCA is not applicable to those projects in which the maximum surface area impoundment of water is less than ten (10) acres, or to activities for or in connection with programs primarily for land management and use carried out by federal agencies with respect to federal lands under their jurisdiction.

As discussed in Section 6.0, Biological Resources, habitat for state and federally listed special-status species has been identified and preliminary consultation with USFWS and CDFW has been initiated. Incidental take authorization will be obtained for this project. The proposed project will not impound water greater than ten (10) acres, or include activities for or in connection with programs primarily for land management and use carried out by federal agencies with respect to federal lands under their jurisdiction. The FWCA is therefore not applicable to this project.

FISH AND WILDLIFE CONSERVATION ACT

The Fish and Wildlife Conservation Act of 1980 (16 USC 2901 et seq.) encourages federal agencies to conserve and promote conservation of non-game fish and wildlife species and their habitats. In addition, the Fish and Wildlife Conservation Act (16 USC 661 et seq.) requires federal agencies undertaking projects affecting water resources to consult with the USFWS and the state agency responsible for fish and wildlife resources whenever the waters of any stream or other body of water are proposed or authorized to be impounded, diverted, the channel deepened, or the stream or other body of water will otherwise be controlled or

modified for any purpose whatsoever, including navigation and drainages. The 1988 amendment (Public Law 100-653, Title VIII) to the Fish and Wildlife Conservation Act requires the Secretary of the Interior, through the USFWS, to “identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act of 1973.”

As discussed in Section 6.0, Biological Resources, impacts to potentially jurisdictional wetlands and waters of the U.S. have been identified and permits from the USACE, CDFW, and RWQCB are likely required. Habitat for state and federally listed special-status species has also been identified and preliminary consultation with USFWS and CDFW has been initiated. Incidental take authorization will be obtained for this project. By obtaining the necessary permits and implementing any avoidance, minimization and mitigation measures contained within, the proposed project is in compliance with the Fish and Wildlife Conservation Act.

FLOODPLAIN MANAGEMENT ACT

EO 13690, “The Federal Flood Risk Management Standard” (January 30, 2015) revises EO 11988, “Floodplain Management” (May 24, 1977), and directs federal agencies to take the appropriate actions to reduce risk to federal investments, specifically to “update their flood-risk reduction standards.” The goal of this directive is to improve the resilience of communities and federal assets against the impacts of flooding and recognizes the risks and losses due to climate change and other threats.

The Federal Emergency Management Agency’s (FEMA) Flood Insurance Rate Maps (FIRMs) are used to determine if properties are located within Special Flood Hazard Areas. As explained in Section 3.10, “Hydrology and Water Quality,” of this Initial Study, a portion of the proposed route (along Prescott Road and San Justo Road) is within the FEMA 100-year Flood Zone A. The project would include refurbishment of an existing pump station and construction of an underground force main would not include any new residences. Therefore, the project would not result in any additional exposure of people or structures to risk of flooding, and the project would have no impact related to a 100-year flood hazard area or risk of flooding.

MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT

In response to growing concern about the status of United States fisheries, Congress passed the Sustainable Fisheries Act of 1996 (Public Law [PL] 104-297) to amend the Magnuson-Stevens Fishery Conservation and Management Act (PL 94-265), the primary law governing marine fisheries management in the Federal waters of the United States. The Magnuson-Stevens Conservation and Management Act, as amended (U.S.C. 180 et seq.), requires that

Essential Fish Habitat (EFH) be identified and described in federal fishery management plans. Federal agencies must consult with NOAA Fisheries on any activity which they fund, permit, or carry out, that may adversely affect EFH. NOAA Fisheries is required to provide EFH conservation and enhancement recommendations to the federal agencies. EFH is defined as those waters and substrates necessary to fish for spawning, breeding, feeding, or growth to maturity.

There is no EFH identified within the project boundary and the proposed project would not impact marine fisheries.

MARINE MAMMAL PROTECTION ACT

The Marine Mammal Protection Act (MMPA) was enacted on October 21, 1972. All marine mammals are protected under the MMPA. The MMPA prohibits, with certain exceptions, the "take" of marine mammals in the United States waters and by the United States citizens on the high seas, and the importation of marine mammals and marine mammal products into the United States.

There is no habitat for marine mammals within the project boundary.

MIGRATORY BIRD TREATY ACT

The Migratory Bird Treaty Act (MBTA) (16 U.S.C. Section 703, et seq.), first enacted in 1918, provides for protection of international migratory birds and authorizes the Secretary of the Interior to regulate the taking of migratory birds. The MBTA provides that it shall be unlawful, except as permitted by regulations, to pursue, take, or kill any migratory bird, or any part, nest, or egg of any such bird. The current list of species protected by the MBTA can be found in Title 50 of the Code of Federal Regulations (CFR), Section 10.13 (50 CFR 10.13). The list includes nearly all birds native to the United States.

As discussed in Section 6, Biological Resources, the project area provides potential nesting habitat for burrowing owl, Cooper's hawk, white-tailed kite, common raptors, and other common nesting birds. Any ground-disturbing or other work activities during the nesting season for these species (approximately January 15 through September 15) could result in nest abandonment and the mortality of eggs and chicks. However, implementation of Mitigation Measure BIO-8 would prevent take of MTBA species by requiring nest surveys and non-disturbance buffers around active nests, which would prevent nest abandonment and loss of eggs or young.

NATIONAL HISTORIC PRESERVATION ACT

Federal protection of resources is legislated by (a) the National Historic Preservation Act (NHPA) of 1966 as amended by 16 U.S. Code 470, (b) the Archaeological Resource Protection

Act of 1979, and (c) the Advisory Council on Historical Preservation. These laws and organizations maintain processes for determination of the effects on historical properties eligible for listing in the National Register of Historic Places (NRHP). Federal and federally-sponsored programs and projects are reviewed pursuant to Section 106 of the NHPA. Section 106 of the NHPA requires federal agencies to consider the effects of proposed federal undertakings on historic properties. NHPA requires federal agencies to initiate consultation with the State Historic Preservation Officer as part of the Section 106 review process.

Determination of Effects

A Historic Property Identification Report was prepared for the proposed project (Archaeological Resource Management 2021). This section includes a summary of the report conclusions.

The APE setting begins at the existing City of San Juan Bautista Wastewater Treatment Plant (WWTP) on Third Street in San Juan Bautista and terminates at the City of Hollister Domestic WWTP at the intersection of State Route 156 and San Juan Hollister Road, within Hollister. The majority of the APE is on existing road rights-of-way.

The archival research revealed that the recorded boundaries of three previously recorded historic resources are located adjacent to the Area of Potential Effects (APE). All three are recordings of small historic residential/agricultural complexes. None of the structural elements of any of these recorded resources are located adjacent to or within 100 feet of the APE. An additional eleven previously recorded historic resources are located within a one-quarter mile radius of the APE. All of these resources are historic homes. No previously recorded archaeological resources are located within the APE or within a one-quarter mile radius of the APE. No significant cultural materials, prehistoric or historic, were noted within the APE boundaries during surface reconnaissance. No sites or structures within the APE appear to be potentially eligible for inclusion in the National Register of Historic Places (NRHP). Therefore, the project would have No Effect on Historic Properties.

PROTECTION OF WETLANDS

The purpose of EO 11990 (May 24, 1977) is to “minimize the destruction, loss or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands.” To meet these objectives, EO 11990 requires federal agencies, in planning their actions, to consider alternatives to wetland sites and limit potential damage if an activity affecting a wetland cannot be avoided. EO 11990 applies to: acquisition, management, and disposition of federal lands and facilities construction and improvement projects which are undertaken, financed, or assisted by federal agencies; and federal activities and programs affecting land use, including but not limited to water and related land resources planning, regulation, and licensing activities.

As discussed in Section 6, Biological Resources, the proposed sanitary sewer main route and the alternative route cross under and run adjacent to several freshwater drainages that are potentially jurisdictional wetlands or Waters of the U.S. These aquatic features were identified on the National Wetlands Inventory and during the reconnaissance-level survey. Mitigation Measure BIO-9 requires a wetland delineation and jurisdictional determination by USACE and permits from USACE, CDFW, and RWQCB, if required. Implementation of this measure and any subsequent permit requirements would minimize impacts to wetlands.

RIVERS AND HARBORS ACT, SECTION 10

If a project involves the construction of structures or any other regulated activities in, under, or over navigable waters of the United States, a Section 10 Permit from the USACE is required. Regulated activities include the placement/removal of structures, work involving dredging, disposal of dredged material, filling, excavation, or any other disturbance of soils/sediments or modification of a navigable waterway. Navigable waters of the United States are those waters of the United States that are subject to the ebb and flow of the tide shoreward to the mean high-water mark and/or are presently used, or have been used in the past, or may be susceptible to use to transport interstate or foreign commerce. Tributaries and backwater areas associated with navigable waters of the United States, and located below the OHW elevation of the adjacent navigable waterway, are also regulated under Section 10. The applicant must consult with the USACE to obtain a Section 10 Permit, if applicable. For more information, please visit http://www.in.gov/indot/files/24_army.pdf.

As discussed in Section 6, Biological Resources, the proposed sanitary sewer main route and the alternative route cross under and run adjacent to several freshwater drainages that are potentially jurisdictional wetlands or Waters of the U.S. A Section 10 permit would be required for the placement of structures, such as a dam, bridge, or pipeline. Mitigation Measure BIO-9 requires a wetland delineation and jurisdictional determination by USACE and permits from USACE, if required. Implementation of this measure and any subsequent permit requirements would minimize impacts to wetlands.

SAFE DRINKING WATER ACT, SOLE SOURCE AQUIFER PROTECTION

The Safe Drinking Water Act (42 USC Section 300f et seq.) was established to protect the quality of drinking water in the United States. This law focuses on all waters actually or potentially designed for drinking use, whether from above ground or underground sources.

The Act authorizes EPA to establish minimum standards to protect tap water and requires all owners or operators of public water systems to comply with these primary (health-related) standards. The 1996 amendments to the Act require that EPA consider a detailed risk and cost assessment, and best available peer-reviewed science, when developing these

standards. State governments, which can be approved to implement these rules for EPA, also encourage attainment of secondary standards (nuisance-related). Under the Act, EPA also establishes minimum standards for state programs to protect underground sources of drinking water from endangerment by underground injection of fluids.

The project and surrounding lands are not located within a sole source aquifer, as designated by EPA Region 9 (EPA 2020).

WILD AND SCENIC RIVERS ACT

The Wild and Scenic Rivers Act (16 USC Section 1271 et seq.) establishes a National Wild and Scenic Rivers System for the protection of rivers with important scenic, recreational, fish and wildlife, and other values. Rivers are classified as wild, scenic, or recreational. The act designates specific rivers for inclusion in the System and prescribes the methods and standards by which additional rivers may be added.

The project site is not within the vicinity of a designated wild and scenic river (Bureau of Land Management 2016).

WILDERNESS ACT

Except as specifically provided for in the Wilderness Act (Act), and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment, or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such areas.

No segment of the project is located within a designated Wilderness according to the USDA website at https://data.fs.usda.gov/geodata/other_fs/wilderness/stateMap.php?stateID=CA.

F. ALTERNATIVES

Introduction

This chapter includes a discussion of alternatives to the proposed project in compliance with State Water Resources Control Board CEQA-Plus requirements related to State Revolving Fund loans and per U.S. Environmental Protection Agency guidance for environmental information documents related to Special Appropriation Fund Grants. These alternatives are provided to meet the CEQA-Plus requirements and are not required for compliance with CEQA. The proposed project is described in Chapter 2, "Project Description," and evaluated throughout this Initial Study and therefore is not discussed below.

Alternative 1: No Project Alternative

Under the No Project Alternative, the City would continue to operate the existing WWTP at the existing location and pump station equipment would only be replaced or repaired on an as needed basis. No demolition would occur at the existing pump station site and a new force main would not be constructed. With this alternative, no construction-related impacts would occur. The existing WWTP would continue to operate in violation of NPDES standards and the EPA settlement.

The No Project Alternative would not achieve any of the project objectives, would result in greater long-term operational environmental impacts.

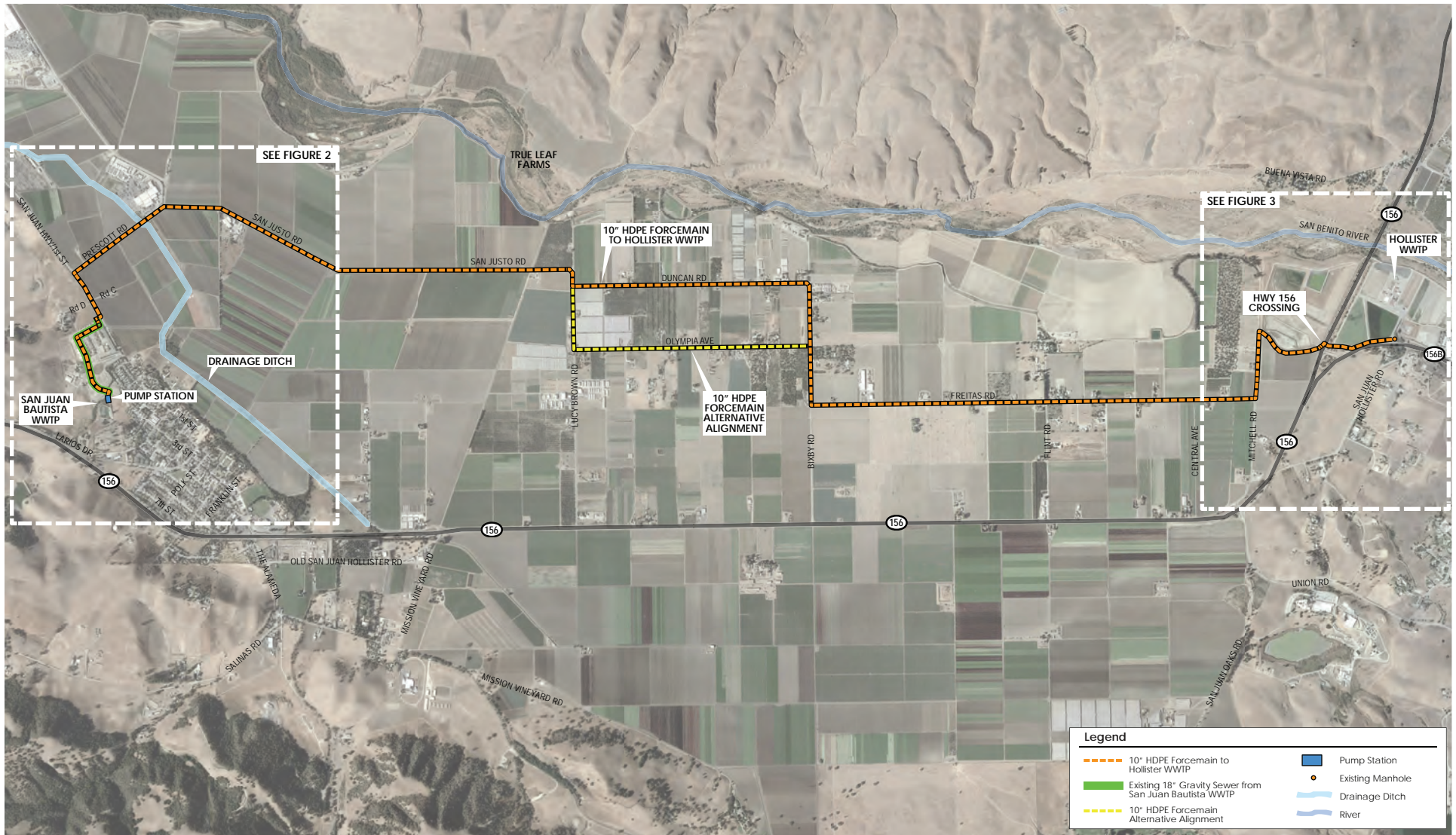
Alternative 2: SJB to Hollister WWTP Alternative Route

Alternative 2, is similar to the proposed project, but diverts the force main route for about 1.3 miles further south down Lucy Brown Road and then east on Olympia Avenue to Bixby Road as shown in [Figure 8, Alternative Route](#).

This alternative would meet the project objectives and alternative would result in similar impacts to the proposed project for cultural resources, biological resources, air quality/GHG, geology and soils, etc. Several residences along this route sit approximately 19 feet from the road which is 11 feet closer to residences than the preferred alternative. Sound from a localized source (i.e., point source) spreads uniformly outward with sound levels attenuating at a rate of six dB for each doubling of distance from a point/stationary source. Therefore, temporary noise levels would be greater at the nearest residence than it would be with the proposed project. Implementation of mitigation measure N-1 would reduce construction-related noise levels during the day, and would prohibit construction activities during the more noise-sensitive nighttime hours such which would reduce this potential impact to a less-than-significant level.

Summary

The proposed project would best achieve the project objectives with the greatest ease of operation/maintenance/reliability and the fewest environmental impacts. The no project alternative would not achieve any of the project objectives and would result in greater operational impacts associated with the exceedance of effluent limitations at the San Juan Bautista WWTP. The alternative route alternative, is similar to the proposed project, and would achieve the project objectives and result in similar environmental impacts; however, may result in greater construction noise impacts. Because all of the alternatives either do not meet all of the project objectives or result in greater environmental impacts compared to the proposed project, the proposed project as described in Section A, "Project Description," was selected as the preferred alternative.



Source: Stantec 2021

Figure 8
Alternative Route

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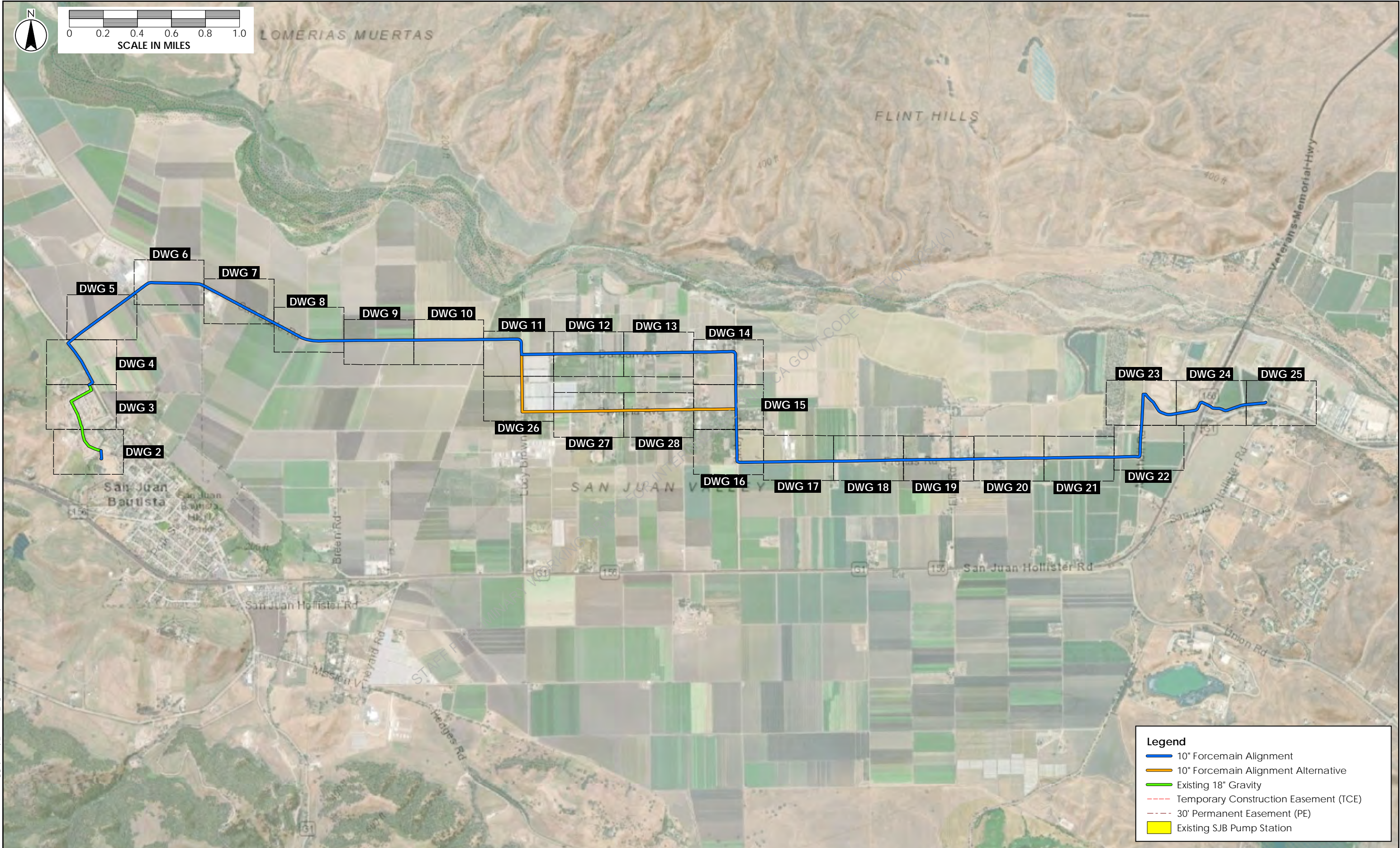
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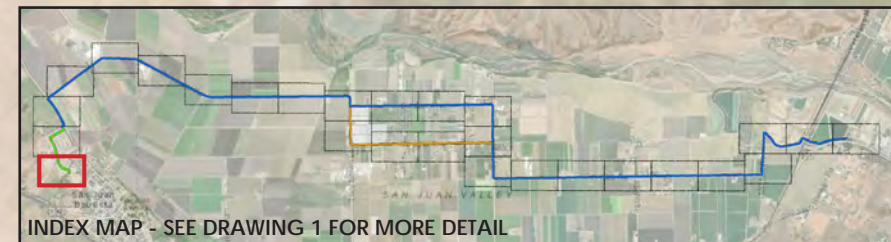
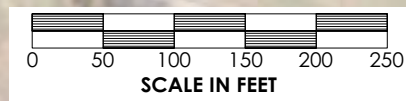
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APPENDIX A

PRELIMINARY FORCE MAIN ALIGNMENT PLANS





INDEX MAP - SEE DRAWING 1 FOR MORE DETAIL

STAFF PRELIMINARY WORKING DRAFT-FOR INTERNAL USE ONLY-CA GOVT CODE SECTION 62541.10

Legend

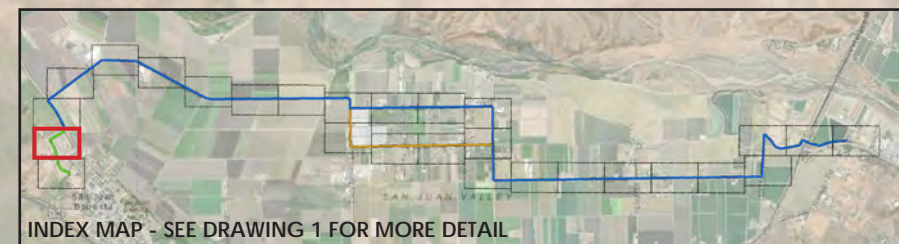
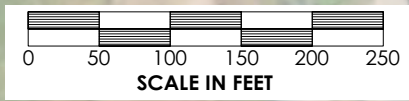
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City of San Juan Bautista
Gravity Pipeline Alignment
Alternative Analysis



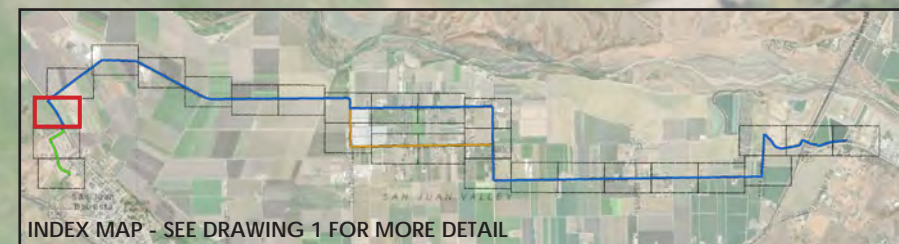
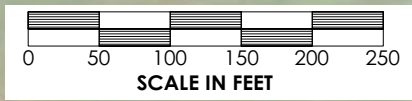
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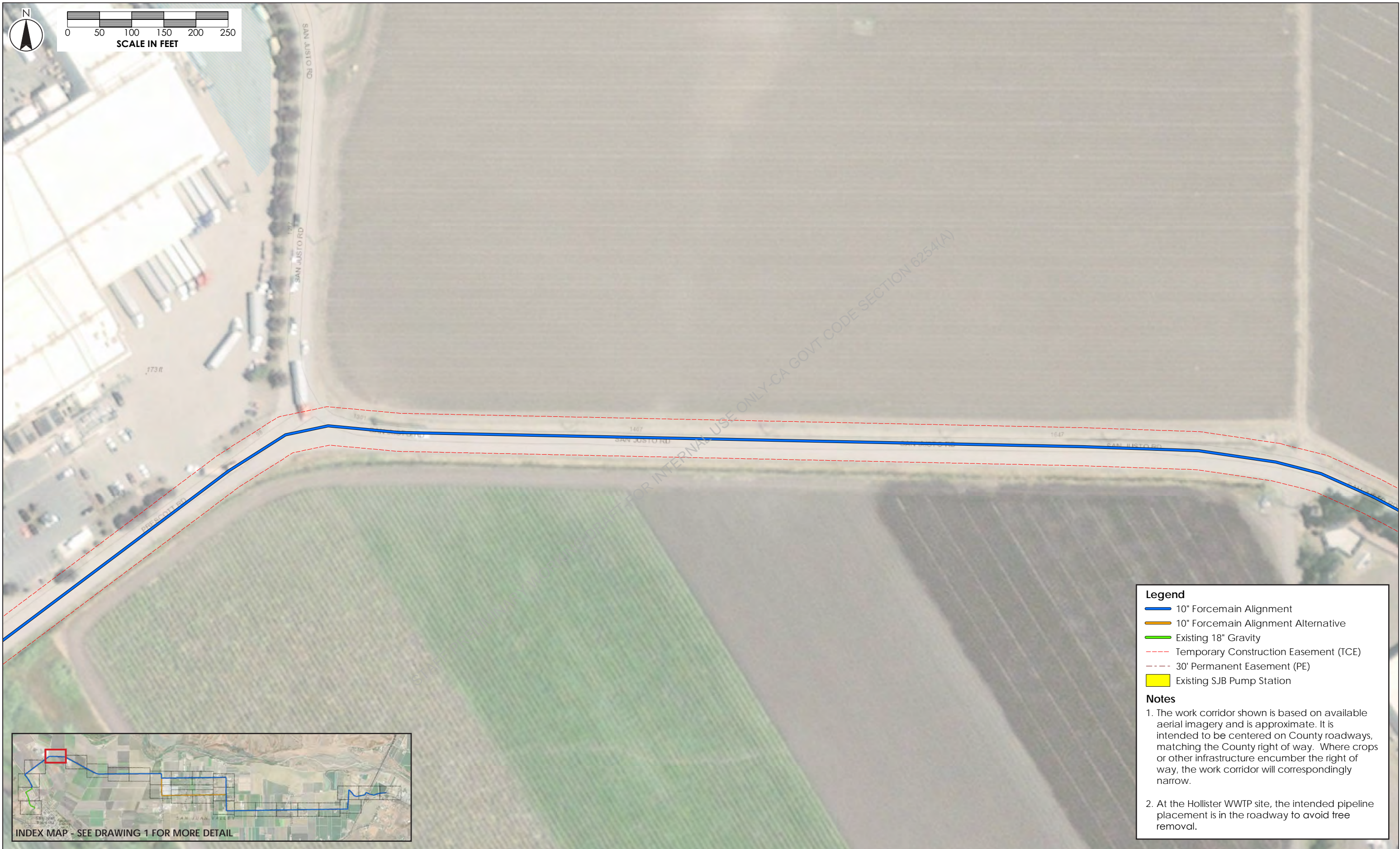


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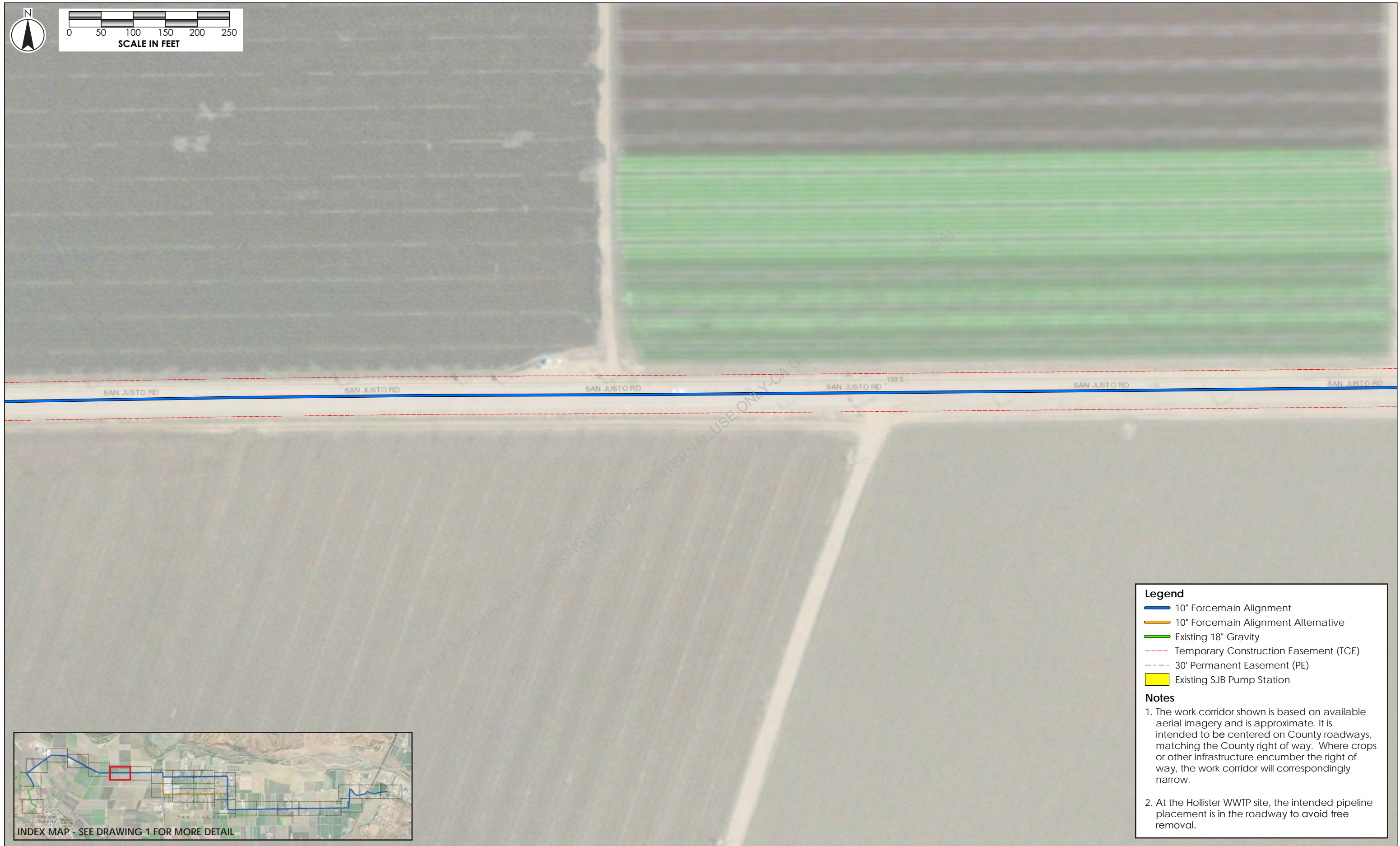
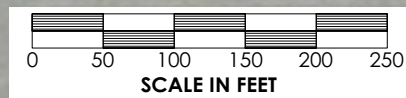


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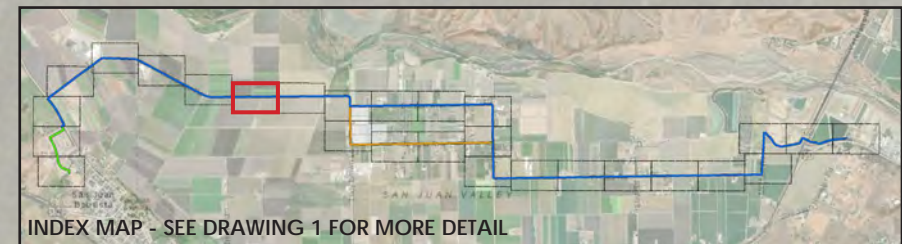


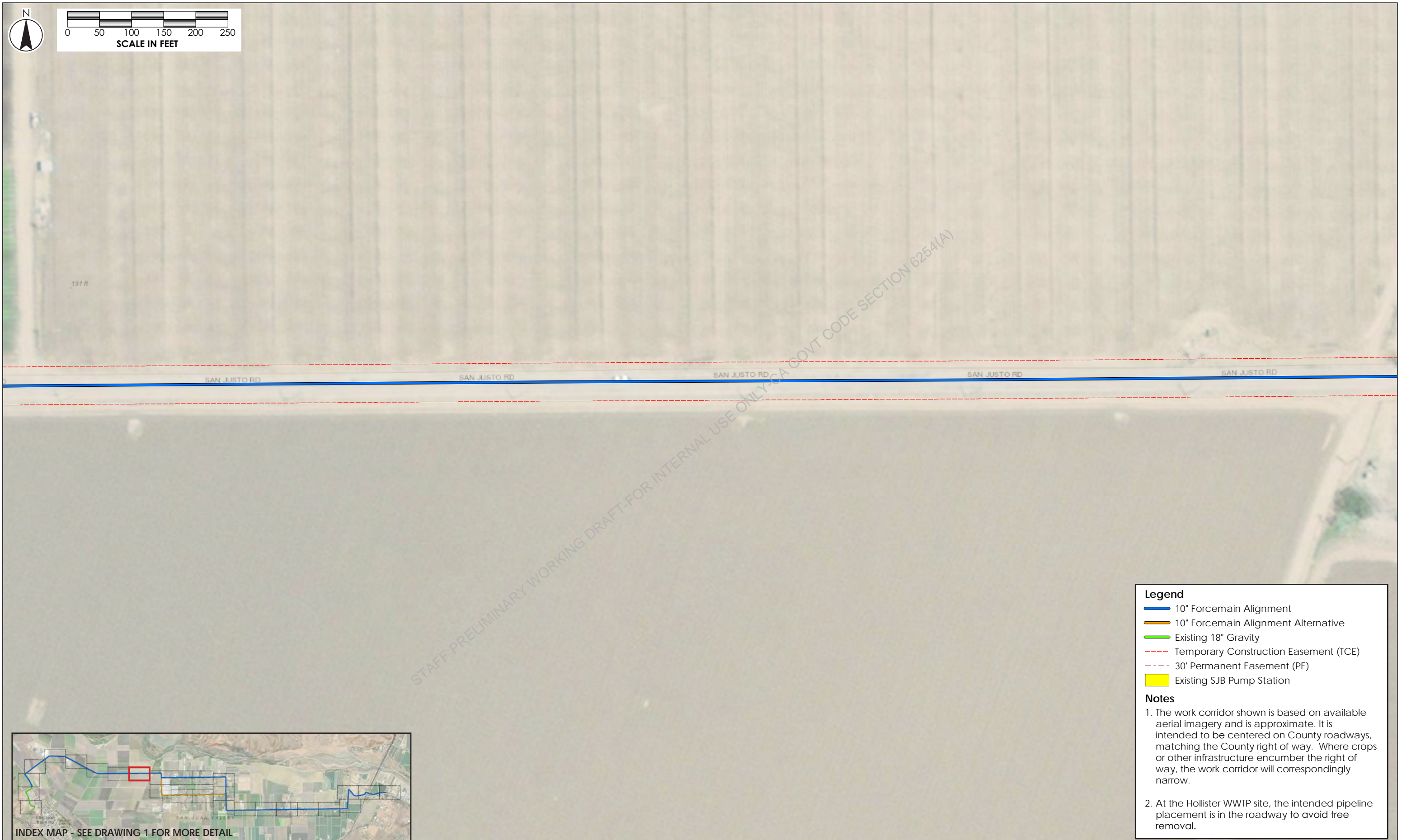
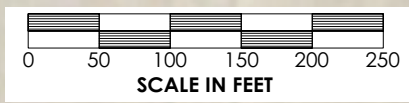
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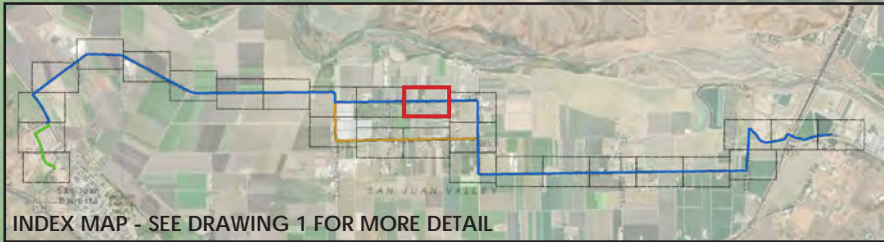
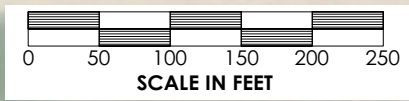
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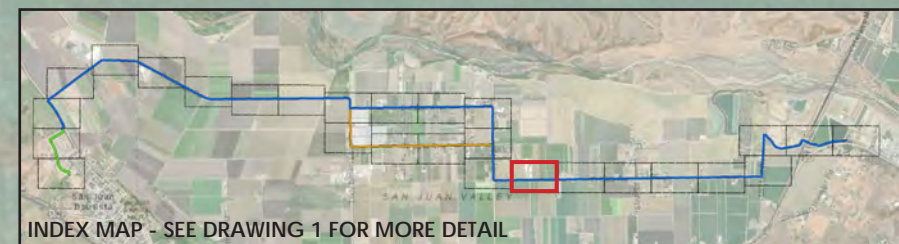
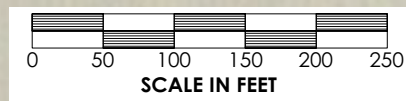


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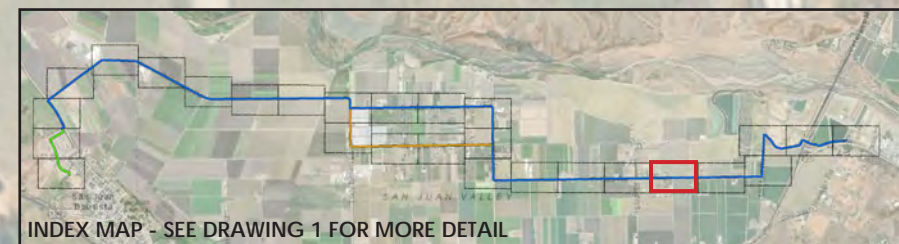
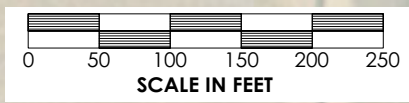
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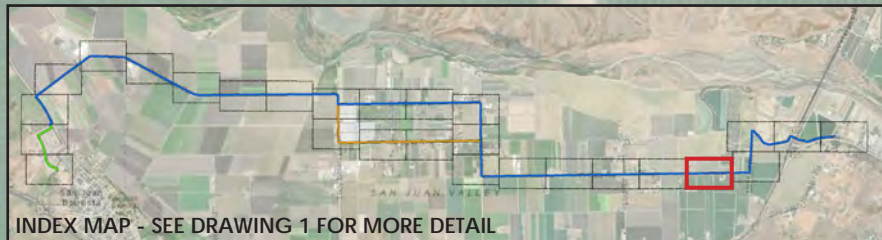
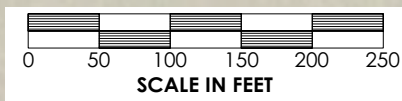
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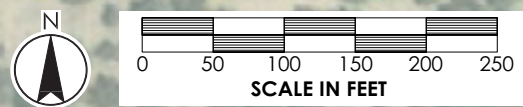


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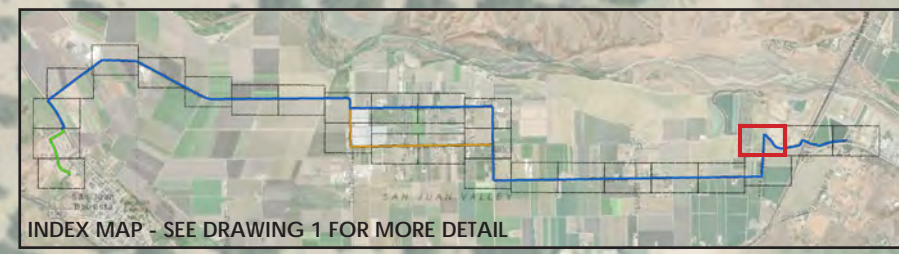


Figure 23



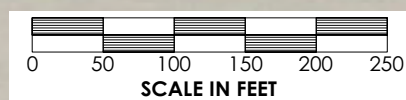


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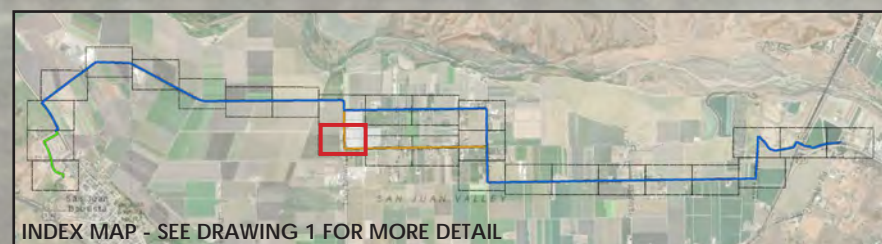


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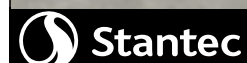
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INDEX MAP - SEE DRAWING 1 FOR MORE DETAIL



City of San Juan Bautista
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APPENDIX B

SPECIAL STATUS SPECIES TABLES

Appendix A Special-Status Plant Species with Potential to Occur in the Project Vicinity

Species	Status (Federal/State/ CNPS)	Suitable Habitat Description	Potential to Occur on Project Site
Alkali milk-vetch (<i>Astragalus tener</i> var. <i>tener</i>)	--/--/1B.2	Alkaline sites in playas, valley and foothill grassland (on adobe clay), and vernal pools; elevation 1-60m. Blooming Period: March - June	Possible. Species known to occur within 3 miles of project site.
Anderson's manzanita (<i>Arctostaphylos andersonii</i>)	--/--/1B.2	Broadleaved upland forest, chaparral, and North Coast coniferous forest. Known only from the Santa Cruz Mountains. Prefers open sites in redwood forest; elevation 180-800m. Blooming Period: November - April	Not expected. No suitable habitat found at the project site.
California alkali grass (<i>Puccinellia simplex</i>)	--/--/1B.2	Meadows and seeps, chenopod scrub, valley and foothill grasslands, vernal pools. Alkaline, vernal mesic. Sinks, flats, and lake margins; elevation 1-915m. Blooming Period: March - May	Not expected. No suitable habitat found at the project site.
Choris' popcorn-flower (<i>Plagiobothrys chorisianus</i> var. <i>chorisianus</i>)	--/--/1B.2	Chaparral, coastal scrub, coastal prairie, mesic sites; elevation 15-100m. Blooming Period: March - June	Not expected. No suitable habitat found at the project site.
Congdon's tarplant (<i>Centromadia parryi</i> spp. <i>congdonii</i>)	--/--/1B.1	Valley and foothill grassland (alkaline); elevation 1-230m. Known to occur on various substrates, and in disturbed and ruderal (weedy) areas. Blooming Period: June - November	Possible. Suitable habitat found at the project site.
Contra Costa goldfields (<i>Lasthenia conjugens</i>)	FE/--/1B.1	Wet areas in cismontane woodland, playas (alkaline), valley and foothill grassland, and vernal pools; elevation 0-470m. Blooming Period: March - June	Not expected. No suitable habitat found at the project site.
Eastwood's goldenbush (<i>Ericameria fasciculata</i>)	--/--/1B.1	Closed cone coniferous forest, chaparral (maritime), coastal dunes, and coastal scrub/sand; elevation 30 - 275 meters. Blooming Period: July - October	Not expected. No suitable habitat found at the project site.
Fort Ord spineflower (<i>Chorizanthe minutiflora</i>)	--/--/1B.2	Coastal scrub, maritime chaparral, sandy openings; elevation 60-145m. Blooming Period: April - July	Not expected. No suitable habitat found at the project site.
Fragrant fritillary (<i>Fritillaria liliacea</i>)	--/--/1B.2	Coastal scrub, valley and foothill grassland, and coastal prairie. Often on serpentine; various soils reported though usually clay in grassland; elevation 3-410m. Blooming Period: February - April	Not expected. No suitable habitat found at the project site.
Gabilan Mountains manzanita (<i>Arctostaphylos gabrielensis</i>)	--/--/1B.2	Chaparral, cismontane woodland, granitic substrates; elevation 300-700m. Blooming Period: March	Not expected. No suitable habitat found at the project site.
Hairless popcorn flower (<i>Plagiobothrys glaber</i>)	--/--/1A	Meadows and seeps (alkaline), marshes and swamps (coastal salt); elevation 15-180m. Blooming Period: March - May	Possible. Species known to occur within 3 miles of project site.

Appendix A

Species	Status (Federal/State/ CNPS)	Suitable Habitat Description	Potential to Occur on Project Site
Hall's tarplant (<i>Deinandra halliana</i>)	--/--/1B.1	Cismontane woodland, chenopod scrub, valley and foothill grassland. Variety of substrates, including clay, sand, and alkaline soils; elevation 300-950m. Blooming Period: April - May	Not expected. No suitable habitat found at the project site.
Hickman's onion (<i>Allium hickmanii</i>)	--/--/1B.2	Closed-cone coniferous forest, chaparral, coastal scrub, valley and foothill grassland, coastal prairie, sandy loam, damp ground and vernal swales; elevation 20-200m. Blooming Period: April - May	Not expected. No suitable habitat found at the project site.
Hooker's manzanita (<i>Arctostaphylos hookeri</i> ssp. <i>hookeri</i>)	--/--/1B.2	Sandy soils in coastal scrub, chaparral, and closed-cone forest habitats; evergreen; elevation 45-215m. Blooming Period: February - April	Not expected. No suitable habitat found at the project site.
Hoover's button-celery (<i>Eryngium aristulatum</i> var. <i>hooveri</i>)	--/--/1B.1	Vernal pools. Alkaline depressions, roadside ditches, and other wet places near the coast; elevation 5-45m. Blooming Period: July	Not expected. No suitable habitat found at the project site.
Indian Valley bush-mallow (<i>Malacothamnus aboriginum</i>)	--/--/1B.2	Chaparral and cismontane woodland; rocky, often burned areas. Prefers granitic outcrops and sandy bare soil; elevation 150-1700m. Blooming Period: April - October	Not expected. No suitable habitat found at the project site.
Kellogg's horkelia (<i>Horkelia cuneata</i> ssp. <i>sericea</i>)	--/--/1B.1	Closed-cone coniferous forest, maritime chaparral, coastal scrub, sandy or gravelly openings; elevation 10-200m. Blooming Period: April - September	Not expected. No suitable habitat found at the project site.
Legenere (<i>Legenere limosa</i>)	--/--/1B.1	In beds of vernal pools; elevation 1-880m. Blooming Period: April - June	Not expected. No suitable habitat found at the project site.
Loma Prieta hoita (<i>Hoita strobilina</i>)	--/--/1B.1	Wet areas on serpentine substrate in chaparral, cismontane woodland, and riparian woodland; elevation 30-860m. Blooming Period: May - October	Not expected. No suitable habitat found at the project site.
Marsh microseris (<i>Microseris paludosa</i>)	--/--/1B.2	Closed-cone coniferous forest, cismontane woodland, coastal scrub, valley and foothill grassland; elevation 5-300m. Blooming Period: April - June	Not expected. No suitable habitat found at the project site.
Monterey gilia (<i>Gilia tenuiflora</i> ssp. <i>arenaria</i>)	FE/ST/1B.2	Maritime chaparral, cismontane woodland, coastal dunes, coastal scrub, sandy openings; elevation 0-45m. Blooming Period: April - June	Not expected. No suitable habitat found at the project site.
Monterey spineflower (<i>Chorizanthe pungens</i> var. <i>pungens</i>)	FT/--/1B.2	Sandy openings in maritime chaparral, cismontane woodland, coastal dunes, coastal scrub, and valley and foothill grassland; elevation 3-450m. Blooming Period: April - June	Not expected. No suitable habitat found at the project site.

Species	Status (Federal/State/ CNPS)	Suitable Habitat Description	Potential to Occur on Project Site
Most beautiful jewel-flower (<i>Streptanthus albidus</i> ssp. <i>peramoenus</i>)	--/--/1B.2	Chaparral, valley and foothill grassland, and cismontane woodland; serpentine outcrops, on ridges and slopes; elevation 120-730m. Blooming Period: April - June	Not expected. No suitable habitat found at the project site.
Pajaro manzanita (<i>Arctostaphylos pajaroensis</i>)	--/--/1B.1	Sandy soils in chaparral habitat; evergreen; elevation 30-760m. Blooming Period: December - March	Not expected. No suitable habitat found at the project site.
Pine rose (<i>Rosa pinetorum</i>)	--/--/1B.2	Closed-cone coniferous forest; elevation 2-300m. Blooming Period: May - July	Not expected. No suitable habitat found at the project site.
Pink creamsacs (<i>Castilleja rubicundula</i> ssp. <i>rubicundula</i>)	--/--/1B.2	Chaparral, meadows and seeps, and valley and foothill grassland. Openings in chaparral or grasslands on serpentine soils; elevation 20-900m. Blooming Period: April - June	Not expected. No suitable habitat found at the project site.
Pink Johnny-nip (<i>Castilleja ambigua</i> var. <i>insalutata</i>)	--/--/1B.1	Coastal bluff scrub, coastal prairie. Wet or moist coastal strand or scrub habitats; 3-135m elevation. Blooming Period: May - August	Not expected. No suitable habitat found at the project site.
Pinnacles buckwheat (<i>Eriogonum nortonii</i>)	--/--/1B.3	Sandy sites in chaparral and valley and foothill grassland, often on recent burns; elevation 300-975m. Blooming Period: May - June	Not expected. No suitable habitat found at the project site.
Prostrate vernal pool navarretia (<i>Navarretia prostrata</i>)	--/--/1B.1	Coastal scrub, valley and foothill grassland, and vernal pools. Alkaline soils in grassland, or in vernal pools; elevation 15-700m. Blooming Period: April - July	Not expected. No suitable habitat found at the project site.
Saline clover (<i>Trifolium hydrophilum</i>)	--/--/1B.2	Marshes and swamps, valley and foothill grassland, and vernal pools. Prefers wet, alkaline sites; elevation 0-300m. Blooming Period: April - June	Not expected. No suitable habitat found at the project site.
San Francisco popcornflower (<i>Plagiobothrys diffusus</i>)	--/SE/1B.1	Valley and foothill grassland, and coastal prairie. Historically from grassy slopes with marine influence; elevation 60-485m. Blooming Period: March - June	Not expected. No suitable habitat found at the project site.
San Joaquin spearscale (<i>Extriplex joaquinana</i>)	--/--/1B.2	Alkaline sites in chenopod scrub, meadows and seeps, playas, and valley and foothill grassland; elevation 1-320m. Blooming Period: April - October	Not expected. No suitable habitat found at the project site.
Sand-loving wallflower (<i>Erysimum ammodendrum</i>)	--/--/1B.2	Maritime chaparral, coastal dunes, coastal scrub, sandy openings; elevation 0 - 60m. Blooming Period: February - June	Not expected. No suitable habitat found at the project site.
Sandmat manzanita (<i>Arctostaphylos pumila</i>)	--/--/1B.2	Closed cone coniferous forest, maritime chaparral, cismontane woodland, coastal dunes, coastal scrub, sandy openings; elevation 30-730m. Blooming Period: February - May	Not expected. No suitable habitat found at the project site.

Appendix A

Species	Status (Federal/State/ CNPS)	Suitable Habitat Description	Potential to Occur on Project Site
Santa Cruz clover (<i>Trifolium buckwestiorum</i>)	--/--/1B.1	Broadleaved upland forest, cismontane woodland, and coastal prairie; prefers moist grassland and gravelly margins; elevation 105-610m. Blooming Period: April - October	Not expected. No suitable habitat found at the project site.
Santa Cruz tarplant (<i>Holocarpha macradenia</i>)	FT/SE/1B.1	Coastal prairie, coastal scrub, and valley and foothill grassland; often on clay or sandy soils; elevation 10-220m. Blooming Period: June - October	Not expected. No suitable habitat found at the project site.
Seaside bird's-beak (<i>Cordylanthus rigidus</i> ssp. <i>littoralis</i>)	--/SE/1B.1	Closed-cone coniferous forest, maritime chaparral, cismontane woodland, coastal dunes, coastal scrub, sandy often disturbed sites; elevation 0-215m. Blooming Period: May - October	Not expected. No suitable habitat found at the project site.
Toro manzanita (<i>Arctostaphylos montereyensis</i>)	--/--/1B.2	Maritime chaparral, cismontane woodland, coastal scrub, sandy; elevation 30-730m. Blooming Period: February – March	Not expected. No suitable habitat found at the project site.
Vernal pool bent grass (<i>Agrostis lacuna-vernalis</i>)	--/--/1B.1	Vernal pools (mima mounds); elevation 115-145m.	Not expected. No suitable habitat found at the project site.
Western Heermann's buckwheat (<i>Eriogonum heermannii</i> var. <i>occidentale</i>)	--/--/1B.2	Openings in cismontane woodland, often on serpentine alluvium or on roadsides; rarely on clay or shale slopes; elevation 410-805m. Blooming Period: July - October	Not expected. No suitable habitat found at the project site.
Woodland woollythreads (<i>Monolopia gracilens</i>)	--/--/1B.2	Serpentine, open sites in broadleaved upland forest, chaparral, cismontane woodland, North Coast coniferous forest, and valley and foothill grassland; elevation 100-1200m. Blooming Period: March - July	Not expected. No suitable habitat found at the project site.
Yadon's rein orchid (<i>Piperia yadonii</i>)	FE/--/1B.1	Sandy sites in coastal bluff scrub, closed cone coniferous forest, maritime chaparral; elevation 10-510m. Blooming Period: May - August	Not expected. No suitable habitat found at the project site.

SOURCE: CDFW 2020, CNPS 2020

NOTE: Status Codes:

Federal (USFWS)

FE: Listed as Endangered under the Federal Endangered Species Act.

FT: Listed as Threatened under the Federal Endangered Species Act.

FC: A Candidate for listing as Threatened or Endangered under the Federal Endangered Species Act.

FSC: Species of Special Concern.

FD: Delisted under the Federal Endangered Species Act.

State (CDFW)

SE: Listed as Endangered under the California Endangered Species Act.

ST: Listed as Threatened under the California Endangered Species Act.

SR: Listed as Rare under the California Endangered Species Act.

SC: A Candidate for listing as Threatened or Endangered under the California Endangered Species Act.

SSC: Species of Special Concern.

SFP: Fully Protected species under the California Fish and Game Code.

SD: Delisted under the California Endangered Species Act.

CNPS Rare Plant Ranks and Threat Code Extensions

1B: Plants that are considered Rare, Threatened, or Endangered in California and elsewhere.

2B: Plants that are considered Rare, Threatened, or Endangered in California, but more common elsewhere.

.1: Seriously endangered in California (over 80% of occurrences threatened/high degree and immediacy of threat).

.2: Fairly endangered in California (20-80% occurrences threatened).

.3: Not very endangered in California (<20% of occurrences threatened or no current threats known).

Appendix A Special-Status Wildlife Species with Potential to Occur in the Project Vicinity

Species	Status (Federal/State)	Suitable Habitat Description	Potential to Occur on Project Site
American badger (<i>Taxidea taxus</i>)	--/SSC	Most abundant in drier, open stages of most shrub, forest, and herbaceous habitats. Need sufficient food and open, uncultivated ground with friable soils to dig burrows. Prey on burrowing rodents.	Possible. Species known to occur within 3 miles of project site.
Bank swallow (<i>Riparia riparia</i>)	--/ST	Highly colonial species that nests in alluvial soils along rivers, streams, lakes, and ocean coasts. Nesting colonies only occur in vertical banks or bluffs of friable soils at least one meter tall, suitable for burrowing with some predator deterrence values. Breeding colony present in Salinas River.	Unlikely. Suitable habitat not found at the project site.
Big-eared kangaroo rat (<i>Dipodomys venustus elephantinus</i>)	--/SSC	Chaparral-covered slopes of the southern part of the Gabilan Range, in the vicinity of the Pinnacles. Forages under shrubs and in the open. Burrows for cover and for nesting.	Unlikely. Suitable habitat not found at the project site.
Burrowing owl (<i>Athene cunicularia</i>)	--/SSC	Open, dry, annual or perennial grasslands, desert, or scrubland, with available small mammal burrows.	Possible. Species known to occur within 3 miles of project site.
California giant salamander (<i>Anodonta californiensis</i>)	--/SSC	Known from wet coastal forests near streams and seeps from Mendocino County south to Monterey County and east to Napa County. Aquatic larvae found in cold, clear streams, occasionally in lakes and ponds. Adults known from wet forests under rocks and logs near streams and lakes.	Unlikely. Suitable habitat not found at the project site.
California horned lark (<i>Eremophila alpestris actia</i>)	--/SSC	Coastal regions, chiefly from Sonoma County to San Diego County, also within the main part of the San Joaquin Valley and east to the foothills. Prefers short-grass prairie, mountain meadows, open coastal plains, fallow grain fields, alkali flats.	Unlikely. Suitable habitat not found at the project site.
California red-legged frog (<i>Rana draytonii</i>)	FT/SSC	Rivers, creeks, and stock ponds with pools and overhanging vegetation. Requires dense, shrubby or emergent riparian vegetation, and prefers short riffles and pools with slow-moving, well-oxygenated water. Needs upland habitat to aestivate (remain dormant during dry months) in small mammal burrows, cracks in the soil, or moist leaf litter.	Possible. Species known to occur within 3 miles of project site.
California Ridgway's rail (<i>Rallus obsoletus obsoletus</i>)	FE/SE	Found in saltwater and brackish marshes, traversed by tidal sloughs in the vicinity of San Francisco Bay. Associated with abundant growths of pickleweed, but feeds away from cover on invertebrates from mud-bottomed sloughs.	Unlikely. Suitable habitat not found at the project site.

Appendix A

Species	Status (Federal/State)	Suitable Habitat Description	Potential to Occur on Project Site
California tiger salamander (<i>Ambystoma californiense</i>)	FT/ST	Grasslands and oak woodlands near seasonal pools and stock ponds in central and coastal California. Needs upland habitat to aestivate (remain dormant during dry months) in small mammal burrows, cracks in the soil, or moist leaf litter. Requires seasonal water sources that persist into late March for breeding habitat.	Possible. Species known to occur within 3 miles of project site.
Coast Range newt (<i>Taricha torosa</i>)	--/SSC	Coastal drainages; lives in terrestrial habitats and can migrate over 1 km to breed in ponds, reservoirs, and slow-moving streams.	Possible. Suitable habitat found at the project site.
Cooper's hawk (<i>Accipiter cooperii</i>)	--/WL	Oak or riparian woodlands.	Possible. Suitable habitat found at the project site.
Foothill yellow-legged frog (<i>Rana boylei</i>)	--/SE	Partly shaded, shallow streams and riffles with rocky substrate in a variety of habitats. Requires at least some cobble-sized substrate for egg-laying and 15 weeks of available water to attain metamorphosis.	Unlikely. Suitable habitat not found at the project site.
Golden eagle (<i>Aquila chrysaetos</i>)	--/SFP	Rolling foothill mountain areas, sage-juniper flats, and desert. Cliff-walled canyons provide nesting habitat in most parts of range. Also uses large trees in open areas.	Unlikely. Suitable habitat not found at the project site.
Hoary bat (<i>Lasiurus cinereus</i>)	--/SSC	Prefers open habitats or habitat mosaics, with access to trees for cover and open areas or habitat edges for feeding. Roosts in dense foliage of medium to large trees. Feeds primarily on moths. Requires water.	Possible. Species known to occur within 3 miles of project site.
Least Bell's vireo (<i>Vireo bellii pusillus</i>)	FE/SE	Summer resident of southern and central California in riparian habitats below 2,000 feet in elevation. Often nests in large shrubs, along margins of bushes or on twigs projecting into pathways.	Unlikely. Suitable habitat not found at the project site.
Merlin (<i>Falco columbarius</i>)	--/-/WL	Seacoast, tidal estuaries, open woodlands, savannahs, edges of grassland and deserts, farms and ranches, clumps of trees or windbreaks are required for roosting in open county.	Unlikely. Suitable habitat not found at the project site.
Monterey dusky-footed woodrat (<i>Neotoma fuscipes luciana</i>)	--/SSC	Forest habitats of moderate canopy and moderate to dense understory. Also, in chaparral habitats. Nests constructed of grass, leaves, sticks, feathers, etc. Population may be limited by availability of nest materials.	Unlikely. Suitable habitat not found at the project site.
Monterey hitch (<i>Lavinia exilicauda harengus</i>)	--/SSC	Widely distributed in the Pajaro and Salinas river systems. Most abundant in lowland areas with large pools or in small reservoirs.	Unlikely. Suitable habitat not found at the project site.
Northern California legless lizard (<i>Anniella pulchra</i>)	--/SSC	Sandy or loose loamy soils under sparse vegetation, moist soils. <i>Anniella pulchra</i> is traditionally split into two subspecies: <i>A. pulchra pulchra</i> (silvery legless lizard) and <i>A. pulchra nigra</i> (black legless lizard), but these subspecies are typically no longer recognized.	Unlikely. Suitable habitat not found at the project site.

Species	Status (Federal/State)	Suitable Habitat Description	Potential to Occur on Project Site
Pallid bat (<i>Antrozous pallidus</i>)	--/SSC	Deserts, grasslands, scrublands, woodlands, and forests. Most common in open, dry habitats with rocky areas for roosting. Roosts must protect bats from high temperatures.	Possible. Species known to occur within 3 miles of project site.
Pinnacles optioservus riffle beetle (<i>Optioservus canus</i>)	--/--	Aquatic, found on rocks and in gravel of riffles in cool, swift, clear streams.	Unlikely. Suitable habitat not found at the project site.
Prairie falcon (<i>Falco mexicanus</i>)	--/WL	Nesting Habitats. Open terrain, either level or hilly breeding sites located on cliffs. Forages far distances, including to marshlands and ocean shores.	Unlikely. Suitable habitat not found at the project site.
San Joaquin coachwhip (<i>Masticophis flagellum ruddocki</i>)	--/SSC	Open, dry habitats with little or no tree cover. Found in valley grassland and saltbush scrub in the San Joaquin Valley. Requires mammal burrows for refuge and oviposition sites.	Unlikely. Suitable habitat not found at the project site.
San Joaquin kit fox (<i>Vulpes macrotis mutica</i>)	FE/ST	Annual grasslands or grassy open stages with scattered shrubby vegetation. Needs loose-textured sandy soils for burrowing, and suitable prey base.	Possible. Species known to occur within 3 miles of project site.
Santa Cruz black salamander (<i>Aneides flavipunctatus niger</i>)	--/SSC	Mixed deciduous and coniferous woodlands and coastal grasslands in San Mateo, Santa Cruz, and Santa Clara Counties. Adults found under rocks, talus, and damp woody debris.	Unlikely. Suitable habitat not found at the project site.
Santa Cruz long-toed salamander (<i>Ambystoma macrodactylum croceum</i>)	FE/SE	Wet meadows near sea level in a few restricted locales in Santa Cruz and Monterey Counties. Aquatic larvae prefer shallow (<12 inches) water; use clumps of vegetation or debris for cover. Adults use mammal burrows.	Unlikely. Suitable habitat not found at the project site.
Steelhead (<i>Oncorhynchus mykiss irideus</i>)	FT/--	Coastal stream with clean spawning gravel. Requires cool water and pools. Needs migratory access between natal stream and ocean.	Unlikely. Suitable habitat not found at the project site.
Swainson's hawk (<i>Buteo swainsoni</i>)	--/ST	Breeds in grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs, and agricultural or ranch lands with groves or lines of trees. Requires adjacent suitable foraging areas, such as grasslands or agricultural fields supporting rodent populations.	Unlikely. Suitable habitat not found at the project site.
Townsend's big-eared bat (<i>Corynorhinus townsendii</i>)	--/SSC	Inhabits a wide variety of habitats. Most common in mesic sites. Roosts in the open, hanging from walls and ceilings. Roosting sites limiting. Extremely sensitive to human disturbance.	Possible. Suitable habitat found at the project site.
Tricolored blackbird (<i>Agelaius tricolor</i>)	--/SSC	Areas adjacent to open water with protected nesting substrate, which typically consists of dense, emergent freshwater marsh vegetation.	Possible. Species known to occur within 3 miles of project site.

Appendix A

Species	Status (Federal/State)	Suitable Habitat Description	Potential to Occur on Project Site
Vernal pool fairy shrimp (<i>Branchinecta lynchi</i>)	FT/--	Endemic to the grasslands of the Central Valley, Central Coast Mtns., and South Coast Mtns. in astatic rain-filled pools. Inhabits small, clear-water sandstone depression pools and grass swale, earth slump, or basalt-flow depression pools.	Unlikely. Suitable habitat not found at the project site.
Western bumble bee (<i>Bombus occidentalis</i>)	--/SCE	Historically known to occur throughout the mountains and northern coast of California. Prefers meadows and grasslands with abundant floral resources, including those from Fabaceae, Asteraceae, Rhamnaceae and Rosaceae families.	Unlikely. Suitable habitat not found at the project site.
Western mastiff bat (<i>Eumops perotis californicus</i>)	--/SSC	Many open, semi-arid habitats, including conifer and deciduous woodlands, coastal scrub, grasslands, chaparral, etc. Roosts in crevices in cliff faces, high buildings, trees and tunnels.	Possible. Species known to occur within 3 miles of project site.
Western pond turtle (<i>Emys marmorata</i>)	--/SSC	Ponds, marshes, rivers, streams, and irrigation ditches with aquatic vegetation. Needs basking sites (such as rocks or partially submerged logs) and suitable upland habitat for egg-laying (sandy banks or grassy open fields).	Possible. Species known to occur within 3 miles of project site.
Western red bat (<i>Lasiurus blossevillii</i>)	--/SSC	Roosts primarily in trees, 2-40 feet above the ground, from sea level up through mixed conifer forests. Prefers habitat edges and mosaics with trees that are protected from above and open below with open areas for foraging.	Possible. Species known to occur within 3 miles of project site.
Western spadefoot (<i>Spea hammondi</i>)	--/SSC	Occurs primarily in grassland habitats, but can be found in valley-foothill hardwood woodlands, breeds in winter and spring (January - May) in quiet streams and temporary pools.	Possible. Suitable habitat found at the project site.
Western yellow-billed cuckoo (<i>Coccyzus americanus</i>)	FT/SE	Riparian forest nester, along the broad, lower flood-bottoms of larger river systems. Nests in riparian jungles of willow, often mixed with cottonwoods, with lower story of blackberry, nettles, or wild grape.	Unlikely. Suitable habitat not found at the project site.
White-tailed kite (<i>Elanus leucurus</i>)	--/SFP	Rolling foothills and valley margins with scattered oaks, and river bottomlands or marshes next to deciduous woodlands. Open grasslands, meadows, or marshes for foraging close to isolated, dense-topped trees for nesting and perching.	Possible. Suitable habitat found at the project site.
Yellow rail (<i>Corturnicops noveboracensis</i>)	--/SSC	Summer resident in eastern Sierra Nevada Mountains, prefers freshwater marshlands.	Unlikely. Suitable habitat not found at the project site.
Yellow-breasted chat (<i>Icteria virens</i>)	--/SSC	Summer resident. Inhabits riparian thickets of willow and other brushy tangles near watercourses. Nests in low, dense riparian vegetation consisting of willow, blackberry, and wild grape. Forages and nests within 10 feet off the ground.	Unlikely. Suitable habitat not found at the project site.

SOURCE: CDFW 2021

NOTE: Status Codes:

Federal (USFWS)

FE: Listed as Endangered under the Federal Endangered Species Act.

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WL: Watch List. Taxa that were previously designated as "Species of Special Concern" but no longer merit that status, or which do not yet meet SSC criteria, but for which there is concern and a need for additional information to clarify status.

APPENDIX C

ROAD CONSTRUCTION EMISSIONS MODEL (ROADMOD) RESULTS

The maximum pounds per day in row 11 is summed over overlapping phases, but the maximum tons per phase in row 34 is not summed over overlapping phases.

Road Construction Emissions Model, Version 9.0.0

Daily Emission Estimates for -> SJB to Hollister Sewer Line																																																								
Project Phases (Pounds)	ROG (lbs/day)	CO (lbs/day)	NOx (lbs/day)	PM10 (lbs/day)	Exhaust PM10 (lbs/day)	Fugitive Dust PM10 (lbs/day)	PM2.5 (lbs/day)	Exhaust PM2.5 (lbs/day)	Fugitive Dust PM2.5 (lbs/day)	SOx (lbs/day)	CO2 (lbs/day)	CH4 (lbs/day)	N2O (lbs/day)	CO2e (lbs/day)																																										
Grubbing/Land Clearing	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00																																										
Grading/Excavation	1.27	14.95	9.69	1.14	0.74	0.40	0.66	0.57	0.08	0.03	3,044.46	0.50	0.08	3,079.54																																										
Drainage/Utilities/Sub-Grade	2.04	23.50	15.99	1.03	1.03	0.00	0.88	0.88	0.00	0.04	4,321.63	0.51	0.06	4,353.03																																										
Paving	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00																																										
Maximum (pounds/day)	3.31	38.44	25.68	2.17	1.77	0.40	1.53	1.45	0.08	0.08	7,366.09	1.01	0.14	7,432.57																																										
Total (tons/construction project)	0.18	2.11	1.41	0.12	0.10	0.02	0.08	0.08	0.00	0.00	405.14	0.06	0.01	408.79																																										
Notes: Project Start Year -> 2022																																																								
Project Length (months) -> 10																																																								
Total Project Area (acres) -> 4																																																								
Maximum Area Disturbed/Day (acres) -> 0																																																								
Water Truck Used? -> No																																																								
<table><tr><td></td><td colspan="2">Total Material Imported/Exported Volume (yd³/day)</td><td colspan="4">Daily VMT (miles/day)</td></tr><tr><td>Phase</td><td>Soil</td><td>Asphalt</td><td>Soil Hauling</td><td>Asphalt Hauling</td><td>Worker Commute</td><td>Water Truck</td></tr><tr><td>Grubbing/Land Clearing</td><td>0</td><td>0</td><td>0</td><td>0</td><td>0</td><td>0</td></tr><tr><td>Grading/Excavation</td><td>5</td><td>0</td><td>40</td><td>0</td><td>2,000</td><td>0</td></tr><tr><td>Drainage/Utilities/Sub-Grade</td><td>0</td><td>0</td><td>0</td><td>0</td><td>2,000</td><td>0</td></tr><tr><td>Paving</td><td>0</td><td>0</td><td>0</td><td>0</td><td>0</td><td>0</td></tr></table>																Total Material Imported/Exported Volume (yd ³ /day)		Daily VMT (miles/day)				Phase	Soil	Asphalt	Soil Hauling	Asphalt Hauling	Worker Commute	Water Truck	Grubbing/Land Clearing	0	0	0	0	0	0	Grading/Excavation	5	0	40	0	2,000	0	Drainage/Utilities/Sub-Grade	0	0	0	0	2,000	0	Paving	0	0	0	0	0	0
	Total Material Imported/Exported Volume (yd ³ /day)		Daily VMT (miles/day)																																																					
Phase	Soil	Asphalt	Soil Hauling	Asphalt Hauling	Worker Commute	Water Truck																																																		
Grubbing/Land Clearing	0	0	0	0	0	0																																																		
Grading/Excavation	5	0	40	0	2,000	0																																																		
Drainage/Utilities/Sub-Grade	0	0	0	0	2,000	0																																																		
Paving	0	0	0	0	0	0																																																		
PM10 and PM2.5 estimates assume 50% control of fugitive dust from watering and associated dust control measures if a minimum number of water trucks are specified.																																																								
Total PM10 emissions shown in column F are the sum of exhaust and fugitive dust emissions shown in columns G and H. Total PM2.5 emissions shown in Column I are the sum of exhaust and fugitive dust emissions shown in columns J and K.																																																								
CO2e emissions are estimated by multiplying mass emissions for each GHG by its global warming potential (GWP), 1 , 25 and 298 for CO2, CH4 and N2O, respectively. Total CO2e is then estimated by summing CO2e estimates over all GHGs.																																																								
Total Emission Estimates by Phase for -> SJB to Hollister Sewer Line																																																								
Project Phases (Tons for all except CO2e. Metric tonnes for CO2e)	ROG (tons/phase)	CO (tons/phase)	NOx (tons/phase)	PM10 (tons/phase)	PM10 (tons/phase)	PM10 (tons/phase)	PM2.5 (tons/phase)	PM2.5 (tons/phase)	PM2.5 (tons/phase)	SOx (tons/phase)	CO2 (tons/phase)	CH4 (tons/phase)	N2O (tons/phase)	CO2e (MT/phase)																																										
Grubbing/Land Clearing	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00																																										
Grading/Excavation	0.07	0.82	0.53	0.06	0.04	0.02	0.04	0.03	0.00	0.00	167.45	0.03	0.00	153.66																																										
Drainage/Utilities/Sub-Grade	0.11	1.29	0.88	0.06	0.06	0.00	0.05	0.05	0.00	0.00	237.69	0.03	0.00	217.20																																										
Paving	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00																																										
Maximum (tons/phase)	0.11	1.29	0.88	0.06	0.06	0.02	0.05	0.05	0.00	0.00	237.69	0.03	0.00	217.20																																										
Total (tons/construction project)	0.18	2.11	1.41	0.12	0.10	0.02	0.08	0.08	0.00	0.00	405.14	0.06	0.01	370.85																																										
PM10 and PM2.5 estimates assume 50% control of fugitive dust from watering and associated dust control measures if a minimum number of water trucks are specified.																																																								
Total PM10 emissions shown in column F are the sum of exhaust and fugitive dust emissions shown in columns G and H. Total PM2.5 emissions shown in Column I are the sum of exhaust and fugitive dust emissions shown in columns J and K.																																																								
CO2e emissions are estimated by multiplying mass emissions for each GHG by its global warming potential (GWP), 1 , 25 and 298 for CO2, CH4 and N2O, respectively. Total CO2e is then estimated by summing CO2e estimates over all GHGs.																																																								
The CO2e emissions are reported as metric tons per phase.																																																								

Road Construction Emissions Model Data Entry Worksheet

Version 9.0.0

Note: Required data input sections have a yellow background
Optional data input sections have a blue background. Only areas with
yellow or blue background can be modified. Program defaults have a white background
The user is required to enter information in cells D10 through D24, E28 through G35, and D38 through D41 for all project type
Please use "Clear Data Input & User Overrides" button first before changing the Project Type or begin a new project

To begin a new project, click this button to
clear data previously entered. This button
will only work if you opted not to disable
macros when loading this spreadsheet.



Input Type

Project Name

SJB to Hollister Sewer Line

Construction Start Year

2022

Enter a Year between 2014 and 2040
(inclusive)

Project Type

4

For 4: Other Linear Project Type, please provide project specific off-
road equipment population and vehicle trip data

- 1) New Road Construction : Project to build a roadway from bare ground, which generally requires more site preparation than widening an existing roadway
- 2) Road Widening : Project to add a new lane to an existing roadway
- 3) Bridge/Overpass Construction : Project to build an elevated roadway, which generally requires some different equipment than a new roadway, such as a crane
- 4) Other Linear Project Type: Non-roadway project such as a pipeline, transmission line, or levee construct

Project Construction Time

10.00

Working Days per Month

22.00

months
days (assume 22 if unknown)

Predominant Soil/Site Type: Enter 1, 2, or 3

2

(for project within "Sacramento County", follow soil type selection
instructions in cells E18 to E20 otherwise see instructions provided in
cells J18 to J22)

- 1) Sand Gravel : Use for quaternary deposits (Delta/West County)
- 2) Weathered Rock-Earth : Use for Laguna formation (Jackson Highway area) or the lone formation (Scott Road, Rancho Murieta)
- 3) Blasted Rock : Use for Salt Springs Slate or Copper Hill Volcanics (Folsom South of Highway 50, Rancho Murieta)

Project Length

7.40

Total Project Area

3.60

Maximum Area Disturbed/Day

0.02

Water Trucks Used?

2

1. Yes
2. No

Please note that the soil type instructions provided in cells E18 to E20
are specific to Sacramento County. Maps available from the California
Geologic Survey (see weblink below) can be used to determine soil
type outside Sacramento County.

http://www.conservation.ca.gov/cgs/information/geologic_mapping/Pages/googlemaps.aspx#regionalseries

Material Hauling Quantity Input

Material Type	Phase	Haul Truck Capacity (ydf) (assume 20 if unknown)	Import Volume (ydf/day)	Export Volume (ydf/day)
Soil	Grubbing/Land Clearing			
	Grading/Excavator	9.00		5.00
	Drainage/Utilities/Sub-Grade			
	Paving			
Asphalt	Grubbing/Land Clearing			
	Grading/Excavator			
	Drainage/Utilities/Sub-Grade			
	Paving			

Mitigation Options

On-road Fleet Emissions Mitigation

2010 and Newer On-road Vehicles Fleet

Off-road Equipment Emissions Mitigation

No Mitigation

Select "2010 and Newer On-road Vehicles Fleet" option when the on-road heavy-duty truck fleet for the project will be limited to vehicles of model year 2010 or newer
Select "20% NOx and 45% Exhaust PM reduction" option if the project will be required to use a lower emitting off-road construction fleet. The SMAQMD Construction Mitigation Calculator can be used to confirm compliance with this mitigation measure (<http://www.airquality.org/Businesses/CEQA-Land-Use-Planning/Mitigation>).
Select "Tier 4 Equipment" option if some or all off-road equipment used for the project meets CARB Tier 4 Standard

The remaining sections of this sheet contain areas that require modification when "Other Project Type" is selected

Note: The program's estimates of construction period phase length can be overridden in cells D50 through D53, and F50 through F:

Construction Periods	User Override of Construction Months	Program Calculated Months	User Override of Phase Starting Date	Program Default Phase Starting Date
Grubbing/Land Clearing	0.00	1.00		1/1/2022
Grading/Excavator	5.00	4.50	1/2/2022	1/1/2022
Drainage/Utilities/Sub-Grade	5.00	3.00		6/3/2022
Paving	0.00	1.50		11/3/2022
Totals (Months)		10		

Note: You have entered a non-default starting date. Please provide starting date for all phases, or default values for other phases will be used.

Note: Soil Hauling emission default values can be overridden in cells D61 through D64, and F61 through F:

Soil Hauling Emissions		User Override of Miles/Round Trip	Program Estimate of Miles/Round Trip	User Override of Truck Round Trips/Day	Default Values Round Trips/Day	Calculated Daily VMT				
User Input										
Miles/round trip: Grubbing/Land Clearing		0.00			0		0.00			
Miles/round trip: Grading/Excavation		40.00			1		40.00			
Miles/round trip: Drainage/Utilities/Sub-Grade		0.00			0		0.00			
Miles/round trip: Paving		0.00			0		0.00			

2010+ Model Year Mitigation Option Emission Rate:	ROG	CO	NOx	PM10	PM2.5	SOx	CO2	CH4	N2O	CO2e
Grubbing/Land Clearing (grams/mile)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Grading/Excavation (grams/mile)	0.04	0.42	3.08	0.11	0.05	0.02	1,748.57	0.00	0.27	1,830.52
Drainage/Utilities/Sub-Grade (grams/mile)	0.04	0.42	3.08	0.11	0.05	0.02	1,748.57	0.00	0.27	1,830.52
Paving (grams/mile)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Grubbing/Land Clearing (grams/trip)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Grading/Excavation (grams/trip)	0.00	0.00	3.99	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Drainage/Utilities/Sub-Grade (grams/trip)	0.00	0.00	3.99	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving (grams/trip)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Hauling Emissions	ROG	CO	NOx	PM10	PM2.5	SOx	CO2	CH4	N2O	CO2e
Pounds per day - Grubbing/Land Clearing	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Tons per const. Period - Grubbing/Land Clearing	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pounds per day - Grading/Excavation	0.00	0.04	0.28	0.01	0.00	0.00	154.20	0.00	0.02	161.42
Tons per const. Period - Grading/Excavation	0.00	0.00	0.02	0.00	0.00	0.00	8.48	0.00	0.00	8.88
Pounds per day - Drainage/Utilities/Sub-Grade	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Tons per const. Period - Drainage/Utilities/Sub-Grade	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pounds per day - Paving	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Tons per const. Period - Paving	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total tons per construction project	0.00	0.00	0.02	0.00	0.00	0.00	8.48	0.00	0.00	8.88

Note: Asphalt Hauling emission default values can be overridden in cells D91 through D94, and F91 through F94.

Asphalt Hauling Emissions										
User Input	User Override of Miles/Round Trip	Program Estimate of Miles/Round Trip	User Override of Truck Round Trips/Day	Default Values Round Trips/Day	Calculated Daily VMT					
Miles/round trip: Grubbing/Land Clearing	0.00		0	0	0.00					
Miles/round trip: Grading/Excavation	0.00		0	0	0.00					
Miles/round trip: Drainage/Utilities/Sub-Grade	0.00		0	0	0.00					
Miles/round trip: Paving	0.00		0	0	0.00					
2010+ Model Year Mitigation Option Emission Rate:	ROG	CO	NOx	PM10	PM2.5	SOx	CO2	CH4	N2O	CO2e
Grubbing/Land Clearing (grams/mile)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Grading/Excavation (grams/mile)	0.04	0.42	3.08	0.11	0.05	0.02	1,748.57	0.00	0.27	1,830.52
Drainage/Utilities/Sub-Grade (grams/mile)	0.04	0.42	3.08	0.11	0.05	0.02	1,748.57	0.00	0.27	1,830.52
Paving (grams/mile)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Grubbing/Land Clearing (grams/trip)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Grading/Excavation (grams/trip)	0.00	0.00	3.99	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Drainage/Utilities/Sub-Grade (grams/trip)	0.00	0.00	3.99	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving (grams/trip)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Emissions	ROG	CO	NOx	PM10	PM2.5	SOx	CO2	CH4	N2O	CO2e
Pounds per day - Grubbing/Land Clearing	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Tons per const. Period - Grubbing/Land Clearing	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pounds per day - Grading/Excavation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Tons per const. Period - Grading/Excavation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pounds per day - Drainage/Utilities/Sub-Grade	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Tons per const. Period - Drainage/Utilities/Sub-Grade	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pounds per day - Paving	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Tons per const. Period - Paving	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total tons per construction project	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Note: Worker commute default values can be overridden in cells D121 through D12

Worker Commute Emissions										
User Input	User Override of Worker Commute Default Values	Default Values		Calculated Daily Trips	Calculated Daily VMT					
Miles/ one-way trip	20									
One-way trips/day	20									
No. of employees: Grubbing/Land Clearin	0			0						
No. of employees: Grading/Excavatio	5			100			2,000.00			
No. of employees: Drainage/Utilities/Sub-Grad	5			100			2,000.00			
No. of employees: Paving	0			0			0.00			
Emission Rates	ROG	CO	NOx	PM10	PM2.5	SOx	CO2	CH4	N2O	CO2e
Grubbing/Land Clearing (grams/mile)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Grading/Excavation (grams/mile)	0.02	1.00	0.08	0.05	0.02	0.00	328.72	0.00	0.01	330.96
Draining/Utilities/Sub-Grade (grams/mile)	0.02	1.00	0.08	0.05	0.02	0.00	328.72	0.00	0.01	330.96
Paving (grams/mile)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Grubbing/Land Clearing (grams/trip)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Grading/Excavation (grams/trip)	1.11	2.85	0.32	0.00	0.00	0.00	70.54	0.08	0.03	82.43
Draining/Utilities/Sub-Grade (grams/trip)	1.11	2.85	0.32	0.00	0.00	0.00	70.54	0.08	0.03	82.43
Paving (grams/trip)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Emissions	ROG	CO	NOx	PM10	PM2.5	SOx	CO2	CH4	N2O	CO2e
Pounds per day - Grubbing/Land Clearin	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Tons per const. Period - Grubbing/Land Clearin	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pounds per day - Grading/Excavatio	0.32	5.04	0.44	0.20	0.09	0.01	1,464.96	0.04	0.04	1,477.45
Tons per const. Period - Grading/Excavatio	0.02	0.28	0.02	0.01	0.00	0.00	80.57	0.00	0.00	81.26
Pounds per day - Drainage/Utilities/Sub-Grad	0.32	5.04	0.44	0.20	0.09	0.01	1,464.96	0.04	0.04	1,477.45
Tons per const. Period - Drainage/Utilities/Sub-Grad	0.02	0.28	0.02	0.01	0.00	0.00	80.57	0.00	0.00	81.26
Pounds per day - Paving	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Tons per const. Period - Paving	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total tons per construction projec	0.04	0.55	0.05	0.02	0.01	0.00	161.15	0.00	0.00	162.52

Note: Water Truck default values can be overridden in cells D153 through D156, I153 through I156, and F153 through F156.

Water Truck Emissions										
User Input	User Override of Default # Water Trucks	Program Estimate of Number of Water Trucks	User Override of Truck Round Trips/Vehicle/Day	Default Values Round Trips/Vehicle/Day	Calculated Trips/day	User Override of Miles/Round Trip	Default Values Miles/Round Trip	Calculated Daily VMT		
Grubbing/Land Clearing - Exhaust	0		0.00			0.00		0.00		
Grading/Excavation - Exhaust	0		0.00			0.00		0.00		
Drainage/Utilities/Subgrade	0		0.00			0.00		0.00		
Paving	0		0.00			0.00		0.00		
2010+ Model Year Mitigation Option Emission Rate	ROG	CO	NOx	PM10	PM2.5	SOx	CO2	CH4	N2O	CO2e
Grubbing/Land Clearing (grams/mile)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Grading/Excavation (grams/mile)	0.04	0.42	3.08	0.11	0.05	0.02	1,748.57	0.00	0.27	1,830.52
Draining/Utilities/Sub-Grade (grams/mile)	0.04	0.42	3.08	0.11	0.05	0.02	1,748.57	0.00	0.27	1,830.52
Paving (grams/mile)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Grubbing/Land Clearing (grams/trip)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Grading/Excavation (grams/trip)	0.00	0.00	3.99	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Draining/Utilities/Sub-Grade (grams/trip)	0.00	0.00	3.99	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Paving (grams/trip)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Emissions	ROG	CO	NOx	PM10	PM2.5	SOx	CO2	CH4	N2O	CO2e
Pounds per day - Grubbing/Land Clearin	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Tons per const. Period - Grubbing/Land Clearin	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pounds per day - Grading/Excavatio	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Tons per const. Period - Grading/Excavatio	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pounds per day - Drainage/Utilities/Sub-Grad	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Tons per const. Period - Drainage/Utilities/Sub-Grad	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pounds per day - Paving	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Tons per const. Period - Paving	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total tons per construction projec	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Note: Fugitive dust default values can be overridden in cells D183 through D185.

Fugitive Dust	User Override of Max Acreage Disturbed/Day	Default Maximum Acreage/Day	PM10 pounds/day	PM10 tons/per period	PM2.5 pounds/day	PM2.5 tons/per period
Fugitive Dust - Grubbing/Land Clearin	0.00		0.00	0.00	0.00	0.00
Fugitive Dust - Grading/Excavatio	0.02		0.40	0.02	0.08	0.00
Fugitive Dust - Drainage/Utilities/Subgrad	0.00		0.00	0.00	0.00	0.00

Values in cells D195 through D228, D246 through D279, D297 through D330, and D348 through D381 are required when 'Other Project Type' is select

Off-Road Equipment Emissions												
Grubbing/Land Clearing	Default Number of Vehicles	Mitigation Option Override of	Default	ROG	CO	NOx	PM10	PM2.5	SOx	CO2	CH4	
Override of Default Number of Vehicles	Program-estimate	Default Equipment Tier (applicable only when "Tier 4 Mitigation" Option Selected)	Equipment Tier	Type	pounds/day	pounds/day	pounds/day	pounds/day	pounds/day	pounds/day	pounds/day	
0.00			Model Default Tie	Aerial Lifts	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Air Compressors	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Bore/Drill Rigs	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Cement and Mortar Mixers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Concrete/Industrial Saws	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Cranes	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Crawler Tractors	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Crushing/Proc. Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Excavators	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Forklifts	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Generator Sets	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Graders	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Off-Highway Tractors	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Off-Highway Trucks	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Other Construction Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Other General Industrial Equipn	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Other Material Handling Equipn	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Pavers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Paving Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Plate Compactors	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Pressure Washers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Pumps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Rollers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Rough Terrain Forklifts	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Rubber Tired Dozers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Rubber Tired Loaders	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Scrapers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Signal Boards	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Skid Steer Loaders	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Surfacing Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Sweepers/Scrubbers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Tractors/Loaders/Backhoes	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Trenchers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
0.00			Model Default Tie	Welders	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
User-Defined Off-road Equipment				If non-default vehicles are used, please provide information in 'Non-default Off-road Equipment' t								
	Number of Vehicles		Equipment Tier	Type	ROG pounds/day	CO pounds/day	NOx pounds/day	PM10 pounds/day	PM2.5 pounds/day	SOx pounds/day	CO2 pounds/day	CH4 pounds/day
0.00			N/A		0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			N/A		0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			N/A		0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			N/A		0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			N/A		0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			N/A		0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			N/A		0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Grubbing/Land Clearing			pounds per day	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Grubbing/Land Clearing			tons per phase	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Grading/Excavation	Default		Mitigation Option		ROG	CO	NOx	PM10	PM2.5	SOx	CO2	CH4	
	Number of Vehicles		Override of										
	Default	Program-estimate	Default Equipment Tier (applicable only when "Tier 4 Mitigation" Option Selected)	Equipment Tier									
Override of Default Number of Vehicles		Program-estimate	Default Equipment Tier (applicable only when "Tier 4 Mitigation" Option Selected)	Equipment Tier	Type	pounds/day	pounds/day	pounds/day	pounds/day	pounds/day	pounds/day	pounds/day	
	0.00			Model Default Tie	Aerial Lifts	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Air Compressors	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Bore/Drill Rigs	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Cement and Mortar Mixers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Concrete/Industrial Saws	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Cranes	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Crawler Tractors	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Crushing/Proc. Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	1.00			Model Default Tie	Excavators	0.20	3.26	1.78	0.09	0.08	0.01	500.02	
	0.00			Model Default Tie	Forklifts	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Generator Sets	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Graders	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Off-Highway Tractors	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Off-Highway Trucks	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	1.00			Model Default Tie	Other Construction Equipment	0.38	4.02	3.82	0.20	0.18	0.01	598.33	
	0.00			Model Default Tie	Other General Industrial Equipm	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Other Material Handling Equipm	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Pavers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Paving Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Plate Compactors	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Pressure Washers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Pumps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Rollers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Rough Terrain Forklifts	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Rubber Tired Dozers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Rubber Tired Loaders	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Scrapers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Signal Boards	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Skid Steer Loaders	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Surfacing Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Sweepers/Scrubbers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			Model Default Tie	Tractors/Loaders/Backhoes	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	1.00			Model Default Tie	Trenchers	0.36	2.60	3.38	0.24	0.22	0.00	326.95	
	0.00			Model Default Tie	Welders	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
User-Defined Off-road Equipment:						ROG	CO	NOx	PM10	PM2.5	SOx	CO2	CH4
Number of Vehicles						pounds/day	pounds/day	pounds/day	pounds/day	pounds/day	pounds/day	pounds/day	pounds/day
	0.00			N/A	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			N/A	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			N/A	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			N/A	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			N/A	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			N/A	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	0.00			N/A	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
		Grading/Excavator			pounds per day	0.94	9.87	8.97	0.52	0.48	0.01	1,425.30	
		Grading/Excavator			tons per phase	0.05	0.54	0.49	0.03	0.03	0.00	78.39	

Drainage/Utilities/Subgrade	Default		Mitigation Option		ROG	CO	NOx	PM10	PM2.5	SOx	CO2	CH4
	Number of Vehicles	Override of	Default									
			Default Equipment Tier (applicable only when "Tier 4 Mitigation" Option Selected)									
Override of Default Number of Vehicles		Program-estimate	Equipment Tier		pounds/day	pounds/day	pounds/day	pounds/day	pounds/day	pounds/day	pounds/day	pounds/day
0.00			Model Default Tie	Aerial Lifts	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1.00			Model Default Tie	Air Compressors	0.27	2.42	1.88	0.11	0.11	0.00	375.26	0.02
0.00			Model Default Tie	Bore/Drill Rigs	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			Model Default Tie	Cement and Mortar Mixers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			Model Default Tie	Concrete/Industrial Saws	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			Model Default Tie	Cranes	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			Model Default Tie	Crawler Tractors	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			Model Default Tie	Crushing/Proc. Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			Model Default Tie	Excavators	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1.00			Model Default Tie	Forklifts	0.11	1.15	1.05	0.07	0.06	0.00	148.03	0.05
1.00			Model Default Tie	Generator Sets	0.33	3.68	2.93	0.15	0.15	0.01	623.04	0.03
0.00			Model Default Tie	Graders	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			Model Default Tie	Off-Highway Tractors	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			Model Default Tie	Off-Highway Trucks	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1.00			Model Default Tie	Other Construction Equipment	0.38	4.02	3.82	0.20	0.18	0.01	598.33	0.19
0.00			Model Default Tie	Other General Industrial Equipn	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			Model Default Tie	Other Material Handling Equipn	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			Model Default Tie	Pavers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			Model Default Tie	Paving Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1.00			Model Default Tie	Plate Compactors	0.04	0.21	0.25	0.01	0.01	0.00	34.48	0.00
0.00			Model Default Tie	Pressure Washers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1.00			Model Default Tie	Pumps	0.35	3.73	2.97	0.16	0.16	0.01	623.04	0.03
1.00			Model Default Tie	Rollers	0.17	1.86	1.73	0.10	0.09	0.00	254.10	0.08
0.00			Model Default Tie	Rough Terrain Forklifts	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			Model Default Tie	Rubber Tired Dozers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			Model Default Tie	Rubber Tired Loaders	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			Model Default Tie	Scrapers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			Model Default Tie	Signal Boards	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1.00			Model Default Tie	Skid Steer Loaders	0.07	1.39	0.93	0.03	0.03	0.00	200.39	0.06
0.00			Model Default Tie	Surfacing Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			Model Default Tie	Sweepers/Scrubbers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			Model Default Tie	Tractors/Loaders/Backhoes	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			Model Default Tie	Trenchers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			Model Default Tie	Welders	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
User-Defined Off-road Equipment					ROG	CO	NOx	PM10	PM2.5	SOx	CO2	CH4
Number of Vehicles					pounds/day	pounds/day	pounds/day	pounds/day	pounds/day	pounds/day	pounds/day	pounds/day
0.00			N/A	Type	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			N/A		0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			N/A		0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			N/A		0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			N/A		0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			N/A		0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00			N/A		0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Drainage/Utilities/Sub-Grade					pounds per day	1.72	18.46	15.55	0.82	0.79	0.03	2,856.67
Drainage/Utilities/Sub-Grade					tons per phase	0.09	1.02	0.86	0.05	0.04	0.00	157.12

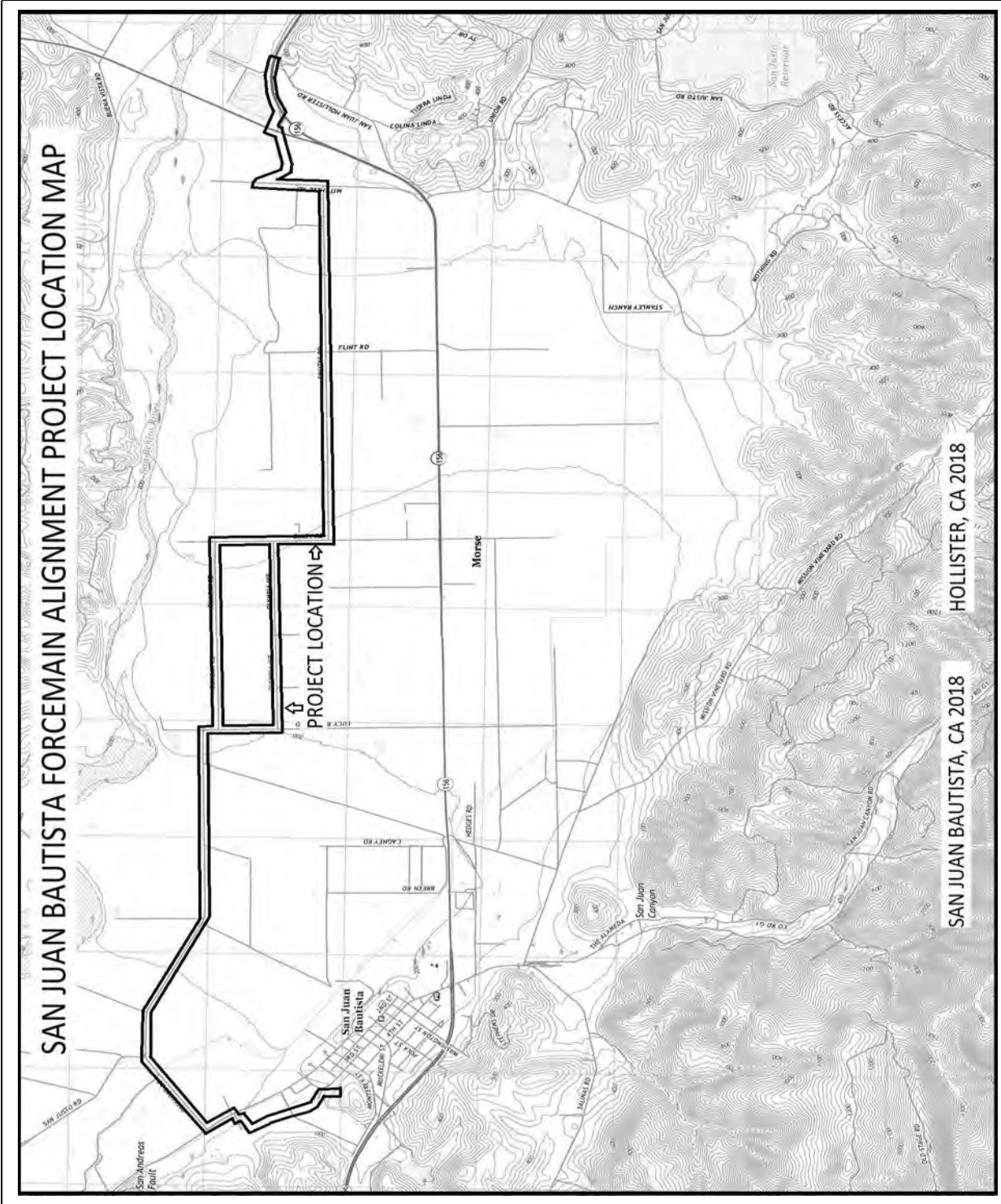
Equipment default values for horsepower and hours/day can be overridden in cells D403 through D436 and F403 through F436

Data Entry Worksheet

Rubber Tired Loaders	203	203	8.00	8
Scrapers	367	367	8.00	8
Signal Boards	6	6	8.00	8
Skid Steer Loaders	65	65	8.00	8
Surfacing Equipment	263	263	8.00	8
Sweepers/Scrubbers	64	64	8.00	8
Tractors/Loaders/Backhoes	97	97	8.00	8
Trenchers	78	78	8.00	8
Welders	46	46	8.00	8

APPENDIX D

USGS MAP





Planning for Success.

December 7, 2021

Brian Foucht, AICP
Asst. City Manager / CD Director
311 Second St. – PO Box 1420
San Juan Bautista, CA 95045

Re: San Juan Bautista to Hollister Sanitary Sewer Force Main CEQA-Plus Initial
Study/Mitigated Negative Declaration
Response to Public Comments

Dear Brian:

EMC Planning Group staff have reviewed the two public comment letters that were received during the 30-day public review period (November 5, 2021 to December 6, 2021) for the above referenced CEQA-Plus Initial Study/Mitigated Negative Declaration (MND). The City Council is required to consider all comments prior to adopting the MND and approving the project.

Our responses to these comments are intended to help the City Council in their decision-making about the proposed project. The following public comments were received, and are attached to this letter:

1. State Water Resources Control Board, dated November 23, 2021; and
2. California Department of Transportation District 5, dated December 1, 2021.

State Water Resources Control Board (November 23, 2021)

The State Water Resources Control Board submitted a comment letter on November 23, 2021, which is attached to this response letter. The comments and responses to these comments are provided below.

EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM

301 Lighthouse Avenue Suite C Monterey California 93940 Tel 831-649-1799 Fax 831-649-8399
www.emcplanning.com

Comment #1. Federal Funding Sources- On Page 5 of the IS/MND, the document states that the U.S. Department of Agriculture (USDA) may provide funding. If so, please include the City's USDA contact for this Project within the Environmental Package.

Response. City staff should include the City's USDA contact for this Project in the Environmental Package submitted to the State Water Resources Control Board.

Comment #2. Alternatives Analysis- A 1.3 miles alternative for the force main route was identified in the Alternatives Analysis, the Biological Resources section, and the Protection of Wetlands section. If there is a considerable chance that this alternative may be chosen for construction, I recommend that the City clarify within the IS/MND, if true, that all environmental impacts for the alternative were analyzed and adequately covered within the CEQA document.

Response. Section 4, Biological Resources, of the CEQA-Plus Initial Study addresses the biological resources impacts of the proposed project (proposed route), as well as the 1.3-mile alternative route, as presented on page 30, and throughout the biological resources section. Although City staff is not proposing construction of the alternative route, both the proposed route and the alternative route were analyzed and adequately covered within the CEQA document.

Comment #3. Farmland Protection Policy Act- Within the Farmland Protection Act Section and the Agriculture and Forestry Resources Section, I believe it is important to acknowledge that Prime Farmland and Farmland of Statewide Importance exists adjacent to the Project area, especially if the Project will be using some of the farmland as a staging area, even if the farmland will not be converted to non-agricultural use for this Project.

Response. Text has been added to Section 2, Agricultural and Forest Resources, and to Section E, Compliance with Federal Laws and Regulations, Farmland Protection Policy Act, to identify the farmland categories adjacent to the proposed and alternative routes.

California Department of Transportation, District 5 (December 1, 2021)

The California Department of Transportation, District 5, submitted a comment letter on December 1, 2021, which is attached to this response letter. No environmental issues were raised, and therefore, no response from EMC Planning Group is required.

No other comments were received during the public review period. Please let me know if you have any questions regarding this letter.

Sincerely,



Teri Wissler Adam
Senior Principal

enc: Comment Letters

State Water Resources Control Board

Brian Foucht
City of San Juan Bautista
331 Second Street P.O. Box 1420
San Juan Bautista, CA 95045

Dear Mr. Foucht:

IS/MND FOR CITY OF SAN JUAN BAUTISTA; SAN JUAN BAUTISTA TO HOLLISTER
SANITARY SEWER FORCE MAIN; SAN BENITO COUNTY; STATE
CLEARINGHOUSE NO. 2021110032

We understand that the City is pursuing Clean Water State Revolving Fund (CWSRF) financing for this Project. As a funding agency and a state agency with jurisdiction by law to preserve, enhance, and restore the quality of California's water resources, the State Water Resources Control Board (State Water Board) is providing the following information on the IS/MND to be prepared for the Project.

The State Water Board, Division of Financial Assistance, is responsible for administering the CWSRF Program (Program). The primary purpose for the Program is to implement the Clean Water Act and various state laws by providing financial assistance for wastewater treatment facilities necessary to prevent water pollution, recycle water, correct nonpoint source and storm drainage pollution problems, provide for estuary enhancement, and thereby protect and promote the health, safety and welfare of the inhabitants of the state.

The Program is partially funded by the United States Environmental Protection Agency (USEPA) and requires additional "California Environmental Quality Act (CEQA)-Plus" environmental documentation and review. Two enclosures are included that illustrate the Program environmental review process including the additional CEQA-Plus federal requirements. For the complete environmental application package and instructions please visit:

http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/srf_forms.shtml

The State Water Board is required to consult directly with agencies responsible for implementing federal environmental laws and regulations. Any environmental issues raised by federal agencies or their representatives will need to be resolved prior to the State Water Board's approval of a CWSRF financing commitment for your proposed Project. For further information on the Program, please contact Mr. Brian Cary, at (916) 449-5624.

It is important to note that prior to a CWSRF financing commitment, projects subject to provisions of the Federal Endangered Species Act (ESA), must obtain ESA, Section 7 clearance from the United States Department of the Interior, Fish and Wildlife Service (USFWS), and/or the United States Department of Commerce National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS) specific to any potential effects to special-status species.

Please be advised that the State Water Board will coordinate with the USEPA to consult with the USFWS, and/or the NMFS regarding all federal special-status species that the Project has the potential to affect if the Project is to be financed by the Program. The City will need to identify whether the Project will involve any direct effects from construction activities, or indirect effects such as growth inducement, that may affect federally listed threatened, endangered, or candidate species that are known, or have a potential to occur in the Project site, in the surrounding areas, or in the service area, and to identify applicable conservation measures to reduce such effects.

In addition, CWSRF projects must comply with federal laws pertaining to cultural resources, specifically Section 106 of the National Historic Preservation Act (Section 106). The State Water Board is responsible for ensuring compliance with Section 106 and is required to consult directly with the California State Historic Preservation Officer (SHPO). The SHPO consultation is initiated once sufficient information is provided by the CWSRF applicant. If the City decides to pursue CWSRF financing, please retain a consultant that meets the Secretary of the Interior's Professional Qualifications Standards (http://www.nps.gov/history/local-law/arch_stnds_9.htm) to prepare a Section 106 compliance report.

Note that the City will need to identify the Area of Potential Effects (APE), including construction and staging areas, and the depth of any excavation. The APE is three-dimensional and includes all areas that may be affected by the Project. The APE includes the surface area and extends below ground to the depth of any Project excavations. The records search request should extend to a ½-mile beyond project APE. The appropriate area varies for different projects but should be drawn large enough to provide information on what types of sites may exist in the vicinity.

Other federal environmental requirements pertinent to the Project under the Program include the following (for a complete list of all federal requirements and instructions please visit http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/srf_forms.shtml)

- A. An alternative analysis discussing environmental impacts of the Project in either the CEQA document (i.e. Environmental Impact Report) or in a separate report (i.e. for projects utilizing a Negative Declaration or Mitigated Negative Declaration).

- B. A public hearing or meeting for adoption/certification of all CEQA documents except for those with little or no environmental impacts.
- C. Compliance with the Federal Clean Air Act: (a) Provide air quality studies that may have been done for the Project; and (b) if the Project is in a nonattainment area or attainment area subject to a maintenance plan; (i) provide a summary of the estimated emissions (in tons per year) that are expected from both the construction and operation of the Project for each federal criteria pollutant in a nonattainment or maintenance area, and indicate if the nonattainment designation is moderate, serious, or severe (if applicable); (ii) if emissions are above the federal de minimis levels, but the Project is sized to meet only the needs of current population projections that are used in the approved State Implementation Plan for air quality, quantitatively indicate how the proposed capacity increase was calculated using population projections.
- D. Compliance with the Coastal Zone Management Act: Identify whether or not the Project is within a coastal zone and the status of any coordination with the California Coastal Commission.
- E. Protection of Wetlands: Identify any portion of the proposed Project area that should be evaluated for wetlands or United States waters delineation by the United States Army Corps of Engineers (USACE), or requires a permit from the USACE, and identify the status of coordination with the USACE.
- F. Compliance with the Farmland Protection Policy Act: Identify whether or not the Project will result in the conversion of farmland. Identify the status of farmland (prime, unique, local or statewide Importance) in the Project area and determine if this area is under a Williamson Act Contract.
- G. Compliance with the Migratory Bird Treaty Act: List any birds protected under this act that may be impacted by the Project and identify conservation measures to minimize impacts.
- H. Compliance with the Flood Plain Management Act: Identify whether or not the Project is in a Flood Management Zone and include a copy of the Federal Emergency Management Agency flood zone maps for the area.
- I. Compliance with the Wild and Scenic Rivers Act: Identify whether or not any Wild and Scenic Rivers would be potentially impacted by the Project and include conservation measures to minimize such impacts.

Following are specific comments on the City's draft IS/MND:

1. Federal Funding Sources- On Page 5 of the IS/MND, the document states that the U.S. Department of Agriculture (USDA) may provide funding. If so, please include the City's USDA contact for this Project within the Environmental Package.

2. Alternatives Analysis- A 1.3 miles alternative for the force main route was identified in the Alternatives Analysis, the Biological Resources section, and the Protection of Wetlands section. If there is a considerable chance that this alternative may be chosen for construction, I recommend that the City clarify within the IS/MND, if true, that all environmental impacts for the alternative were analyzed and adequately covered within the CEQA document.

3. Farmland Protection Policy Act- Within the Farmland Protection Act Section and the Agriculture and Forestry Resources Section, I believe it is important to acknowledge that Prime Farmland and Farmland of Statewide Importance exists adjacent to the Project area, especially if the Project will be using some of the farmland as a staging area, even if the farmland will not be converted to non-agricultural use for this Project.

Please upload to FFAST the following documents applicable to the proposed Project following the City's CEQA process: (1) one copy of the draft and final IS/MND, (2) the resolution adopting the IS/MND and making CEQA findings, (3) all comments received during the review period and the City's response to those comments, (4) the adopted Mitigation Monitoring and Reporting Program and (5) the Notice of Determination filed with the San Benito County Clerk and the Governor's Office of Planning and Research, State Clearinghouse. In addition, we would appreciate notices of any hearings or meetings held regarding environmental review of any projects to be funded by the State Water Board.

Thank you for the opportunity to review the City's draft IS/MND. If you have any questions or concerns, please feel free to contact me at (916) 341-5879, or by email at Kristen.Way@waterboards.ca.gov or contact Brian Cary at (916) 449-5624, or by email at Brian.Cary@waterboards.ca.gov.

Sincerely,

Kristen Way
Environmental Scientist

Enclosures (2):

1. Clean Water State Revolving Fund Environmental Review Requirements
2. Clean Water State Revolving Fund Below-Market Financing for Wastewater & Water Quality

cc: State Clearinghouse

(Re: SCH# 2021110032)
P.O. Box 3044
Sacramento, CA 95812-3044

bcc: Brian Cary, Division of Financial Assistance
Kristen Way, Division of Financial Assistance

DEPARTMENT OF TRANSPORTATION

CALTRANS DISTRICT 5
50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
FAX (805) 549-3329
TTY 711
www.dot.ca.gov/dist05/



*Making Conservation
a California Way of Life.*

December 1, 2021

SB†/156/R8
SCH#2021110032

Brian Foucht, Assistant City Manager
Community Development Director
City of San Juan Bautista
PO Box 1420
San Juan Bautista, CA 95045

Dear Mr. Foucht:

COMMENTS FOR THE SAN JUAN BAUTISTA TO HOLLISTER SANITARY SEWER FORCE MAIN
JOINT DOCUMENT (JD) – SAN BENITO COUNTY, CA

The California Department of Transportation (Caltrans) appreciates the opportunity to review the JD for the San Juan Bautista to Hollister Sanitary Sewer Force Main project which includes installation of a 10-inch diameter high-density polyethylene (HDPE) force main under State Route 156. Caltrans offers the following comments in response to the JD:

1. All work in, on, under, over, or affecting State highway right of way is subject to a Caltrans encroachment permit. For more information regarding the encroachment permit process, please visit our Encroachment Permit Website at:
<https://dot.ca.gov/caltrans-near-me/district-5/district-5-programs/d5-encroachment-permits>.
2. Depending on the complexity of the project improvements requiring an encroachment permit, Caltrans Oversight may be the more appropriate avenue for project review and approval by Caltrans. The District Permit Engineer has been granted authority by Caltrans to make this decision. Please consult with the District Permit Engineer to determine the most appropriate Caltrans project permitting system.
3. All future work will need to conform to the Caltrans Encroachment Permits Manual, Chapter 600. Additional utility installation requirements, which may apply, are found in Chapter 17 of the Project Development Procedures Manual. Deviations to Caltrans Encroachment Permit Policies may require an exception. This requirement and process will be outlined by the District Permit Engineer in the pre-submittal conference.

4. All non-operational or vacated pipes shall be removed under ordinary circumstances. However, exceptions can be made regarding abandoned in-place pipes within the State right off way. The District Permit Engineer can grant waivers to this requirement based on an engineering or environmental evaluation. Plans shall conform to the Caltrans Plans Preparation Manual and Encroachment Permit Construction Plan Set outline. Verification will be needed to ensure the abandoned pipeline will not incur future expenses on any highway project.
5. The applicant will need to show all existing facilities and utilities in plan and profile where the scope of work is located.
6. General Basis of Horizontal and Vertical Control - Caltrans datums shall be used and observed for the construction of the proposed improvements. All plans shall be in US feet and follow the datums as follows: • Vertical Basis: NAVD 88 • Horizontal: NAD83 Zone 3 Santa Cruz County, Zone 4 Monterey and San Benito County, and Zone 5 San Luis Obispo and Santa Barbara County. At least two recorded, Caltrans Monuments must be referenced in the surveying basis.
7. All future documents will be subject to additional evaluation and approval at the time of their review. As part of future evaluation, issues involving or impacting the State right-of-way may require additional mitigation due to pertinent issues such as cultural resources, environmental justice, water quality, hydrology, etc.

Thank you for the opportunity to review and comment on the proposed project. If you have any questions, or need further clarification on items discussed above, please contact me at (805) 835-6543 or christopher.bjornstad@dot.ca.gov.

Sincerely,

Christopher Bjornstad

Chris Bjornstad
Associate Transportation Planner
District 5 Development Review

San Juan Bautista to Hollister Force Main Mitigation Monitoring and Reporting Program

INTRODUCTION

CEQA Guidelines section 15097 requires public agencies to adopt reporting or monitoring programs when they approve projects subject to an environmental impact report or a negative declaration that includes mitigation measures to avoid significant adverse environmental effects. The reporting or monitoring program is to be designed to ensure compliance with conditions of project approval during project implementation in order to avoid significant adverse environmental effects.

The law was passed in response to chronic non-implementation of mitigation measures presented in environmental documents and subsequently adopted as conditions of project approval. In addition, monitoring ensures that mitigation measures are implemented and thereby provides a mechanism to evaluate the effectiveness of the mitigation measures.

A definitive set of project conditions would include enough detailed information and enforcement procedures to ensure the measure's compliance. This monitoring program is designed to provide a mechanism to ensure that mitigation measures are implemented.

All mitigation measures shall be included on construction documents.

Prior to Commencement of Grading and Construction Activities

The following mitigation measures will be implemented:

Mitigation Measure AQ-1

The City of San Juan Bautista will prepare a Construction Management Plan and implement it during construction activities. The plan will include the following restrictions:

- a. Heavy-duty diesel vehicles will have 2010 or newer model year engines, in compliance with the California Air Resources Board's Truck and Bus Regulation, and will not be staged within 500 feet of occupied residences; and
- b. Idling of construction equipment and heavy-duty diesel trucks will be avoided where feasible, and if idling is necessary, it will not exceed five minutes.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure BIO-1

Prior to approval of grading permits for the WWTPs and sewer main route, a biologist qualified in botany shall conduct a focused survey of the proposed area of impact (including construction staging areas) for Congdon's tarplant in accordance with current CDFW and CNPS rare plant survey protocols (CDFW 2018 and CNPS 2001). The survey shall occur during the peak blooming period for this species to determine its presence or absence (typically August through September). If possible, a known reference population of the target species in the project vicinity shall first be visited to verify that the species is observable, and the focused survey shall be conducted within two weeks of observing the reference population in full bloom.

The biologist shall then prepare a brief report documenting the results of the survey and, if appropriate, propose measures for avoiding or minimizing possible impacts to Congdon's tarplant before and during construction, as included below. If the focused survey concludes the species is not present within the project site boundary, or if it is present but impacts to it can be completely avoided, then no mitigation would be required.

If the focused surveys identify Congdon's tarplant within the project site boundary and it would be affected by the proposed project, then appropriate mitigation shall be developed by the biologist and implemented by the City of San Juan Bautista prior to issuance of a grading permit. Measures may include, but are not limited to:

- a. A qualified biologist shall identify an on-site or off-site mitigation area suitable for restoration of habitat and seed transplantation for this annual herb. The City of San Juan Bautista shall be responsible for the placement of a conservation easement over the mitigation area and the provision of funds to ensure the restoration of the mitigation area and its preservation in perpetuity.
- b. Prior to approval of a grading permit, a qualified biologist or native plant specialist shall perform seed collection from all special-status plants located within the impact areas and implement seed installation at the mitigation area at the optimal time. Additionally, topsoil from the special-status species occurrence area(s) shall be salvaged (where practical) for use in the mitigation area.
- c. A maintenance and monitoring program shall be developed by a qualified biologist and established for a minimum of five years after mitigation area installation to verify that restoration activities have been successful. Maintenance activities may include, but not be limited to, watering during the plant establishment period, supplemental seed planting as needed, and removal of non-native plants. Monitoring shall include, at a minimum, quarterly monitoring reports for the first year and annual reports for the remaining four years. The performance standard for successful mitigation shall be a minimum 3:1 replacement ratio (i.e., three plants observed in mitigation area for each plant lost from the project site) achieved in at least one of the five years of monitoring.

The City of San Juan Bautista will be responsible for implementation of this mitigation measure. Compliance with this measure shall be documented prior to approval of a grading permit.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure BIO-2

Prior to approval of a grading permit, a qualified biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of special-status species potentially occurring in the project vicinity, including, but not limited to, American badger, San Joaquin kit fox, California tiger salamander, California red-legged frog, burrowing owl, special-status bats, and nesting birds and raptors. Their habitats, general measures that are being implemented to conserve species as they relate to the project, and the boundaries within which construction activities will occur will be explained. Informational handouts with photographs clearly illustrating the species' appearances shall be used in the training session. All new construction personnel shall undergo this mandatory environmental awareness training.

The qualified biologist will train biological monitors selected from the construction crew by the construction contractor (typically the project foreman). Before the start of work each day, the monitor will check for animals under any equipment such as vehicles and stored pipes within active construction zones. The monitor will also check all excavated steep-walled holes or trenches greater than one foot deep for trapped animals. If a special-status species is observed within an active construction zone, the qualified biologist will be notified immediately and all work within 50 feet of the individual will be halted and all equipment turned off until the individual has left the construction area.

The City of San Juan Bautista shall document evidence of completion of this training prior to issuance of a grading permit.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure BIO-3

Not more than 14 days prior to the commencement of ground-disturbing activities, a qualified wildlife biologist shall conduct surveys of the grassland habitat on site to identify any potential American badger burrows/dens. If the survey results are negative (i.e., no badger dens observed), a letter report confirming absence will be prepared and submitted to the City of San Juan Bautista and no further mitigation is required.

If the results are positive (badger dens are observed), the qualified biologist shall determine if the dens are active by installing a game camera for three days and three nights to determine if the den is in use.

- a. If the biologist determines that a den may be active, coordination with the CDFW shall be undertaken to develop a suitable strategy to avoid impacts to American badger. The strategy may include the following: the biologist shall install a one-way door in the den opening and continue use of the game camera. Once the camera captures the individual exiting the one-way door, the den can be excavated with hand tools to prevent badgers from reusing them. If the biologist determines that the den is a maternity den, construction activities shall be delayed during the maternity season (February to August), or until the badgers leave the den on their own accord or the biologist determines that the den is no longer in use.
- b. If the game camera does not capture an individual entering/exiting the den, the den can be excavated with hand tools to prevent badgers from reusing them.

After dens have been excavated and the absence of American badger confirmed, a letter report will be prepared and submitted to the City of San Juan Bautista.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure BIO-4

The *U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance* (USFWS 2011) shall be implemented prior to initiation of and during any construction activity on the project site to avoid unintended take of individual San Joaquin kit foxes.

Preconstruction/pre-activity surveys for San Joaquin kit fox shall be conducted by a qualified biologist no less than 30 days prior to the beginning of ground disturbance and/or construction activities or any project activity that may impact San Joaquin kit fox. The surveys shall include all work and staging areas and a minimum 200-foot buffer of the project site. The preconstruction surveys shall identify kit fox habitat features on the project site, evaluate use by kit fox and, if possible, assess the potential impacts of the proposed activity. The status of all dens shall be determined and mapped.

If a natal/pupping den is discovered within the project area or within 200 feet of the project boundary, the City shall consult with the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service to establish an appropriate avoidance buffer. The avoidance buffer shall be maintained until such time as the burrow is no longer active and/or an incidental take permit is determined to be required and is obtained.

In addition, the following measures shall be observed:

- a. Project-related vehicles shall observe a 20-mph speed limit in all project areas; this is particularly important at night when kit foxes are most active. To the extent possible, night-time construction shall be minimized. Off-road traffic outside of designated project area shall be prohibited.
- b. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of the project, all excavated, steep-walled holes or trenches more than two feet deep shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the procedures under number 11 of the Construction and Operational Requirements in the Standardized Recommendations must be followed.
- c. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipe becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or

moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the U.S. Fish and Wildlife Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity, until the fox has escaped.

- d. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers and removed at least once a week from a construction or project site.
- e. No firearms shall be allowed on the project site during construction activities.
- f. To prevent harassment, mortality of kit foxes or destruction of dens by dogs or cats, no pets shall be permitted on site during construction activities.
- g. Use of rodenticides and herbicides on the project site during construction shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the U.S. Fish and Wildlife Service. If rodent control must be conducted, zinc phosphide shall be used because of proven lower risk to kit fox.
- h. In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape.
- i. Any contractor, employee, or agency personnel who inadvertently kills or injures a San Joaquin kit fox shall immediately report the incident to the City of San Juan Bautista, which will contact the CDFW and USFWS as needed.
- j. The City of San Juan Bautista shall prepare weekly reports on construction monitoring activities for the project file.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure BIO-5

To avoid/minimize impacts to burrowing owls potentially occurring within the project site and staging areas, a biologist qualified in ornithology shall conduct surveys for burrowing owl. The approved biologist shall conduct a two-visit (i.e., morning and evening) presence/absence survey at areas of suitable habitat on and adjacent to the project site boundary no less than 14 days prior to the start of construction or ground disturbance activities. Surveys shall be conducted according to the methods for take avoidance described in the *Burrowing Owl Survey Protocol and Mitigation Guidelines* (California Burrowing Owl Consortium 1993) and the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012). If no burrowing owls are found, a letter report confirming absence will be prepared and submitted to the City of San Juan Bautista and no further mitigation is required.

Because burrowing owls occupy habitat year-round, seasonal no-disturbance buffers, as outlined in the *Burrowing Owl Survey Protocol and Mitigation Guidelines* (CBOC 1993) and the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012), shall be in place around occupied habitat prior to and during any ground disturbance activities. The following table includes buffer areas based on the time of year and level of disturbance (CDFW 2012), unless a qualified biologist approved by the CDFW verifies through non-invasive measures that either: 1) birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance Buffers (meters)		
		Low	Med	High
Nesting Sites	April 1 – Aug 15	200 m	500 m	500 m
Nesting Sites	Aug 16 – Oct 15	200 m	200 m	500 m
Nesting Sites	Oct 16 – Mar 31	50 m	100 m	500 m

If burrowing owl is found and avoidance is not possible, burrow exclusion may be conducted by qualified biologists only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. Occupied burrows shall be replaced with artificial burrows at a ratio of one collapsed burrow to one constructed artificial burrow (1:1). Evicted burrowing owls may attempt to colonize or re-colonize an area that would be impacted, thus ongoing surveillance during project activities shall be conducted at a rate sufficient to detect burrowing owls if they return.

If surveys locate occupied burrows in or near construction areas, consultation with the CDFW shall occur to interpret survey results and develop a project-specific avoidance and

minimization approach. Once the absence of burrowing owl has been confirmed, a letter report will be prepared and submitted to the City of San Juan Bautista.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure BIO-6

Approximately 14 days prior to tree removal or construction activities, a qualified biologist shall conduct a habitat assessment for bats and potential roosting sites in trees to be removed and in trees within 50 feet of the construction easement. These surveys shall include a visual inspection of potential roosting features (bats need not be present) and a search for presence of guano within the project site, construction access routes, and 50 feet around these areas. Cavities, crevices, exfoliating bark, and bark fissures that could provide suitable potential nest or roost habitat for bats shall be surveyed. Assumptions can be made on what species is present due to observed visual characteristics along with habitat use, or the bats can be identified to the species level with the use of a bat echolocation detector such as an "Anabat" unit. Potential roosting features found during the survey shall be flagged or marked.

If no roosting sites or bats are found, a letter report confirming absence shall be prepared and submitted to City of San Juan Bautista and no further mitigation is required.

If bats or roosting sites are found, bats shall not be disturbed without specific notice to and consultation with CDFW.

If bats are found roosting outside of the nursery season (May 1 through October 1), CDFW shall be consulted prior to any eviction or other action. If avoidance or postponement is not feasible, a Bat Eviction Plan will be submitted to CDFW for written approval prior to project implementation. A request to evict bats from a roost includes details for excluding bats from the roost site and monitoring to ensure that all bats have exited the roost prior to the start of activity and are unable to re-enter the roost until activity is completed. Any bat eviction shall be timed to avoid lactation and young-rearing. If bats are found roosting during the nursery season, they shall be monitored to determine if the roost site is a maternal roost. This could occur by either visual inspection of the roost bat pups, if possible, or by monitoring the roost after the adults leave for the night to listen for bat pups. Because bat pups cannot leave the roost until they are mature enough, eviction of a maternal roost cannot occur during the

nursery season. Therefore, if a maternal roost is present, a 50-foot buffer zone (or different size if determined in consultation with the CDFW) shall be established around the roosting site within which no construction activities including tree removal or structure disturbance shall occur until after the nursery season.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure BIO-7

California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle have been recorded in close proximity to the proposed project. Impacts to these federally and state listed species are considered potentially significant.

The City of San Juan Bautista shall obtain Incidental Take Permits from the USFWS and CDFW for potential project impacts to California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle, and implement all avoidance, minimization, and compensatory mitigation measures required by these permits.

Take permit conditions may include, but not be limited to, the following avoidance and minimization measures identified below before/during construction to minimize the potential for "take" of California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle:

- a. At least 15 days prior to ground disturbance, the biologist shall submit the name and credentials of the project biologists who would conduct activities specified in this measure. No project activities shall begin until the biologist has received written approval from the USFWS and CDFW that the biologists are qualified to conduct the work.
- b. The biologists shall have the authority to halt construction work at any time to prevent harm to California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle or when any of the permit-specified protection measures have been violated. Work shall recommence only when authorized by the biologists. If work is stopped due to potential harm to protected species, the project biologists shall contact the USFWS

and/or CDFW by telephone or email on the same day to communicate the event and coordinate appropriate action.

- c. A biologist shall conduct biological construction monitoring in all work and staging areas with potential to impact California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle. Before the start of work each day, a biologist shall check for wildlife under any equipment such as vehicles and stored pipes within active construction zones. A biologist shall also check all excavated steep-walled holes or trenches greater than one foot deep for trapped animals. If California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle is observed within an active construction zone, a biologist shall be notified immediately and all work within 100 feet of the individual animal shall be halted and all equipment turned off until the biologist has captured and removed the individual from the work area. California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle shall be relocated to a USFWS/CDFW-approved off-site location according to permit specifications.
- d. Offsite habitat mitigation. If necessary, offsite habitat shall be procured at an appropriate ratio of project site impact area to compensation habitat area, as determined in coordination with USFWS and/or CDFW. Offsite mitigation may include purchasing credits at a mitigation bank, or permanent protection of land with established aquatic and upland habitat or sites with known upland habitat where the creation of a pond may enhance the habitat value of the site.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure BIO-8

To avoid impacts to nesting birds during the nesting season (January 15 through September 15), all construction activities should be conducted between September 16 and January 14, which is outside of the bird nesting season. If construction occurs during the bird nesting season, then a qualified biologist will conduct a pre-construction survey for nesting birds to ensure that no nests would be disturbed during project construction.

If project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), a qualified biologist shall conduct nesting bird surveys.

- a. Two surveys for active bird nests will occur within 14 days prior to start of construction, with the final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding each work area are typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys will be conducted at the appropriate times of day to observe nesting activities. Locations off the site to which access is not available may be surveyed from within the site or from public areas. If no nesting birds are found, a letter report confirming absence will be prepared and submitted to the City of San Juan Bautista and no further mitigation is required.
- b. If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize "normal" bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g., defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active. Once the absence of nesting birds has been confirmed, a letter report will be prepared and submitted to the City of San Juan Bautista.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure BIO-9

Prior to issuance of a grading permit within the project boundary, the City of San Juan Bautista will retain a qualified biologist to determine the extent of potential wetlands and waterways regulated by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and CDFW. If the USACE claims jurisdiction, the City shall retain a qualified biologist to obtain a Clean Water Act Section 404 Nationwide Permit. If the impacts to the drainage features do not qualify for a Nationwide Permit, the City will proceed with the qualified biologist in obtaining an Individual Permit from the USACE. The City will then retain a qualified biologist to coordinate with the RWQCB to obtain a Clean Water Act Section 401 Water Quality Certification. If necessary, the City will also retain a qualified biologist to coordinate with the CDFW to obtain a Streambed Alteration Agreement.

To compensate for temporary and/or permanent impacts to Waters of the U.S. that would be impacted as a result of the proposed project, mitigation shall be provided as required by the regulatory permits. Mitigation would be provided through one of the following mechanisms:

- i. A *Wetland Mitigation and Monitoring Plan* shall be developed that will outline mitigation and monitoring obligations for temporary impacts to wetlands and other waters as a result of construction activities. The Wetland Mitigation and Monitoring Plan would include thresholds of success, monitoring and reporting requirements, and site-specific plans to compensate for wetland losses resulting from the project. The Wetland Mitigation and Monitoring Plan shall be submitted to the appropriate regulatory agencies for review and approval during the permit application process.
- ii. To compensate for permanent impacts, the purchase and/or dedication of land to provide suitable wetland restoration or creation shall ensure a no net loss of wetland values or functions. If restoration is available and feasible, a minimum 1:1 mitigation to impact ratio would apply to projects for which mitigation is provided in advance.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure BIO-10

An arborist evaluation of all trees and project plans will be conducted prior to construction; implementation of specific protections for preserved trees during construction will be followed; and replacement plantings for damaged or removed trees will be installed. Compliance with this mitigation measure will ensure that impacts to protected trees are avoided, minimized, or mitigated.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure GHG-1

To reduce construction GHG emissions, the City will include the following language on all construction documents requiring all contractors to implement the following construction best management practices where feasible:

- a. Diesel-powered, off-road construction equipment shall meet Tier 4 emissions standards, or in the alternative, Tier 2 or 3 engines may be used provided they include particular matter emissions control;
- b. Use alternative fuel equipment;
- c. Minimize construction equipment idling time to no more than five minutes;
- d. Use grid electric power to reduce the use of fuel-powered construction equipment;
- e. Power portable equipment with electricity or batteries; and
- f. Implement waste, disposal, and recycling strategies in accordance with Sections 4.408 and 5.408 of the 2016 California Green Building Standards Code (CALGreen Code).

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure N-1

During all project construction activities, the following mitigation measures will be incorporated into construction documents and shall be implemented by the contractors:

- a. All construction equipment shall be properly maintained and equipped with intake and exhaust mufflers that are in good condition and recommended by the vehicle manufacturer.
- b. Unnecessary idling of internal combustion engines shall be strictly prohibited.
- c. Wheeled earth moving equipment shall be used rather than track equipment.
- d. A detailed construction plan shall be prepared and submitted with the grading and improvement plans identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
- e. A noise disturbance coordinator shall be designated to handle complaints and the site shall be posted with a phone number and email address so that the nearby residents have a contact person in case of a noise problem.
- f. Vehicle routes clean and smooth both on site and off site to minimize noise and vibration from vehicles rolling over rough surfaces.
- g. Nail guns shall be used where possible as they are less noisy than manual hammering.
- h. Stationary equipment, such as compressor and generators shall be housed in acoustical enclosures and placed as far from sensitive receptors as feasible.
- i. Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- j. Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.

Mitigation Monitoring and Reporting Program

- k. Restrict noise-generating activities at the construction site or in areas adjacent to the construction site to the hours of 7:00 AM to 7:00 PM Monday through Friday and 8:00 AM and 6:00 PM on Saturday. Construction-related noise-generating activities shall be prohibited on Sundays.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

During Construction

The following mitigation measures will be implemented:

Mitigation Measure AQ-1

The City of San Juan Bautista will prepare a Construction Management Plan and implement it during construction activities. The plan will include the following restrictions:

- a. Heavy-duty diesel vehicles will have 2010 or newer model year engines, in compliance with the California Air Resources Board's Truck and Bus Regulation, and will not be staged within 500 feet of occupied residences; and
- b. Idling of construction equipment and heavy-duty diesel trucks will be avoided where feasible, and if idling is necessary, it will not exceed five minutes.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure AQ-2

All construction equipment will be maintained and properly tuned in accordance with manufacturer's specifications and will be checked by a certified visible emissions evaluator. All non-road diesel construction equipment will, at a minimum, meet Tier 3 emission standards listed in the Code of Federal Regulations Title 40, Part 89, Subpart B, §89.112. Further, where feasible, construction equipment will use alternative fuels such as compressed natural gas, propane, electricity or biodiesel.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure BIO-4

The U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011) shall be implemented prior to initiation of and during any construction activity on the project site to avoid unintended take of individual San Joaquin kit foxes.

Preconstruction/pre-activity surveys for San Joaquin kit fox shall be conducted by a qualified biologist no less than 30 days prior to the beginning of ground disturbance and/or construction activities or any project activity that may impact San Joaquin kit fox. The surveys shall include all work and staging areas and a minimum 200-foot buffer of the project site. The preconstruction surveys shall identify kit fox habitat features on the project site, evaluate use by kit fox and, if possible, assess the potential impacts of the proposed activity. The status of all dens shall be determined and mapped.

If a natal/pupping den is discovered within the project area or within 200 feet of the project boundary, the City shall consult with the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service to establish an appropriate avoidance buffer. The avoidance buffer shall be maintained until such time as the burrow is no longer active and/or an incidental take permit is determined to be required and is obtained.

In addition, the following measures shall be observed:

- a. Project-related vehicles shall observe a 20-mph speed limit in all project areas; this is particularly important at night when kit foxes are most active. To the extent possible, night-time construction shall be minimized. Off-road traffic outside of designated project area shall be prohibited.
- b. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of the project, all excavated, steep-walled holes or trenches more than two feet deep shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the procedures under number 11 of the Construction and Operational Requirements in the Standardized Recommendations must be followed.
- c. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipe becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or

moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the U.S. Fish and Wildlife Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity, until the fox has escaped.

- d. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers and removed at least once a week from a construction or project site.
- e. No firearms shall be allowed on the project site during construction activities.
- f. To prevent harassment, mortality of kit foxes or destruction of dens by dogs or cats, no pets shall be permitted on site during construction activities.
- g. Use of rodenticides and herbicides on the project site during construction shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the U.S. Fish and Wildlife Service. If rodent control must be conducted, zinc phosphide shall be used because of proven lower risk to kit fox.
- h. In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape.
- i. Any contractor, employee, or agency personnel who inadvertently kills or injures a San Joaquin kit fox shall immediately report the incident to the City of San Juan Bautista, which will contact the CDFW and USFWS as needed.
- j. The City of San Juan Bautista shall prepare weekly reports on construction monitoring activities for the project file.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure BIO-7

California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle have been recorded in close proximity to the proposed project. Impacts to these federally and state listed species are considered potentially significant.

The City of San Juan Bautista shall obtain Incidental Take Permits from the USFWS and CDFW for potential project impacts to California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle, and implement all avoidance, minimization, and compensatory mitigation measures required by these permits.

Take permit conditions may include, but not be limited to, the following avoidance and minimization measures identified below before/during construction to minimize the potential for “take” of California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle:

- a. At least 15 days prior to ground disturbance, the biologist shall submit the name and credentials of the project biologists who would conduct activities specified in this measure. No project activities shall begin until the biologist has received written approval from the USFWS and CDFW that the biologists are qualified to conduct the work.
- b. The biologists shall have the authority to halt construction work at any time to prevent harm to California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle or when any of the permit-specified protection measures have been violated. Work shall recommence only when authorized by the biologists. If work is stopped due to potential harm to protected species, the project biologists shall contact the USFWS and/or CDFW by telephone or email on the same day to communicate the event and coordinate appropriate action.
- c. A biologist shall conduct biological construction monitoring in all work and staging areas with potential to impact California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle. Before the start of work each day, a biologist shall check for wildlife under any equipment such as vehicles and stored pipes within active construction zones. A biologist shall also check all excavated steep-walled holes or trenches greater than one foot deep for trapped animals. If California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle is observed within an active construction zone, a biologist shall be notified immediately and all work within 100 feet of the individual animal shall be halted

and all equipment turned off until the biologist has captured and removed the individual from the work area. California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle shall be relocated to a USFWS/CDFW-approved off-site location according to permit specifications.

- d. Offsite habitat mitigation. If necessary, offsite habitat shall be procured at an appropriate ratio of project site impact area to compensation habitat area, as determined in coordination with USFWS and/or CDFW. Offsite mitigation may include purchasing credits at a mitigation bank, or permanent protection of land with established aquatic and upland habitat or sites with known upland habitat where the creation of a pond may enhance the habitat value of the site.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure BIO-10

An arborist evaluation of all trees and project plans will be conducted prior to construction; implementation of specific protections for preserved trees during construction will be followed; and replacement plantings for damaged or removed trees will be installed. Compliance with this mitigation measure will ensure that impacts to protected trees are avoided, minimized, or mitigated.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure CUL-1

In the event that prehistoric traces (human remains, artifacts, concentrations of shell/bone/rock/ash) are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the San Juan Bautista Director of Community Development will be notified, and a qualified archaeologist will examine the find and make appropriate recommendations prior to commencement of construction. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Community Development.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure CUL-2

In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The San Benito County Coroner will be notified and will make a determination as to whether the remains are of Native American origin. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure GEO-1

If paleontological resources (i.e., fossil remains) are discovered during excavation activities, the contractor will notify the City and cease excavation within 100 feet of the find until a qualified paleontological professional can provide an evaluation of the site. The qualified paleontological professional will evaluate the significance of the find and recommend appropriate measures for the disposition of the site (e.g., fossil recovery, curation, data recovery, and/or monitoring). Construction activities may continue on other parts of the construction site while evaluation and treatment of the paleontological resource takes place.

Mitigation Measure GHG-1

To reduce construction GHG emissions, the City will include the following language on all construction documents requiring all contractors to implement the following construction best management practices where feasible:

- a. Diesel-powered, off-road construction equipment shall meet Tier 4 emissions standards, or in the alternative, Tier 2 or 3 engines may be used provided they include particular matter emissions control;
- b. Use alternative fuel equipment;
- c. Minimize construction equipment idling time to no more than five minutes;
- d. Use grid electric power to reduce the use of fuel-powered construction equipment;
- e. Power portable equipment with electricity or batteries; and
- f. Implement waste, disposal, and recycling strategies in accordance with Sections 4.408 and 5.408 of the 2016 California Green Building Standards Code (CALGreen Code).

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____

Mitigation Measure N-1

During all project construction activities, the following mitigation measures will be incorporated into construction documents and shall be implemented by the contractors:

- a. All construction equipment shall be properly maintained and equipped with intake and exhaust mufflers that are in good condition and recommended by the vehicle manufacturer.
- b. Unnecessary idling of internal combustion engines shall be strictly prohibited.
- c. Wheeled earth moving equipment shall be used rather than track equipment.
- d. A detailed construction plan shall be prepared and submitted with the grading and improvement plans identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
- e. A noise disturbance coordinator shall be designated to handle complaints and the site shall be posted with a phone number and email address so that the nearby residents have a contact person in case of a noise problem.
- f. Vehicle routes clean and smooth both on site and off site to minimize noise and vibration from vehicles rolling over rough surfaces.
- g. Nail guns shall be used where possible as they are less noisy than manual hammering.
- h. Stationary equipment, such as compressor and generators shall be housed in acoustical enclosures and placed as far from sensitive receptors as feasible.
- i. Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- j. Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
- k. Restrict noise-generating activities at the construction site or in areas adjacent to the construction site to the hours of 7:00 AM to 7:00 PM Monday through Friday and 8:00 AM and 6:00 PM on Saturday. Construction-related noise-generating activities shall be prohibited on Sundays.

Party Responsible for Implementation: City of San Juan Bautista

Party Responsible for Monitoring: City of San Juan Bautista

Monitoring Notes: _____



**City of San Juan Bautista to
Hollister Sanitary Sewer Force
Main Project**

Preliminary Design Report

October 29, 2021

Prepared for:

City of San Juan Bautista

Prepared by:

Stantec Consulting Services Inc.



CITY OF SAN JUAN BAUTISTA TO HOLLISTER SANITARY SEWER FORCE MAIN PROJECT

Revision	Description	Author		Quality Check		Independent Review	



CITY OF SAN JUAN BAUTISTA TO HOLLISTER SANITARY SEWER FORCE MAIN PROJECT

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10/29/2021



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CITY OF SAN JUAN BAUTISTA TO HOLLISTER SANITARY SEWER FORCE MAIN PROJECT

Purpose & Background

1.0 PURPOSE & BACKGROUND

The City of San Juan Bautista (City) currently has a National Pollutant Discharge Elimination System (NPDES) permit (Order No. R3-2009-0019) adopted by the Central Coast Regional Water Quality Control Board (Regional Board) for their Wastewater Treatment Plant's (WWTP's) discharge of treated wastewater (termed "effluent") into unnamed drainage channel tributary to the San Benito River. The WWTP has received repeated violation notices from the Regional Board for exceeding its effluent limitations for multiple constituents, including chloride, sodium, and total dissolved solids. The City recently completed the City of San Juan Bautista Wastewater Master Plan (Akel Engineering Group, Inc. [Akel], completed in November 2020 and amended August 2021), which included the San Juan Bautista Wastewater Treatment Improvement Project Preliminary Engineering Report (PER) (Stantec Consulting Services Inc. [Stantec], completed September 2020 and updated February 2021). The PER analyzed three alternative projects to bring the WWTP into regulatory compliance. The recommended project, which was ultimately selected by the City and agreed upon by the United States Environmental Protection Agency (EPA), was a comprehensive project that includes the following major components:

- Importing treated surface water with lower salt concentrations from the San Benito County Water District (SBCWD) West Hills Water Treatment Plant for blending with the City's well water
- Banning domestic self-regenerating (brine producing) water softeners in the City
- Increased monitoring and enforcement on the City's industrial users
- Decommissioning the City's existing WWTP and converting the ponds into emergency storage basins
- Exporting the City's domestic wastewater to the City of Hollister (Hollister) Domestic Wastewater Treatment Plant for treatment and disposal

The purpose of this Preliminary Design Report (PDR) is to document the preliminary design of the force main and associated pumping systems needed to convey the City's domestic wastewater to the Hollister Domestic WWTP as well as the preliminary design of the improvements to be made at the City WWTP.

2.0 DESIGN WASTEWATER FLOWS

The Wastewater Master Plan was amended in August 2021 to revise the estimated wastewater design flows commensurate with revisions proposed for the City General Plan. The existing and projected estimated wastewater design flows are presented in **Table 1**.



CITY OF SAN JUAN BAUTISTA TO HOLLISTER SANITARY SEWER FORCE MAIN PROJECT

Modifications to Existing City WWTP Site

Table 1 Existing and Projected Wastewater Design Flows ⁽¹⁾

Planning Horizon	Design Flows (MGD)				
	Annual Average	Maximum Day		Peak Hour	
		Dry Weather	Wet Weather	Dry Weather	Wet Weather
Existing (2020)	0.16	0.28	0.40	0.51	0.77
Intermediate (2035)	0.26	0.46	0.65	0.82	1.09
Buildout (2060)	0.43	0.75	1.08	1.39	1.63

(1) Source: Wastewater Master Plan – Amendment No. 1 (Akel, June 2021).

3.0 MODIFICATIONS TO EXISTING CITY WWTP SITE

This section describes the existing City WWTP facilities and proposed modifications to support the export of City wastewater to Hollister.

3.1 DESCRIPTION OF EXISTING CITY WWTP

The existing City WWTP is a tertiary treatment facility that includes a mechanical screen and influent pump station, sequencing batch reactor pond (SBR, located in Pond 1), flow equalization tanks, a denitrification polishing pond (located in Pond 2C with floating media), pressure sand filters, and ultraviolet (UV) disinfection. Sludge is stored in the lagoons (Pond 2A and 2B). Raw sewage enters the WWTP in the headworks, where a mechanical screw screen removes large debris from the incoming wastewater. Screened raw sewage is pumped to the SBR (Pond 1). As with other conventional activated sludge SBR facilities, aeration and mixing is achieved in batch cycles (whereby the basin is aerated and mixed for a duration and then allowed to settle and decanted, and the cycle repeated). Once the biological reaction is complete, sludge settles, and supernatant is discharged to equalization (EQ) storage tanks (seven 10,000-gallon tanks for a total volume of 70,000-gallons [only about 57,000 gallons is useable due to elevation differences between tanks and the outlet pipe elevations]). After equalization, flow passes through the polishing pond (Pond 2C), where secondary effluent is mixed with polymer. The blended solution flows through multimedia pressure sand filters to reduce suspended solids and turbidity. Filtered effluent is sent through a UV disinfection channel and discharged to the outfall. Waste activated sludge is withdrawn from the SBR (Pond 1) and sent to the sludge storage lagoons (Pond 2A and 2B).

3.2 MODIFICATIONS TO CITY WWTP

The existing City WWTP will be decommissioned, and the ponds will be converted into emergency storage basins (ESBs). During normal operation, all screened raw sewage, up to the proposed reliable capacity of 1.08 MGD (preliminary design of the pumping systems are discussed further in Section 4.0),



CITY OF SAN JUAN BAUTISTA TO HOLLISTER SANITARY SEWER FORCE MAIN PROJECT

Modifications to Existing City WWTP Site

will be pumped to Hollister via a nominal 10-inch high density polyethylene (HDPE) force main (preliminary design of the HDPE force main is discussed further in Section 6.0). During periods of peak flows, the third (standby) pump will turn on since it is preferred to convey the wastewater to Hollister instead of storing the peak flows, though the third pump contributes limited additional capacity due to the head in the force main from the first two duty pumps. Any flow above the maximum capacity of 1.13 MGD will be diverted to the seven EQ storage tanks. The EQ storage tanks will overflow to the bottom Emergency Storage Basin 1 (ESB 1, formerly Pond 2), which has an estimated volume of 4.3 million gallons. If the EQ storage tanks and ESB 1 fill and the influent flows are still above the maximum capacity, then the excess flow will be diverted to the top Emergency Storage Basin 2 (ESB 2, formerly Pond 1), which has an estimated volume of 1.6 million gallons. The valves to divert the flow to ESB 2 will be manual. ESB 2 will overflow to ESB 1 and ESB 1 will overflow back to the influent sewer manhole upstream of the influent screen. Both ESBs will also have sump pumps available to drain the basins back to the influent sewer when peak flows subside. ESB 1 will be graded so the bottom of the basin slopes towards the outlet.

Decommissioning the WWTP includes the demolition and removal of the influent pump station pumps and discharge piping/valves, influent screen, pressure sand filters, UV disinfection system, ESB 2 decant pump, pond aerators and aeration equipment including blowers, pond baffles, ESB floating covers, and associated electrical equipment. The existing yard piping will be used to the maximum extent feasible to support the ESB functions and any unused yard piping will be abandoned in place.

3.2.1 Influent Screen Replacement

The existing influent screen is a CleanFlo™ Spiral Screen In Channel Model No. FS14 manufactured by WesTech Engineering, Inc. (WesTech). The 1.5 horsepower (HP) screen (installed in 2009) was noted by the operators to be in poor condition and in need of replacement. The new screen must fit in the existing channel. The screen can be replaced in-kind with another WesTech CleanFlo™ Spiral Screen. The existing screen design parameters are shown in **Table 2**. Alternatively, the replacement screen can be from an alternative manufacturer, such as Parkson. The Parkson Hycor® Helisieve® M In-Channel Fine Screen model HLS400M was considered for this application. The Parkson screen is a 1 HP screw style screen that conveys the screenings up through the transport tube and then dewateres the screenings by compression. The Parkson equipment may be preferred for this application, however, it will require structural modifications to the wet well to support the screen base plate, and therefore, due to cost considerations, it is proposed to replace the existing screen in-kind with another WesTech CleanFlo™ Spiral Screen. The recommended design parameters for the new screen will match that shown in **Table 2** for the existing screen.



CITY OF SAN JUAN BAUTISTA TO HOLLISTER SANITARY SEWER FORCE MAIN PROJECT

Pumping Systems

Table 2 WesTech CleanFlo™ Spiral Screen Design Parameters

Parameter	Value
Peak Design Flow (mgd)	2.00 ⁽¹⁾
Downstream Water Level at Peak Design Flow (in)	12.00
Screen Opening (in)	0.25
Channel Width (in)	18
Channel Depth (in)	63
Basket Height (operating height not to exceed basket height)	16.60
Screen Angle (degrees)	35

(1) The existing influent screen was designed for a peak flow of 2.00 MGD. The current estimated build-out peak hour wet weather flow is 1.63 MGD.

4.0 PUMPING SYSTEMS

Following project completion, there will be three pumping systems at the City WWTP – 1) Primary Pump Station to convey wastewater to Hollister, 2) Storage Pump Station for peak flow shaving, and 3) drain pumps to empty ESB 1 and ESB 2. Each pumping system is described in detail in the following subsections.

4.1 PRIMARY PUMP STATION

The proposed force main alignment extends from the City's existing WWTP to the Hollister Domestic WWTP and includes approximately 39,400 linear feet of nominal 10-inch diameter high density polyethylene (HDPE) dimension ratio (DR) 11 and 13.5 pipe (force main design is further discussed in later sections). A new 10-foot diameter, 17 feet deep prefabricated fiberglass wet well with aluminum top cover plate with hinged access cover and frame with safety grate feature will be installed between the existing wet well and filters. This area will be graded to bring the ground elevation up to match the existing ground elevation of the existing wet well. A 12-inch diameter pipe will be used to connect the existing wet well to the new fiberglass primary wet well. The 12-inch diameter connection pipe will be 5 feet long with an invert 1 foot above the invert of the existing wet well. The connection pipe is 1 foot off the invert of the existing wet well to trap settled grit in the existing wet well which can be periodically removed via a vactor truck to minimize the amount of grit being conveyed through the force main. A drop leg inlet will be used to reduce hydraulic concerns in the primary wet well. The primary wet well invert will be 5 feet below the connection pipe invert (i.e., the primary wet well invert elevation is 178.5 ft.) The primary wet well will include three submersible centrifugal pumps (two duty and one standby). The primary wet well plan and profile is shown in **Figure 1**.

The selected pumps are manufactured by Flygt (model NP 3202 with impeller code 273 and a 72 HP motor) (or equivalent, as determined during final design), and will be installed with variable speed control.



CITY OF SAN JUAN BAUTISTA TO HOLLISTER SANITARY SEWER FORCE MAIN PROJECT

Pumping Systems

The pump and system curves are shown in **Figure 2** and the operating points are provided in **Table 3**.

The pump and system curves for the Primary Pump Station are based on the following assumptions:

- The maximum system curve is based on a low water level elevation in the wet well of 182 feet (3.5 feet above the bottom of the wet well) and a discharge elevation at the Hollister Domestic WWTP manhole of 246.4 feet (water level if the existing influent sewer pipe is flooded) for a total static lift of 64.4 feet.
- The minimum system curve is based on a high-water level elevation in the wet well of 188.75 feet (1.4 feet below the existing influent channel invert elevation) and a discharge elevation at the Hollister Domestic WWTP manhole of 246.4 feet for a total static lift of 57.6 feet.
- The modified pump curves account for the 4-inch discharge elbow, an expansion fitting (from the 4-inch discharge elbow to the 8-inch manifold piping), 20 feet of 8-inch diameter ductile iron discharge piping with a Hazen-Williams coefficient of 120, check valve, four plug valves, one 90-degree elbow, two 11.25-degree elbows, one flange coupling adaptor (FCA), one tee branch flow, and two tee line flows.
- The system curve accounts for 14,400 feet of HDPE DR 11 pipe with an inner diameter of 8.68 inches and a Hazen-Williams coefficient of 140 and 25,030 feet of HDPE DR 13.5 pipe with an inner diameter of 9.06 and a Hazen-Williams coefficient of 140 (force main design is discussed in detail in later sections). The DR 11 pipe has nine tee fittings for blow off and air valves, one 11.25-degree elbow, one 33.75-degree bend, 22 45-degree elbows, two 90-degree elbows, three plug valves, and flange coupling adaptors. The DR 13.5 pipe has 16 tee fittings for blow off and air valves, 15 45-degree elbows, seven plug valves, flange coupling adaptors, and exit losses.

Three NP 3202 pumps (impeller 273 with a 72 HP motor) will provide a reliable capacity (one pump out of service) of 1.08 MGD and a maximum capacity of 1.13 MGD. The reliable capacity is nearly sufficient to convey the estimated peak hour wet weather flow for existing and intermediate (2035) planning conditions as well as the maximum day wet weather flow for buildout (2060) conditions. Buildout peak hour flows will need to be stored in the ESBs until peak flows subside. While the reliable capacity is 0.01 MGD less than the intermediate planning horizon peak hour wet weather flow (1.08 MGD and 1.09 MGD, respectively), it should be noted that the City intends to no longer allow the industrial users to convey their wastewater to the City WWTP and will instead require the industrial users to construct their own lift station that will tie into the force main near Coke Farms. Further, the City intends to require the industrial users to equalize their peak flows onsite and the estimated build-out peak wet weather flow includes the industrial user flows. The industrial user flow entering the force main further downstream increases the capacity of the pumps due to the reduced friction upstream of the industrial user pump station connection point. Additionally, the City WWTP has the existing enclosed EQ tanks that can be used to store peak flows. Therefore, it is believed that the two existing basins can be converted to emergency storage basins rather than equalization basins as the basins are not anticipated to be needed except in emergency situations until build-out flows are realized.

The Primary Pump Station will also be plumbed to convey flows to storage in the event that the Storage Pump Station is offline and influent flows are greater than the reliable capacity of the Primary Pump Station to Hollister.



CITY OF SAN JUAN BAUTISTA TO HOLLISTER SANITARY SEWER FORCE MAIN PROJECT

Pumping Systems

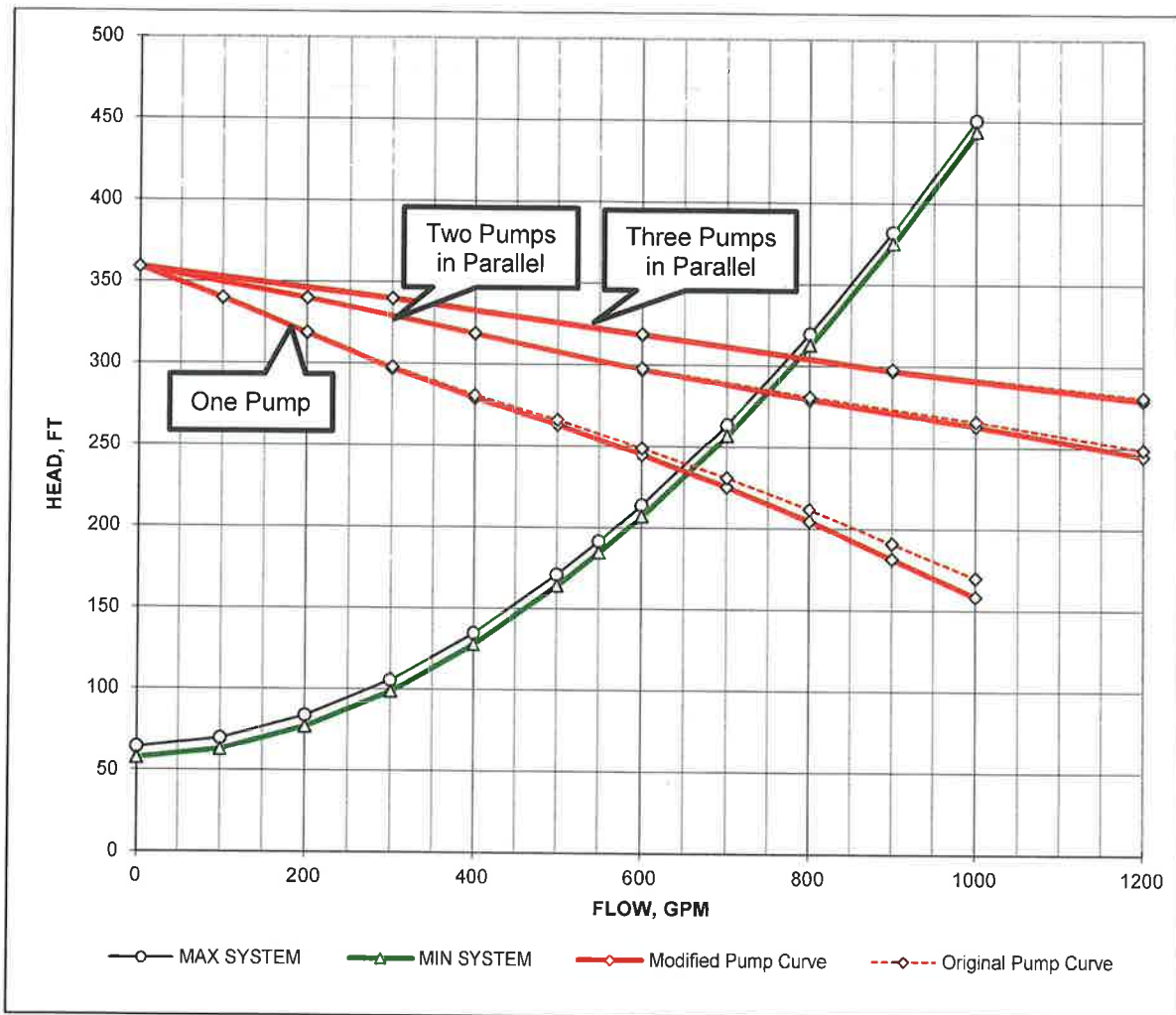


Figure 2 Modified Pump and System Curves – Primary Pump Station

Table 3 Capacity and Operating Points – Primary Pump Station

Number of Operating Pumps	Capacity, MGD (gpm)	TDH, psi (ft of head)	Comment
1	0.94 (655)	104 (239)	-
2	1.08 (748)	124 (285)	Reliable Capacity
3	1.13 (786)	133 (306)	Maximum Capacity

(1) The flow capacity is obtained from the point of intersection between the modified pump curve and the system curve based on the high-water level. The TDH is obtained from the original pump curve at the respective capacity flow.



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Pumping Systems

The primary pumps will be installed on variable frequency drives (VFDs) to change the rate of pumping if needed (particularly if the primary pumps are used to convey flow to storage rather than Hollister). However, during normal operation, the primary pumps will be operated at full speed to maintain minimum velocities in the force main. With 5,710 gallons of operating volume available in the primary wet well between the pump 3 on and pump 1 off water levels, additional storage available in the storage wet well, and relatively low influent flows, the starts per hour of the primary pumps will be kept well below 10 starts per hour (generally less than 5 starts per hour). Further, the primary pumps will still be installed on VFDs to change the rate of pumping if needed, such that the pumps can be shifted to maintain water level as opposed to the proposed full speed operation. With VFD control, pump start frequency limitations will be met.

4.2 STORAGE PUMP STATION

In June 2021, Akel updated the estimated wastewater flows in the City, as shown previously in **Table 1**. With a reliable pumping capacity of 1.08 MGD, the pump station is not capable of conveying the estimated build-out peak wet weather flows of 1.63 MGD. At the estimated build-out peak wet weather flow (1.63 MGD) with a reliable capacity of 1.08 MGD, 0.55 MGD would be sent to the EQ tanks and the Emergency Storage Basins for storage until flows decrease. The EQ tanks have an estimated usable volume of approximately 57,000 gallons and the two Emergency Storage Basins provide a total volume of 5.9 million gallons. This means that the EQ tanks and ESBs have the capacity to handle approximately 7.7 days of the existing peak wet weather flow and approximately 3.7 days of the build-out peak wet weather flow (assuming the basins were completely empty prior to the peak wet weather event). If 1.08 MGD is still being conveyed to Hollister via the force main, then there is 10.8 days of available storage for peak flow shaving. To maintain a reliable capacity of 1.08 MGD even during peak wet weather events when a portion of the influent flow is being diverted for storage, dedicated storage pumps are required for peak flow shaving to the EQ tanks and ESBs.

To reduce construction costs, the Storage Pump Station will utilize the existing influent pump station square wet well, as shown in **Figure 6**. The wet well is 7 ft by 8 ft with a top of concrete elevation of 195.5 feet (ground elevation of 195.3 feet) and an invert elevation of 182.5 feet. It is recommended to add a concrete wall between the valve vault and wet well area to reduce the corrosion of the valves caused by exposure to sewage gases. Additionally, the existing wet well should be coated. The wet well will house two new submersible pumps. The storage wet well plan and elevation are shown in **Figure 3**.

The selected pumps are manufactured by Flygt (model NP 3153 with impeller code 465 and a 15 HP motor) (or equivalent, as determined during final design). The storage pumps will be installed on variable frequency drives to maintain the water level in the wet well when influent flows exceed the capacity of the Primary Pump Station, while the primary pumps continue to convey flow to Hollister. The pump and system curves are shown in **Figure 4** and the operating points are provided in **Table 4**. The pump and system curves for the Storage Pump Station are based on the following assumptions:



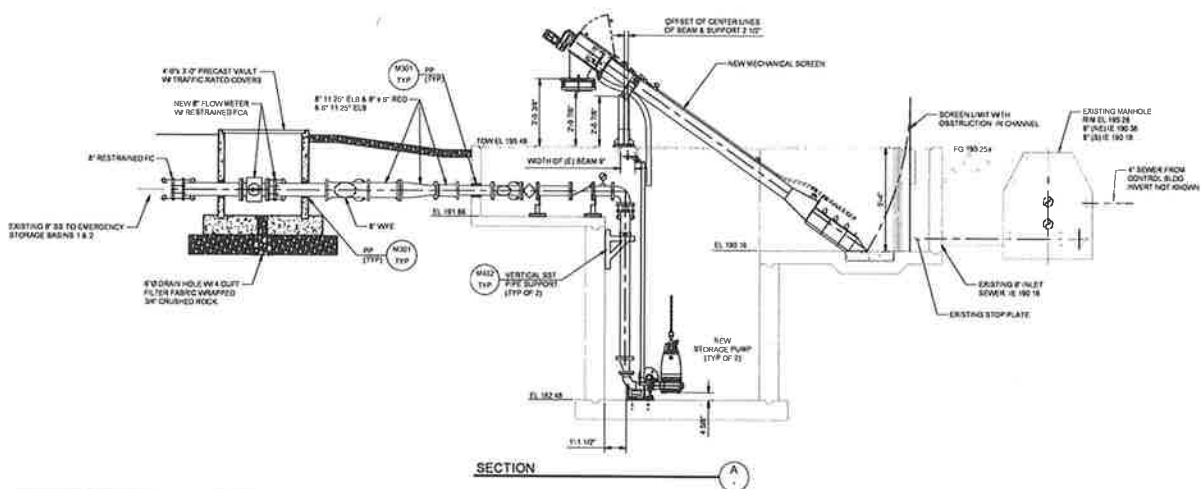
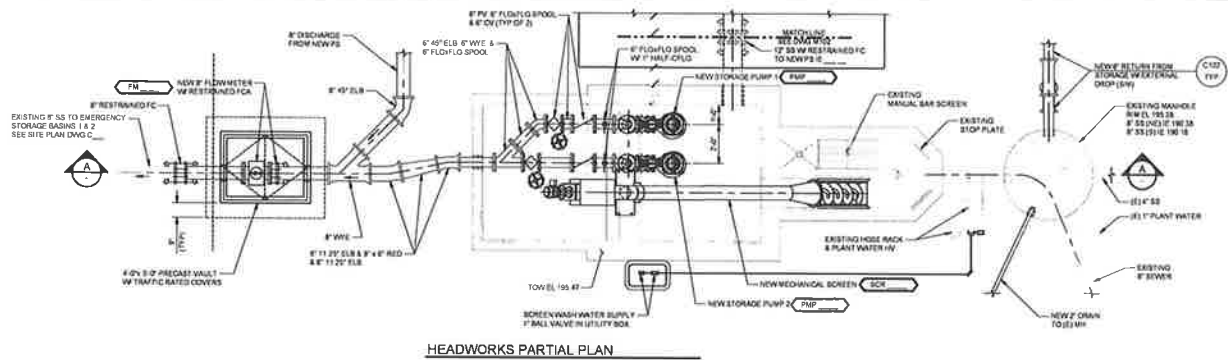
CITY OF SAN JUAN BAUTISTA TO HOLLISTER SANITARY SEWER FORCE MAIN PROJECT

Pumping Systems

- The system curve is based on a high-water level elevation in the wet well of 189.25 feet (0.5 feet above the Primary Pump Station 3 high water level) and a discharge elevation at the EQ tanks of 243.6 feet (highest tank top crown elevation) for a total static lift of 54.4 feet.
- The modified pump curves account for the 4-inch discharge elbow, an expansion fitting (from the 4-inch discharge elbow to the 6-inch manifold piping), 20 feet of 6-inch diameter discharge piping with a Hazen-Williams coefficient of 120, check valve, plug valve, one 90-degree elbow, one 45-degree elbow, one expansion fitting (from 6 to 8 inches), and one wye connection branch flow.
- The system curve accounts for 620 feet of existing cast iron pipe with a diameter of 8 inches and a Hazen-Williams coefficient of ranging from 64 to 83 (for 35-year-old cast iron pipe), two 11.25-degree elbow, two 45-degree elbows, three 90-degree elbows, one gate valve, two wye connection branch flow, and exit losses.

Depending on the actual Hazen-Williams coefficient, the two storage pumps will provide a reliable capacity (one pump out of service) ranging from 0.58 to 0.62 MGD and a maximum capacity ranging from 0.88 to 1.0 MGD. The reliable capacity is sufficient to convey the difference between the build-out peak hour wet weather flow of 1.63 MGD and the reliable capacity of the Primary Pump Station of 1.08 MGD. The Storage Pump Station will also be plumbed to convey flows directly to either ESB 1 or 2. The respective valves will have to be manually opened and closed by the operators to convey flow directly to one of the ESBs.





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Pumping Systems

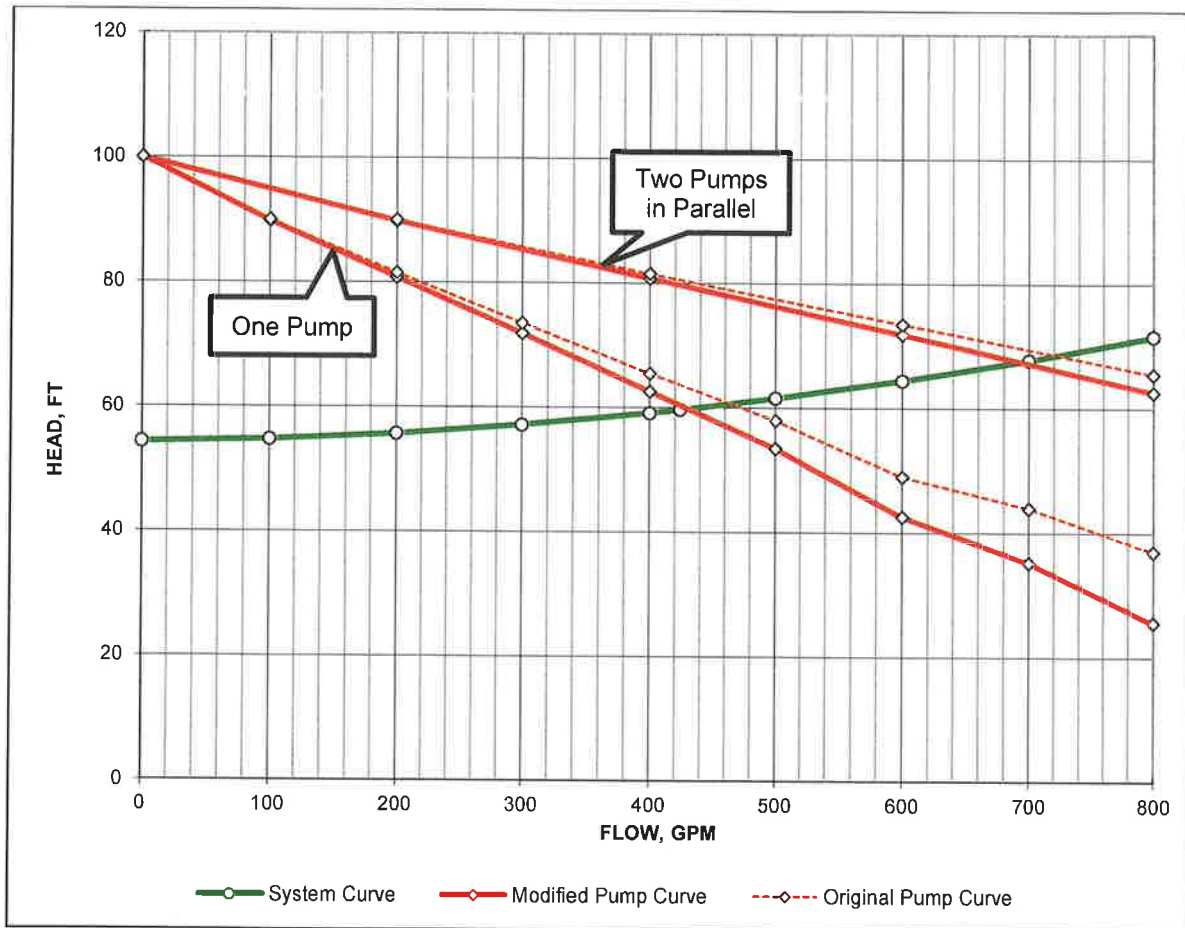


Figure 4 Modified Pump and System Curves – Storage Pump Station (if HWC=83)

Table 4 Capacity and Operating Points – Storage Pump Station

Number of Operating Pumps	Capacity, MGD (gpm)	TDH, psi (ft of head)	Comment
1	0.58 (404)	28 (65)	Reliable Capacity if HWC=64
	0.62 (430)	27 (63)	Reliable Capacity if HWC=83
2	0.88 (611)	32 (73)	Maximum Capacity if HWC=64
	1.0 (693)	30 (70)	Maximum Capacity if HWC=83

(1) The flow capacity is obtained from the point of intersection between the modified pump curve and the system curve. The TDH is obtained from the original pump curve at the respective capacity flow, discharging to the EQ tanks.



4.3 EMERGENCY STORAGE DRAINAGE

4.3.1 Emergency Storage Basin 1

ESB 1 currently has an existing overflow pipe that extends to the influent sewer manhole. This 12-inch overflow pipe will be extended so the top of the overflow pipe is 2 ft below the top of the levee to ensure at least 2 ft of freeboard at all times. ESB 1 also needs a drain pump that can be utilized to drain the basin when flows subside. The selected pump is manufactured by Flygt (model N 3085 with impeller code 462 and a 3.5 HP motor). This pump is offered as a permanent or portable installation. As a cost saving measure, it was assumed that the drain pump would be utilized as a portable pump as the ESBs are not anticipated to be needed until flows increase, and then only on rare occasions. When the ESBs are used and drained more regularly, the drain pump can be installed permanently. The drain pump will connect to a hose which will then connect to the existing 12-inch overflow pipeline that flows to the influent sewer manhole. ESB 1 should be graded towards the drain pump location to improve drainage of the basin. The Flygt N 3085 pump curve is shown in **Figure 5**. It should be noted that a plug valve will be needed on the discharge line to induce head when water levels are high to ensure the pump is not operating off the pump curve.

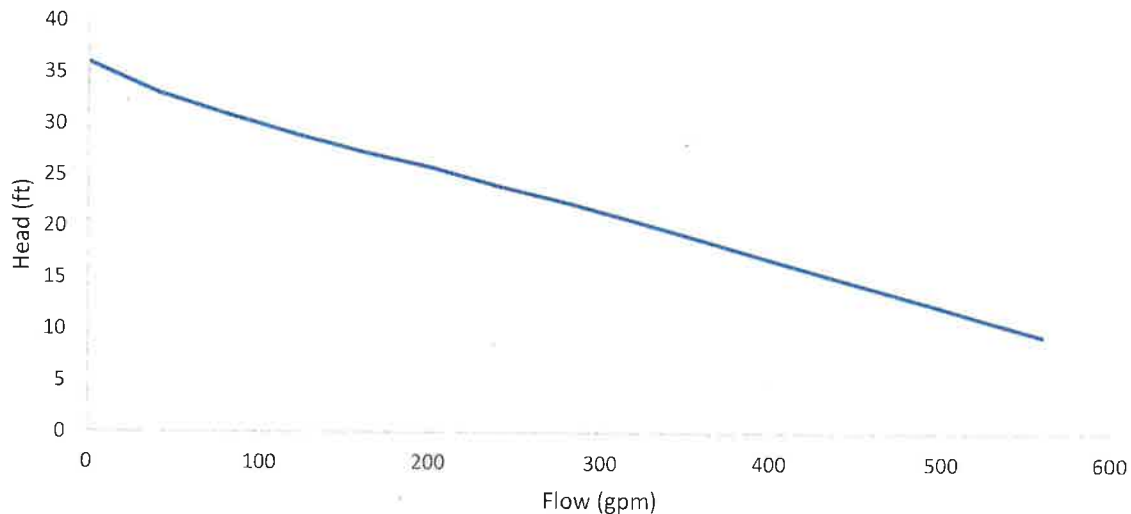


Figure 5 Pump Curve – ESB 1 Drain Pump

4.3.2 Emergency Storage Basin 2

ESB 2 has an existing 7.5 HP drain pump that can be utilized to drain the basin when flows subside. The drain pump connects to an existing hose which can then connect to the EQ tank overflow pipeline, which



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flows to the influent sewer manhole. Additionally, ESB 2 currently has an existing overflow pipe that extends to ESB 1 and is no longer used. This 12-inch overflow pipe will be extended so the top of the overflow pipe is 2 ft below the top of the levee to ensure at least 2 ft of freeboard at all times.

5.0 ELECTRICAL & INSTRUMENTATION

The existing 200 amp 480 VAC Pacific Gas and Electric Company (PG&E) utility service and 75 kW generator do not have the capacity required to support the proposed new pump station and storage facility.

A new 600 amp service with a 300kW generator are required to reliably service the proposed new equipment. The major components of the new electrical system include the following equipment:

- Main service switchboard (MSB) – The MSB will be composed of a PG&E underground pull section, meter section, main breaker section and Automatic Transfer Switch (ATS). The MSB will be provided with an 800 amp bus and provisions for a future alternative energy connection. The MSB will be installed outdoors, near the existing WWTP operations building. Its footprint is approximately 102 inches wide by 40 inches deep with a height of 90 inches.
- Motor Control Center (MCC) – It is anticipated that the new MCC will be installed inside the operations building in the space currently occupied by the existing generator. The MCC will consist of distribution breakers for the headworks screen, primary pump Variable Frequency Drives (VFDs), 6 pulse VFDs with line reactor for the storage pumps, motor controls for storage pumps, and a new lighting panel to support lighting and receptacle loads. The footprint for the MCC is approximately 108 inches wide by 21 inches deep with a height of 90 inches. Note that components for the storage pumps and screen may be deferred to provide value engineering (presented in Section 8.1), but space in the panel should be provided for these improvements.
- Standalone free standing VFD enclosures for each primary pumps – 18 pulse VFDs will be provided for the primary pumps for electrical harmonics mitigation required by the Institute of Electrical and Electronics Engineers (IEEE). It is anticipated these VFDs will also be installed within the existing generator room. VFDs inherently give off substantial heat that will need to be mitigated by the addition of air conditioning in the generator room. Each of these enclosures will be approximately 36 inches wide by 24 inches deep with a height of 90 inches.

As the new equipment will be housed in the existing generator room, special constructability design elements will be included in the detailed design to support project sequencing while the existing WWTP remains online with backup power. The existing generator and ATS will need to be relocated prior to installation of the new equipment. The preferred sequencing may be to install the new generator and ATS before removing the existing facilities.



5.1 STANDBY GENERATOR

A new 300kW generator is required to provide backup power for critical electrical loads. These loads include the concurrent operation of the three primary pumps and one storage pump. Various small lighting loads and the headworks screen are included in the critical loads. The fuel tank will be sized to operate the generator for 24 hours operating at full load. The generator will be designed to meet current environmental requirements and include a level 2 sound attenuating enclosure. The footprint for the generator with the sound attenuating enclosure is approximately 180 inches by 58 inches with a height of 144 inches. Due to the heights of the generator, it is recommended that a 48-inch-wide concrete pad be provided on all sides to allow for the use of a roll around platform for generator servicing.

5.2 CONTROLS

New controls will be required for proper operation and monitoring of the proposed system. A Programmable Logic Controller (PLC) with local Operator Interface Terminal (OIT) will be provided in a new control panel located in the existing office/lab area. This controller will be connected to all new equipment for control, monitoring and alarming. Specifics of the control system will be developed during detailed design including remote access for remote monitoring and alarming to the operations staff, and monitoring for others at the City and the Hollister Domestic WWTP.

6.0 FORCE MAIN

6.1 ALIGNMENT ANALYSIS

The proposed force main alignment extends from the City's existing WWTP to the Hollister Domestic WWTP, as shown in **Figure 6** with greater detail for the beginning and end of the alignment shown in **Figure 7** and **Figure 8**, respectively. The alignment includes approximately 39,400 linear feet of nominal 10-inch diameter high density polyethylene pipe (HDPE) primarily located within the public right-of-way. From the new lift station at the City WWTP, the force main first extends from the wet well to the terminus of an existing, unused 18-inch gravity pipeline in a manhole immediately outside the SJB WWTP. The force main will be threaded through the existing, unused 18-inch pipeline to immediately north of the Rancho Vista development (northwest end of Caetano Place). The existing ten manholes along the 18-inch gravity pipeline will be excavated and removed. The alignment then extends along County and City roads (San Juan Highway/First Street, Prescott Road, San Justo Road, Lucy Brown Lane, Duncan Road, Bixby Road, Freitas Road, and Mitchell Road) before entering the Hollister Domestic WWTP property (near the Western Percolation Beds), crossing Highway 156, and finally discharging into the Hollister Domestic WWTP Manhole B10-1. The Hollister Domestic WWTP Manhole B10-1 is in poor condition and will be rehabilitated (clean, mortar sack, and paint/coat). The force main will be located in the shoulder to the extent feasible and will only be installed in roadways when necessary (e.g., crossing a road, avoiding environmental habitat and/or waters of the United States, and avoiding utilities).



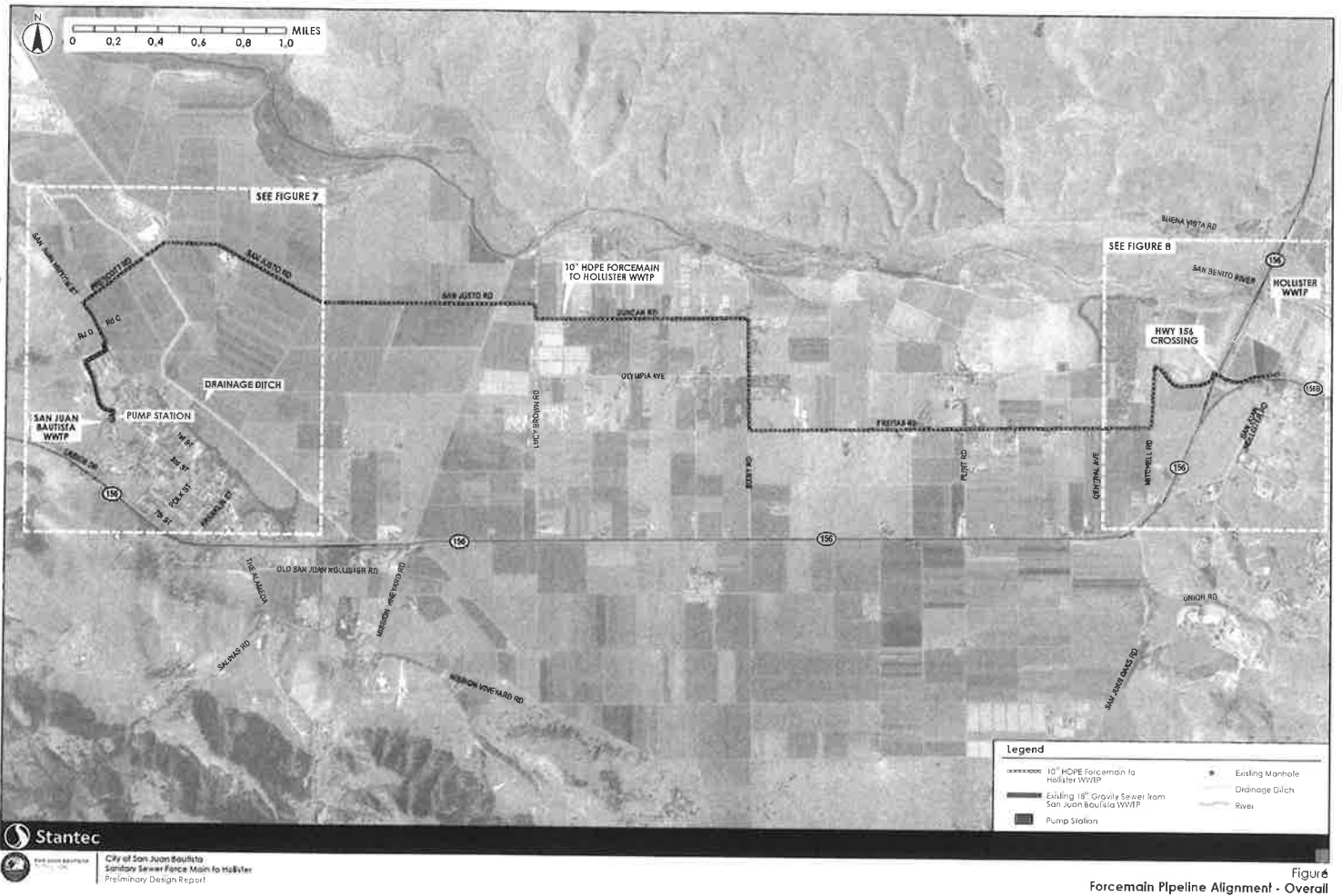
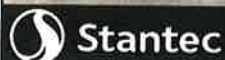
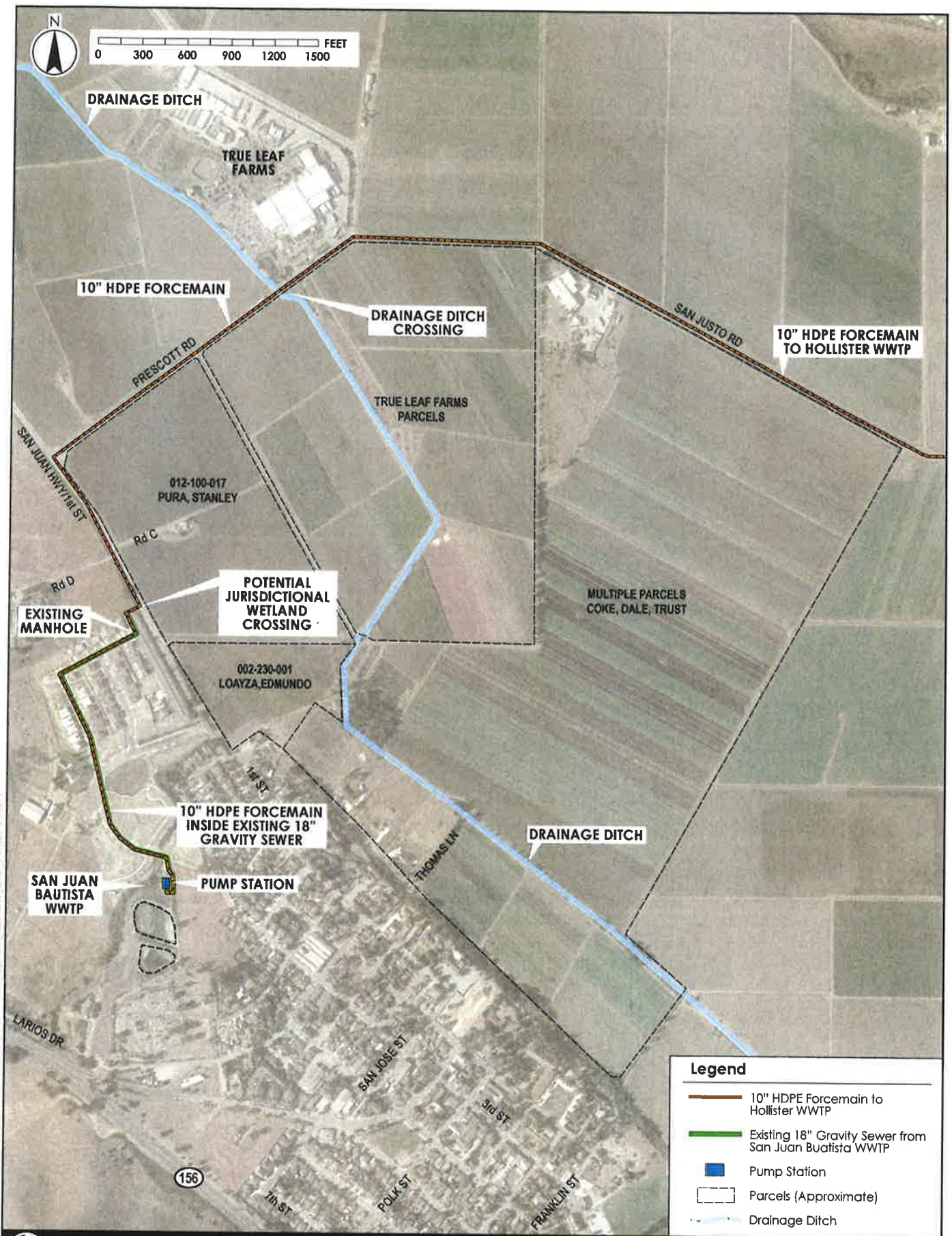


Figure 6
Force Main Pipeline Alignment - Overall



SAN JUAN BAUTISTA
The City of History

City of San Juan Bautista
Sanitary Sewer Force Main to Hollister
Preliminary Design Report

Figure
Forcemain Pipeline Alignment - Detail 1



City of San Juan Bautista
Sanitary Sewer Force Main to Hollister
Preliminary Design Report

Figure 8
Forcemain Pipeline Alignment - Detail 2

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6.2 CONSTRAINTS ANALYSIS

Project constraints include consideration of constructability, environmental, geotechnical, and right-of-way. Specific project constraints are detailed below.

6.2.1 California Highway 156

The force main must cross California Highway 156 to reach the Hollister Domestic WWTP. There is an existing casing pipe crossing Highway 156 that could serve as a conduit for the force main, eliminating the need for trenchless installation across the highway. However, Hollister has indicated that they would prefer to preserve the casing for future capacity and expansion of the Hollister Domestic WWTP ponds as it was originally designed and intended. The casing pipe is 42-inches in diameter, which may be sufficient to house both the force main and a future pipe to serve the ponds. Hollister agreed to allow the City to utilize the casing pipe with the agreement that if the casing pipe were ever needed by Hollister, that the City would then be required to construct a new casing pipe. Therefore, the force main will utilize the existing casing pipe to cross Highway 156 and no trenchless installation is needed at this time.

6.2.2 Utilities

Initial site reconnaissance observed utilities in the residential neighborhood near the City WWTP and near Highway 156 crossing to the Hollister Domestic WWTP. Overhead power and telecommunication lines were also observed, as well as buried fiberoptic cables, blue valve water pipeline (untreated water from San Benito County Water District), and natural gas pipelines in the vicinity of the force main route. There may also be additional unseen water, irrigation, sewer, or leach fields in some locations along the alignment.

Of particular concern is the blue valve water pipeline, which runs along the south side of Prescott Road, the north side of San Justo Road (except for a small portion installed on the south side near the intersection with Lucy Brown Lane), the east side of Lucy Brown Lane, and the north side of Duncan Road. It should be noted that there are also water pipelines (source unknown) along portions of Prescott Road and San Justo Road. Although the force main will be installed in the shoulder to the extent feasible, the force main will be installed in the roadways when sufficient avoidance of utilities is not possible in the shoulder. The force main will be installed at least 10 ft away horizontally and 1 ft vertically from the blue valve pipeline to the maximum extent feasible.

6.2.3 Riparian Habitat, Potential Jurisdictional Wetlands, & Drainage Ditches/Channels

The proposed alignment crosses riparian habitat right outside of the City WWTP and then crosses a potential jurisdictional wetland from the terminus of the existing, unused 18-inch gravity pipeline on Caetano Place to San Juan Highway/First Street. The alignment also crosses a dry, unvegetated



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drainage channel/culvert at the intersection of San Juan Highway and Prescott Road and then crosses a drainage ditch along Prescott Road near True Leaf Farms.

Construction is not expected to impact the riparian habitat outside the City WWTP since the force main will be threaded through the existing 18-inch unused, gravity pipeline. Additionally, the force main will be under the dry, unvegetated drainage culvert at the intersection of San Juan Highway and Prescott Road, thereby avoiding environmental impacts. To reduce environmental permitting efforts associated with installing the force main underground beneath the potential wetland along San Juan Highway/First Street and the drainage ditch/channel along Prescott Road, the force main will cross these two areas via aerial pipe crossings (i.e., pipe bridge). A 24-inch diameter casing pipe will extend from bank to bank with concrete abutments on both sides. The pipe bridge crossing the drainage ditch along Prescott Road will be installed on the north side of Prescott Road as close to the bridge as possible.

Other potential jurisdictional wetlands and drainage ditches were identified along the proposed alignment. However, the jurisdictional wetlands (except the two crossings on San Juan Highway/First Street and Prescott Road identified above) will be avoided to reduce environmental permitting impacts by installing the force main in the far shoulder or in the road. Any agricultural drainage ditch impacted will be restored to the same or better conditions at the end of construction.

6.2.4 Environmental

Environmental constraints are discussed in detail in the Initial Study San Juan Bautista to Hollister Sanitary Sewer Force Main report prepared by EMC Planning Group. Key potential impacts and required mitigation measures include:

- Potential impact: exposure of air quality pollutants to sensitive receptors
 - Mitigation Measures: Construction Management Plan with vehicle restrictions and construction equipment requirements
- Potential impact: significant biological impacts related to habitat, species, and trees
 - Mitigation Measures: several surveys to be conducted by a qualified biologist resulting in proposed measures for avoiding or minimizing possible impacts if necessary (with permits obtained when necessary); training session for all construction personnel to describe the special status species and respective habitats potentially occurring in the project vicinity; San Joaquin Kit Fox impact mitigation such as covering excavations each working day; Incidental Take Permit from the United States Fish and Wildlife Services and California Department of Fish and Wildlife for potential impacts to California tiger salamander, California red-legged frog, Coast Range newt, western spadefoot, and western pond turtle and implementation of all associated mitigation measures (e.g., a qualified biologist will check for wildlife before the start of each work day); Wetland Mitigation and Monitoring Program for temporary impacts to Waters of the United States; restoration for permanent impacts to Waters of the United States if needed; and avoiding tree cutting and removal (arborist evaluation if avoidance is not possible).



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- Potential impact: cultural resources present
 - Mitigation Measure: if prehistoric traces or human remains are discovered, stop all activity within a 50-foot radius and take necessary steps (e.g., qualified archeologist examination)
- Potential impact: paleontological resources present (i.e., fossil remains)
 - Mitigation Measure: if paleontological resources are discovered, stop work within a 100-foot radius until a qualified paleontologist can evaluate the site
- Potential impact: temporary and/or permanent noise and/or vibration impacts
 - Mitigation Measures: several specific mitigation measures including (but not limited to) construction equipment and vehicle requirements, detailed construction plan, noise disturbance coordinator, and construction hours

6.2.5 Geotechnical

Crawford & Associates, Inc. prepared a Draft Geotechnical Report. The major findings and recommendations are detailed below.

- The project site generally consists of mostly sand and gravel with minimal amount of silt and clay. The site is non-corrosive to concrete and ferrous metals.
- Existing pavement conditions range from 0 to 4 inches of aggregate base (AB) and 1 to 4 inches of asphalt concrete (AC).
- Observed groundwater depths ranged from 6 to 46.6 ft below ground surface. However, it should be noted that local residents have reportedly encountered shallow groundwater within the upper 5 feet in the general area between the City and Hollister. The contractor will have to dewater if groundwater is encountered during construction.
- The proposed pipeline alignment generally along San Juan Highway/First Street is within the Alquist-Priolo Earthquake Fault Zone. The zone of uncertainty for the exact location of the fault extends into the Rancho Vista development and Prescott Road. Horizontal surface rupture may be greater than 5 feet based on historical data. The slip rate is approximately 0.5 to 2 inches per year. To mitigate the possible seismic effects of the fault, the force main will be installed in a 24-inch casing pipe along San Juan Highway until near the edge of the zone of uncertainty in Prescott Road. The pipeline is already planned to be installed in an 18-inch casing pipe in the Rancho Vista development. Additionally, survey benchmarks will be installed approximately every 100 feet that will be referenced to a base point so the operators can determine whether the fault is slipping. Vaults will also be added along this portion of the force main so operators can visually observe the pipeline. Design of seismic mitigation to reduce the impact of surface fault rupture or fault movement to the pipeline will be further investigated during detailed design.



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- R-Value 21 is recommended for pavement design based on the respective traffic index.

6.2.6 Right-of-Way

It is intended for the force main to be installed within the County of San Benito (County) right-of-ways to the extent feasible. However, it appears that a permanent easement will be needed for the ditch crossing along Prescott Road. This need will be confirmed during final design.

The contractor may rent space for equipment staging along the alignment as needed, and as cleared environmentally, and approved by the City.

6.3 DESIGN PARAMETERS

Based on the proposed alignment and the potential for high pressures in the pipes at peak flow, it was determined that the force main shall be 10-inch nominal diameter HDPE. The first approximate 2.7 miles of the pipeline extending from the SJB WWTP will be dimension ratio (DR) 11, which can handle a maximum pressure of 200 psi (461 ft of head). The remaining pipeline will be DR 13.5, which can handle a maximum pressure of 160 psi (369 ft of head).

HDPE material is reliable, and commonly used for pressure pipeline applications with sewage. HDPE pipe is available in both iron pipe size (IPS) and ductile iron pipe size (DIPS). IPS sized HDPE pipe has the same outer diameter (OD) as carbon steel or black iron pipes, while DIPS sized HDPE has the same OD as cast and ductile iron pipes. IPS pipe sizing was selected as it costs less than DIPS piping and is more readily available if a portion of the force main ever needs to be replaced. Flange coupling adaptors will be needed to connect the IPS HDPE pipe to any ductile iron fittings. HDPE pipe comes in 40-foot or 50-foot lengths (typically 40-foot lengths for this diameter, but 50-foot lengths can be requested) and is butt-fused at each joint and fitting (or flanged, as appropriate), which also provides pipe restraint. It is recommended to remove the beads on the inside of the pipe at the joints to reduce the areas where solids can accumulate and improve pigging operation. For HDPE pipe, no cathodic protection is required except where metallic fittings are used, such as for isolation valves.

The peak flow through the force main is limited by the capacity of the pumps. As discussed previously, the maximum flow that the three pumps would be capable of conveying is 1.13 MGD (reliable capacity with one pump offline equals 1.08 MGD). Preliminary design parameters for the force main are detailed in Table 5.



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Table 5 Force Main Design Parameters

Parameter	Force Main Design	
HDPE Pipe (IPS)		
Dimension Ratio (DR)	11	13.5
Maximum Pressure, psi (ft of head)	200 (461)	160 (369)
Pipe Inner Diameter, inch	8.68	9.06
Pipe Outer Diameter, inch	10.75	
Pipe Weight, lb/ft	13.16	10.93
ANSI/AWWA Standard	C906	
Conditions with Three Pumps Operating (Maximum Capacity)		
Peak Flow with Three Pumps, MGD (gpm)	1.13 (786)	
Velocity at Peak Flow with Three Pumps, ft/s	4.26	3.91
Conditions with Two Pumps Operating (Reliable Capacity)		
Peak Flow with Two Pumps, MGD (gpm)	1.08 (748)	
Velocity at Peak Flow with Two Pumps, ft/s	4.06	3.72
Conditions with One Pump Operating		
Peak Flow with One Pump, MGD (gpm)	0.94 (655)	
Velocity at Peak Flow with One Pump, ft/s	3.55	3.26

6.4 FORCE MAIN APPURTENANCES

Several pipeline appurtenances will be required for the force main, including:

- Sewage combination air and air release valves at high points to purge air during system start-up and to release air during operation. These valves also facilitate servicing the pipeline by allowing air in when the line is being drained.
- Blow off valves at low points to facilitate pipe draining for cleaning and maintenance
- Isolation valves to isolate sections to allow for maintenance without having to drain the entire force main
- One pig launching station at the City WWTP, two pig receiving/re-launching stations along the alignment, and one pig receiving station at the Hollister Domestic WWTP to allow for pipeline cleaning as needed
- Flex joints to accommodate possible geotechnical differential movement (though the intent is to cold bend the HDPE pipe in the field to the allowable extent to reduce the number of elbow fittings)



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6.5 FLUSHING

At the current estimated annual average flow (AAF) of 0.16 MGD, the velocity through the DR 11 and DR 13.5 sections of the force main are respectively 0.60 ft/s and 0.55 ft/s, which are insufficient to scour settled solids in the pipeline. Therefore, the primary pumps will be operated at full speed to achieve minimum velocities in the force main. Additionally, the force main will be periodically flushed using the EQ tanks available storage to achieve a more substantial flushing cycle. On a specified cycle (e.g., once per month), the storage pumps will fill the EQ tanks. A regular flushing cycle also ensures the storage pumps are used regularly (the lead storage pump will be switched each flushing cycle to ensure both storage pumps are exercised regularly). After being filled, the EQ tanks, which are hydraulically connected and fill and drain in parallel (as one collective tank), will be drained back to the Primary Pump Station for flushing the force main. A throttling valve will be located on the discharge of the EQ tanks to control the flow rate back to the Primary Pump Station to ensure the return flow rate does not exceed the capacity of the Primary Pump Station. The velocity through the DR 11 and DR 13.5 sections of the force main at the current reliable capacity of 1.08 MGD are respectively 4.06 ft/s and 3.91 ft/s, which are considered sufficient scouring velocities.

6.6 PIGGING STATIONS

Pigging stations are needed to periodically clean the pipeline of fats, oils and grease that can accumulate in the line over time, as flushing with velocity alone may not remove all solids from the pipeline. Two mid-way pig receiving and relaunching stations will be installed along the alignment in addition to the pig launching station on the City WWTP site and a pig receiving station on the Hollister Domestic WWTP site. The two mid-way stations will be entirely underground with access through vaults and traffic rated hatches. The mid-way pig receiving and relaunching stations will be located at the intersection of San Justo Road and Lucy Brown Lane and on the south side of Freitas Road, near the intersection with Flint Road.

All three primary pumps will be used during pigging operations to maximize the velocity in the force main. Similar to flushing operations, the available storage in the EQ tanks will be utilized during pigging operations to ensure the transfer of the pig along the entire segment being cleaned at a near-constant velocity. It should be noted that a pipeline cleaning specialist recommends removing the inner beads of the force main during construction and recommends against square plug valves, unless they are oversized to provide a full interior pipe diameter of through passage for the pig. Additionally, a maintenance plan including a pigging operations schedule must be developed and followed. It is recommended to pig the pipeline during pipeline commissioning to get baseline conditions data. The pressure and velocity in the force main should be monitored to determine the actual pigging frequency needed (a possible starting frequency may be semi-annually).



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Permitting

7.0 PERMITTING

Based upon the current understanding of the sensitive biological issues in the project vicinity (as documented in the Initial Study San Juan Bautista to Hollister Sanitary Sewer Force Main report prepared by EMC Planning Group), the following environmental permits may be required from the respective agencies (to be determined by a qualified biologist):

- Clean Water Act Section 404 Nationwide Permit or Individual Permit from the United States Army Corps of Engineers (USACE)
- Clean Water Act Section 401 Water Quality Certification from the Regional Board
- Streambed Alteration Agreement from the California Department of Fish and Wildlife (CDFW)
- Incidental Take Permits from CDFW and the United States Fish and Wildlife Service (UCFWS)
- Permit to cut or remove trees from the San Benito County Planning Department

Other non-environmental permits required include:

- NPDES Construction General Permit (2009-0009-DWQ), including the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP)
- Encroachment Permit from the California Department of Transportation (Caltrans) for any work completed within Caltrans right-of-way for Highway 156
- Encroachment Permit from the San Benito County Planning Department
- Grading permit from San Benito County (if needed)

Additional permit coordination may be applicable and required by State of California Department of Health Services, San Benito County Resources Management Agency, Regional Board, and other local agencies for the proposed force main alignment. Additionally, the Hollister Domestic WWTP NPDES permit will need to be updated and the City WWTP NPDES permit will be rescinded following decommission.

8.0 PRELIMINARY OPINION OF PROBABLE COST

Preliminary opinion of probable cost (OPC) for the pumping systems and City WWTP modifications is presented in **Table 6** while the force main preliminary OPC is presented in **Table 7**. The total project preliminary OPC is shown in **Table 8**. The cost estimates include base/construction costs, contractor mark-ups, contingency, environmental, and permitting. It should be noted that additional soft costs, such as construction management and inspection, will be required. Costs for funding should be escalated to the proposed mid-point of construction (this date is currently in flux due to permitting). The base construction costs were estimated using the 20 City Average Engineering News Record Construction



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Preliminary Opinion of Probable Cost

Cost Index (ENRCCI) of 12,464 (October 2021). The engineering opinion of probable costs falls under cost estimate Classification Four (Class 4, as defined by Association for the Advancement of Cost Engineering, AACE) with an expected accuracy range of -30% to +50%.

Table 6 WWTP Modifications and Pumping Systems Preliminary Opinion of Probable Cost ⁽¹⁾ ⁽²⁾ ⁽³⁾

Item	Cost, \$
Bypass Pumping	\$6,000
Demolition	\$59,000
Misc Sitework	\$78,000
Primary Pumps, Piping, & Ancillary	\$539,000
Monorail Crane	\$70,000
Fiberglass Wet Well	\$271,000
Storage Pumps, Piping, & Ancillary	\$153,000
Sump Pump, Piping, & Ancillary	\$34,000
Misc Piping, Fittings, and Ancillary	\$31,000
Screen	\$132,000
Misc Concrete	\$18,000
Misc Metals	\$12,000
Electrical & Instrumentation	\$768,000
Base Construction Cost	\$2,171,000
Contractor Markup, 30%	\$652,000
Subtotal Construction Cost	\$2,823,000
Contingency, 35%	\$989,000
Total Construction Cost	\$3,812,000

(1) Based on 20-cities ENR CCI of 12,464 (October 2021).

(2) Recently, the market has been subject to significant construction material cost increases, which may warrant an increase in contingency, though this has not been included in this cost estimate.

(3) Not included is the cost to line Emergency Storage Basin 1 to convert the basin to an Equalization Basin. It was assumed this would occur in the future when flows increase. A high-level cost estimate to line this basin is \$160,000 (plus soft cost markups).



CITY OF SAN JUAN BAUTISTA TO HOLLISTER SANITARY SEWER FORCE MAIN PROJECT

Preliminary Opinion of Probable Cost

Table 7 Force Main Preliminary Opinion of Probable Cost ^{(1) (2)}

Item	Cost, \$
Traffic Control	\$394,000
Demolition	\$239,000
Sitework	\$2,426,000
Force Main & Fittings	\$2,275,000
Ditch Crossing	\$80,000
Pigging Stations	\$120,000
Base Construction Cost	\$5,534,000
Contractor Markup, 30%	\$1,661,000
Subtotal Construction Cost	\$7,195,000
Contingency, 35%	\$2,519,000
County Encroachment Permit	\$25,000
Environmental	\$166,000
Total Construction Cost	\$9,905,000

(1) Based on 20-cities ENR CCI of 12,464 (October 2021).

(2) Recently, the market has been subject to significant construction material cost increases, which may warrant an increase in contingency, though this has not been included in this cost estimate.

It should be noted that Hollister has an "only dig once" policy wherein a conduit casing pipe should be installed during projects that require trenching to minimize future construction impacts to the area. The City and Hollister were still in discussions regarding the conduit at the time of writing this report for future fiber optic cabling from an existing data cable in San Juan Highway to the City of Hollister. If Hollister and the City determine that a conduit pipe should also be installed during construction of this project, the construction costs will increase.

Table 8 Total Project Preliminary Opinion of Probable Cost ^{(1) (2)}

Item	Cost, \$
Force Main Total Project Cost	\$9,905,000
Pumping Systems and WWTP Modifications Total Project Cost	\$3,812,000
Total Construction Cost	\$13,717,000

(1) Based on 20-cities ENR CCI of 12,464 (October 2021).

(2) Recently, the market has been subject to significant construction material cost increases, which may warrant an increase in contingency, though this has not been included in this cost estimate.



CITY OF SAN JUAN BAUTISTA TO HOLLISTER SANITARY SEWER FORCE MAIN PROJECT

Preliminary Opinion of Probable Cost

8.1 VALUE ENGINEERING OPPORTUNITIES FOR COST REDUCTIONS

The cost estimates provided above are presented for a new holistic, reliable system. However, there are several possible opportunities to reduce the preliminary OPC of the project, as detailed below.

- **Demolition of existing equipment:** Some of the equipment (pressure sand filters, UV disinfection system, pond aerators, and electrical equipment) can be abandoned in place as a cost saving measure or bid option and then can be removed with a future project. The demolition cost can be significantly reduced, but not entirely removed as certain equipment (e.g., pond baffles) need to be removed from the site for improved operation in the pond repurposed function.
- **ESB 1 (Drain Pump and Grading):** If the City has an existing portable pump for use elsewhere around the City, purchasing a dedicated ESB 1 drain pump can be deferred until future flows increase and the ESB is used more regularly. Alternatively, since the ESBs are not anticipated to be needed until flows increase, the minimal amount of volume that enters the ESBs can be allowed to evaporate or infiltrate rather than pumped out of the basin. An additional opportunity for cost reduction is to defer grading ESB 1 until the ESB is used more regularly.
- **Influent Screen:** Depending on the condition of the influent screen, replacement of the existing screen can be completed as part of a future project. The operations team has stated that the screen equipment is at the end of its useful, but is still operational.
- **Existing Pumps:** Depending on the condition of the existing pumps, it is potentially possible that the existing pumps can be utilized in the Storage Pump Station since these pumps are currently plumbed to convey flow to the basins. The operations team has stated that the existing pumps are at the end of their useful life, but they are still operational. Replacement of the existing pumps with the new storage pumps can potentially be deferred and completed as part of a future project.

If the City chooses to implement the value engineering options described above, the WWTP modifications and pumping systems OPC can be reduced as shown in **Table 9**, which would result in the total project costs including the force main costs as shown in **Table 10**.



CITY OF SAN JUAN BAUTISTA TO HOLLISTER SANITARY SEWER FORCE MAIN PROJECT

Preliminary Opinion of Probable Cost

Table 9 WWTP Modifications and Pumping Systems Preliminary Opinion of Probable Cost with Value Engineering Options ^{(1) (2) (3)}

Item	Cost, \$
Bypass Pumping	\$6,000
Demolition	\$30,000
Misc Sitework	\$63,000
Primary Pumps, Piping, & Ancillary	\$539,000
Monorail Crane	\$70,000
Fiberglass Wet Well	\$270,000
Misc Piping, Fittings, and Ancillary	\$31,000
Misc Concrete	\$18,000
Misc Metals	\$12,000
Electrical & Instrumentation	\$675,000
Base Construction Cost	\$1,714,000
Contractor Markup, 30%	\$515,000
Subtotal Construction Cost	\$2,229,000
Contingency, 35%	\$781,000
Total Construction Cost	\$3,010,000

(1) Based on 20-cities ENR CCI of 12,464 (October 2021).

(2) Recently, the market has been subject to significant construction material cost increases, which may warrant an increase in contingency, though this has not been included in this cost estimate.

(3) Not included is the cost to line Emergency Storage Basin 1 to convert the basin to an Equalization Basin. It was assumed this would occur in the future when flows increase. A high-level cost estimate to line this basin is \$160,000 (plus soft cost markups).

Table 10 Total Project Preliminary Opinion of Probable Cost with Value Engineering Options ^{(1) (2) (3)}

Item	Cost, \$
Force Main Total Project Cost	\$9,905,000
Pumping Systems and WWTP Modifications with Value Engineering Total Project Cost ^(b)	\$3,010,000
Total Construction Cost	\$12,915,000

(1) Based on 20-cities ENR CCI of 12,464 (October 2021).

(2) Recently, the market has been subject to significant construction material cost increases, which may warrant an increase in contingency, though this has not been included in this cost estimate.

(3) Value engineering excludes the cost of the Storage Pump Station improvements (including the influent screen replacement), ESB 1 sump pump, ESB 1 draining, and half the demolition costs.



CITY OF SAN JUAN BAUTISTA TO HOLLISTER SANITARY SEWER FORCE MAIN PROJECT

Summary

9.0 SUMMARY

As part of a comprehensive project for the City to achieve regulatory compliance, a 7.4 mile force main extending from the City WWTP to the Hollister Domestic WWTP to be located primarily within the County right-of-way will be constructed and is estimated to cost approximately \$9.9 million. Additionally, a Primary Pump Station will be constructed, the existing wet well will be repurposed to serve as the Storage Pump Station, and modifications will be made to the City WWTP. The new Primary Pump Station and City WWTP modifications are estimated to cost approximately \$3.8 million. The whole project has an estimated construction cost of \$13.7 million. If the City chooses to implement the value engineering options presented in this report, the total project would have an estimated cost of \$12.9 million.





CITY OF SAN JUAN BAUTISTA CITY COUNCIL REPORT

AGENDA TITLE: CONDUCT PROTEST HEARING PURSUANT TO PROPOSITION 218 WITH RESPECT TO PROPOSED SEWER RATES AND CONSIDER INTRODUCTION OF AN ORDINANCE INCREASING SEWER RATES AND AMENDING SECTION 3-5-150 OF THE SAN JUAN BAUTISTA MUNICIPAL CODE REGARDING SEWER RATES

MEETING DATE: DECEMBER 14, 2021

DEPARTMENT HEAD: DON REYNOLDS, CITY MANAGER

RECOMMENDED ACTION(S):

It is recommended that the City Council:

- (i) Hold a public protest hearing on the proposed new schedule of sewer rates;
- (ii) Receive a tabulation of written protests from the City Clerk; and
- (iii) In the absence of a majority protest against the proposed rate schedule, introduce and waive first reading of the attached ordinance increasing the sewer rates and amending Section 3-5-150 of the Municipal Code.

BACKGROUND INFORMATION:

In July 2019, when the City Manager was hired, he was holding a 25-page report written in 2018, describing the 16 conditions of “Extra High-Risk” and “High-Risk” failure that could take down the old sewer treatment plant at any moment. This report was shared with the City in a public discussion March 17, 2020 (actual discussion occurred in April due to the Pandemic). By August 2020, the City was forced by the Environmental Protection Agency (“EPA”) and Regional Water Quality Control Board (RWQCB) to find a solution, and to pay close to \$1 million in fines for violations dating back to 2007. In October 2020, the City considered three different costly options, two upgraded the current wastewater treatment plant (“WWTP”), and the third will send the wastewater to Hollister. They range in cost from \$15-\$20 million each. The City selected and the EPA approved sending the sewer water to Hollister. The estimated cost to do this is currently \$15 million.

On October 7, 2021, the City held its fifth Town Hall meeting regarding the status of the City’s water and wastewater systems. Attached are the slides from that meeting that summarize almost two years of working with the Environmental Protection Agency (“EPA”) and Regional Water

Quality Control Board (RWQCB) to bring the City's sewer system into compliance with the State and Federal Standards. In 2020, 39 special meetings occurred, and almost every Agenda included water and wastewater.

The slides present this history to include the following critical steps:

- 1) Inspection by EPA and RQWCB of the Waste Water Treatment Plant ("WWTP"), June 2019;
- 2) Preparation of Water and Waste Water Master Plans, October 2019;
- 3) EPA Notice of non-compliance, October 2019;
- 4) EPA proposed path to resolve compliance issues and RQWCB notice of pending fines dating back to 2007, February 2020;
- 5) Executing the binding Agreement with the EPA- Administrative Order on Consent- setting forth a compliance date of December 2023 August 2020;
- 6) Approve USDA Required Preliminary Engineer's report identifying three possible solutions to the City's sewer compliance issues, all with estimated cost of between \$15 - \$20 million dollars August 2020;
- 7) Applying for USDA grant and Low Interest Loan funds; September 2020
- 8) Selecting a Compliance Project, approved by the EPA October 2020
- 9) Executing a Memorandum of Understanding with San Benito County Water District (SBCWD) February 2021
- 10) Award of Contract to Design Compliance Project February 2021
- 11) Execute a Memorandum of Understanding with the City of Hollister September 2021

The related details of this history can be found in one central location on the City's web-site here: https://www.san-juan-bautista.ca.us/alert_detail.php The focus of this report is on the City's sewer system, but the MOU with the SBCWD is a second project to bring fresh surface water into the City as well. Both projects are part of the EPA's "compliance project." The SBCWD is responsible for the new source of water project, and it is on the same development trajectory as the Sewer Project.

In summary, in the fall of 2020, the City committed to building a compliance project that sends its sewer water to Hollister. Instead of spending the same amount of money upgrading its old WWTP. The WWTP will be decommissioned, but the reservoirs will be saved for emergency back-up storage.

Since February, the Sewer project design has determined its final route, the right-of-way needed for this path, and the environmental studies are completed. The route selected (shown on pages 12 and 13 of the slides) requires the industrial users to enter the system on San Justo Road enroute to Hollister, rather than sending their sewer to the City first. It relies on County roads, and requires no right-of-way acquisition.

At this time, the MOU with Hollister requires the City to determine if the project is feasible. Two critical components are required: success applying for grants and loans like the USDA program

referenced in the chronology, and approval of a sewer rate increase to pay the debt service on the low interest loans associated with that application.

Between 2005 and 2010, rates increased \$17 from \$54 to \$71. In 2011, they increased 11% to \$79. Through 2019, they increased 1.5% per year, or \$1 or \$2 per year to the current rate of \$83.61. They can be increased by adding the cost-of-living adjustments without notice to the users, but were not increased in 2020 or 2021. These relatively small increases do not account for the cost and capital investment needed to rebuild the treatment plant.

The City and its grant writer are actively pursuing 4-different grant and loan opportunities. In the fall of 2020, the City applied for the USDA Grant and Loan program, and also applied for two State Revolving Loan Fund programs. The State loans will help with the sewer project and also with the source water project. USDA is waiting for this published public meeting to occur, for the completed environmental studies, and for an approved rate study. Community Development Block Grants are also on the radar. The American Rescue Plan and proposed federal Infrastructure Bill add more optimism to this effort.

On October 19, 2021, the City Council (in order to satisfy USDA community participation requirements) held a public hearing on the sewer rate study. The City Council also adopted a resolution proposing the recommended sewer rate schedule, setting December 14 as the date for a public protest hearing on the rates, and adopting procedures for the acceptance and tabulations of written protests. Notice of the December 14, 2021 hearing was mailed to all wastewater customers, as is required by Proposition 218.

DISCUSSION:

The background provided in this Report is intend to inform rate payers, all new listeners and concerned parties of the path that has been travelled to reach this critical point, and to satisfy the requirements of the USDA. This "Public Hearing" is intended to allow additional dialogue regarding the city's selection of an EPA Compliance project and its untended use of USDA funds to pay for it. It is also intending to launch the process of increasing sewer rates. A current approved rate schedule is required by the USDA and other potential funding sources.

The attached Rate Study has been completed to include the cost of the sewer compliance project and some of the anticipated state and federal assistance needed to pay for the project. It concludes that over the next 5-years, starting this year, the City will need to increase its rates by approximately \$65, (between \$8-\$17 dollars per year). This is the first proposed rate increase in twenty years that will effectively re-design how the City treats its wastewater.

This solution ends the City's role in treating the sewer water, and instead sends it to Hollister's plant.

The proposed rate increase presented above is a "worst-case scenario." It is a conservative estimate of necessary rate increases, in the event the City is not successful in its effort to use State and

Federal funds to help pay for the compliance project. Before the State and Federal funds can be approved, the City has to demonstrate its ability or willingness, to fund this without help. As mentioned, the City is actively applying for three different State programs that will loan the City funds to build the project at very low interest rates. The rate study however, uses the current conventional interest rates. It assumes that most of the project will be paid by borrowing, when in fact the City is working on three different grant applications as well, to help reduce the burden to rate payers.

If the City is successful, the City's costs will decrease, and the rates will not have to increase by as much as the estimates in this "worst-case scenario."

The results of these funding efforts will be known by December 2021, if the rates are increased as described herein.

At tonight's hearing, the Council should accept oral and written testimony with respect to the proposed rates. The City Clerk has been accepting, and will continue to accept through the close of the public input portion of the public hearing, written protests against the rates. Because tonight's meeting will be conducted via Zoom, prior to the close of the public input portion an opportunity should be given for members of the public to make an oral protest that will be counted as a written protest. After the close of the public input portion of the public hearing, the Clerk will tabulate the protests and announce the number of valid written protests received. Unless the City has received valid written protests with respect to a majority of the parcels subject to the rates, the City Council may then introduce the ordinance adopting the new rates.

The City's past practice has been to adopt sewer rate increases by ordinance, and to use that ordinance to place the dollar amounts of the sewer rates directly into the text of the Municipal Code. This practice is not required by law, and can cause confusion because there is limited ability to place formatted tables in the Municipal Code document. Therefore, the attached ordinance adopts a rate table, but does not add the rate table to the text of the Municipal Code. The ordinance also amends the Municipal Code so that future rate increases can be adopted by resolution. This change does not alter the requirement that a rate increase can be adopted only following the Proposition 218 notice, protest and hearing requirements.

The ordinance adopts a five-year schedule of rate increases. The first increase would go into effect on February 1, 2022, and subsequent increases would go into effect, without further Council action, on July 1, 2022 and each of the following three July 1sts. The Council can take action in the future, by resolution, to reduce these rates, but cannot increase rates above this schedule without conducting new Proposition 218 notice, protest, and hearing proceedings.

The proposed rates are as follows:

Table A
City of San Juan Bautista
Recommended Sewer Rates
Sewer Rate Study

Rates	FY 19-20	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
	<i>Existing</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>
Residential Sewer Rates						
Monthly Fixed Rate	\$83.61	\$95.62	\$109.01	\$124.27	\$141.67	\$148.75
Commercial Sewer Rates						
Min. Monthly Base Charge	\$84.03	\$95.62	\$109.01	\$124.27	\$141.67	\$148.75
Volumetric Rates						
Standard Strength \$/1,000 gal	\$9.10	\$14.51	\$16.54	\$18.86	\$21.50	\$22.57
Moderate Strength \$/1000 gal	\$13.35					
High Strength \$/1,000 gal	\$18.18					

Under the proposed rate structure, there will be a single volumetric rate (rather than three different rates) that applies to all customers.

A pass-through provision is proposed for changes to the rates charged by Hollister for its services. The details of this pass-through formula are presented in the ordinance.

FISCAL IMPACT:

If approved, the action before the City Council will provide sufficient funding within the Sewer Enterprise fund to build its new capital improvements and pay forth enforce main to Hollister.

STRATEGIC PLAN:

City Resolution 2021-15 approved the City's Strategic Plan for Fiscal Year 2021/22. This action is clearly identified in the 3rd Initiative in this Year's Plan:

- 3) *Invest, maintain, strengthen, plan and renew, our vital infrastructure:*
 - a. Regionalize the Source of Water, and discharge of Waste Water
 - b. *Invest in the new Water and Waste Water Master Plans*
 - c. *Fund the priorities in the Pavement Management Plan*
 - d. *Reduce Greenhouse Gasses, develop sustainable independent Power grids*
 - e. *Stormwater, inflow and infiltration*
 - f. *Facilities*
 - g. *Open Space and Active Transportation Plan*

ATTACHMENTS:

- 1) Resolution No. 2021-53
- 2) Slides from the October 7, 2021 Town Hall Meeting
- 3) Rate Study
- 4) Rate Study Addendum
- 5) Ordinance

RESOLUTION NO. 2021- 53

A RESOLUTION OF THE CITY OF SAN JUAN BAUTISTA ACCEPTING A SEWER RATE STUDY, PROPOSING A SEWER RATE INCREASE, SETTING THE DATE AND TIME FOR A PUBLIC HEARING ON THE PROPOSED INCREASE, AND DIRECTING STAFF TO GIVE NOTICE OF THE PUBLIC HEARING PURSUANT TO ARTICLE XIII D, SECTION 6 OF THE CALIFORNIA CONSTITUTION

WHEREAS, the City's wastewater treatment plant discharges treated effluent pursuant to a permit issued under the National Pollutant Discharge Elimination System (the "NPDES Permit"); and

WHEREAS, the plant was not designed to meet the requirements of the NPDES Permit; and

WHEREAS, the plant has, for many years, discharged effluent with sodium, chloride, and total dissolved solids concentrations that exceed the concentrations allowed under the NPDES Permit; and

WHEREAS, the City has been subject to ongoing fines for its ongoing violations of the NPDES Permit; and

WHEREAS, the City is subject to an Administrative Order on Consent with the United States Environmental Protection Agency requiring that the City take certain steps to remedy its violations; and

WHEREAS, the City intends to construct a force main that will allow the City to export all wastewater from the City's wastewater system to the Domestic Wastewater Treatment Plant owned and operated by the City of Hollister; and

WHEREAS, the City has entered into a Memorandum of Understanding with the City of Hollister, dated September 7, 2021, pursuant to which the City of Hollister will accept and treat wastewater delivered to it via the planned force main (the "MOU"); and

WHEREAS, the construction and use of the new force main will permit the City to decommission its wastewater treatment plant; and

WHEREAS, to fund the costs of collecting and treating wastewater, the City collects sewer rates from its wastewater customers; and

WHEREAS, there will be substantial costs to the City for the construction of the new force main; and

WHEREAS, the MOU requires that the City pay the City of Hollister for the wastewater treatment services provided under the MOU; and

WHEREAS, the City engaged Bartle Wells and Associates (“BWA”) to determine the sewer rates that will be required to fund the City’s wastewater enterprise in light of the terms of the MOU and the capital costs associated with the new force main; and

WHEREAS, BWA has produced its Sewer Rate Study, dated October 13, 2021, which is on file in the Office of the City Clerk, available for public inspection, and incorporated herein by reference (the “BWA Study”); and

WHEREAS, the City is in the process of applying for federal and state grants and loans to defray a part of the costs of constructing the new force main; and

WHEREAS, on October 19, 2021, the City Council held a noticed public hearing regarding the City’s intent to apply for United States Department of Agriculture funding (grant and loan) for construction of the force main; and

WHEREAS, in order to qualify for state and federal assistance, the City must be able to demonstrate that it has sufficient financial resources (and sewer rate authority) to operate its collection system and to fund wastewater treatment; and

WHEREAS, the City Council desires to initiate proceedings to adopt the sewer rates described in the BWA Study; and

WHEREAS, a proposed rate table (the “Rate Table”) is set forth in Attachment “A” to this Resolution, which is incorporated herein; and

WHEREAS, Article XIII D, Section 6 of the California Constitution, which was adopted by the people as a part of Proposition 218, requires that the City Council hold a protest hearing before adopting increased sewer rates; and

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA NOW HEREBY FINDS AND ORDERS:

1. That the recitals in this Resolution and the accompanying staff report are true and correct and are hereby made a part of this Resolution.
2. That the BWA Study is accepted.
3. That the sewer rates set forth in the BWA Study and the Rate Table are hereby proposed.
4. That 6:00 PM on December 14, 2021 in the City Council Chambers located at 311 Second Street, San Juan Batista, CA 95045 is set at the time and place for a public hearing on the proposed rates (the “Public Hearing”).
5. That at the Public Hearing the City Council will hear testimony from all interested persons regarding the proposed sewer rates.
6. That staff is directed to mail notice of the Public Hearing to wastewater customers in the manner set forth in Section 53755(a)(1) of the California Government Code.

7. That staff is directed to accept written protests as set forth in Exhibit "B" to this Resolution, which is hereby approved and is attached hereto and incorporated herein.

PASSED AND ADOPTED by the City Council of the City of San Juan Bautista at a regular meeting held on the 19th day of October, 2021, by the following vote:

AYES: **Jordan, Freeman, Flores**

NOES: **None**

ABSENT: **Freels, Edge**

ABSTAIN: **None**

ATTEST:


Leslie Q. Jordan, Mayor


Trish Paetz, Deputy City Clerk

Attachments: Proposed Sewer Rate Table

Guidelines for Acceptance and Tabulation of Protests

Attachment "A"

Proposed Sewer Rate Table

Table A
City of San Juan Bautista
Recommended Sewer Rates
Sewer Rate Study

Rates	FY 19-20	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
	<i>Existing</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>
Residential Sewer Rates						
Monthly Fixed Rate	\$83.61	\$95.62	\$109.01	\$124.27	\$141.67	\$148.75
Commercial Sewer Rates						
Min. Monthly Base Charge	\$84.03	\$95.62	\$109.01	\$124.27	\$141.67	\$148.75
Volumetric Rates						
Standard Strength \$/1,000 gal	\$9.10	\$14.51	\$16.54	\$18.86	\$21.50	\$22.57
Moderate Strength \$/1000 gal	\$13.35					
High Strength \$/1,000 gal	\$18.18					

Under the proposed rate structure, there will be a single volumetric rate (rather than three different rates) that applies to all customers.

A pass through is proposed for changes to the rates charged by Hollister for its services.

Attachment "B"

Guidelines for Acceptance and Tabulation of Protests

SECTION 1: Definitions.

Unless the context plainly indicates another meaning was intended, the following definitions shall apply in construction of these guidelines.

- A. "Customer" means a person shown on the City's records as being responsible for paying sewer charges.
- B. "Parcel" means a County Assessor's parcel that receives wastewater services that are subject to the proposed sewer charges.
- C. "Parcel Owner" means an owner of a parcel, including a tenant of a parcel who is entitled to submit a protest pursuant to Section 53755 of the Government Code or is described in Article XIII D, Section 2(g) of the California Constitution.
- D. "Record Owner" means the person or persons whose name or names appear on the County Assessor's last equalized assessment roll as the owner of a parcel.

SECTION 2: Protest Submittal.

- A. Written protests against the proposed charge may be submitted to the City Clerk, by:
 - (i) Delivery to the Office of the City Clerk located at 3111 Second Street, San Juan Batista, CA 95045 during published business hours; or
 - (ii) Mail to the City Clerk at the following address: City Clerk, City of San Juan Batista, PO Box 1420, San Juan Batista, CA 95045; or
 - (iii) Personally submitting the protest at the public hearing.
- B. Protests, including those submitted by mail, must be *received* by the City no later than the close of the public testimony portion of the public hearing.
- C. The City cannot accept protests via fax or email.
- D. The City Council welcomes all interested persons to comment orally at the public hearing. However, unless accompanied by a written protest, oral comments at the public hearing do not qualify as a formal protest. Notwithstanding the foregoing; if, as a result of the COVID-19 emergency, the public is prohibited from attending the hearing in person and is required to participate remotely, the City Council will set aside a time prior to the close of the public testimony portion of the public hearing during which the City Clerk will accept an oral protest that will be treated as a written protest so long as all information (aside from signature) required of a written protest is provided orally.

SECTION 3: Protest Contents.

- A. A written protest must include:
 - (i) A statement that it is a protest against the proposed increase to the sewer charges.
 - (ii) The name of the Parcel Owner or Customer that is submitting the protest.
 - (iii) Identification of assessor's parcel number, street address, or utility account number of the parcel or account with respect to which the protest is made.
 - (iv) Original signature and legibly printed name of the person submitting the protest.
- B. If a protest is submitted in connection with a parcel by a Parcel Owner who is neither the Record Owner of the parcel nor the Customer shown on the City's records, then the person may attach evidence of ownership or tenancy to the written protest. In connection with tabulation and verification of protests, the City reserves the right to request such evidence of ownership or tenancy from any such person. Such evidence, if requested by the City via a letter mailed prior to the announcement of the tabulation results, must be submitted to the City within ten days of the date the request is mailed in order for the protest to be valid.
- C. Except as provided in Section 2(D), written communications that do not include all of the elements set forth in the preceding paragraph will be treated as written comments on the proposal, but will not be counted as formal protests.

SECTION 5: Protest Withdrawal.

Any person who submits a protest may withdraw it by submitting to the City Clerk a written request that the protest be withdrawn. The withdrawal of a protest shall contain sufficient information to identify the affected parcel and the name of the person who submitted both the protest and the request that it be withdrawn.

SECTION 6: Multiple Protests.

- A. Each Parcel Owner or Customer may submit a protest.
- B. For the Parcel-Based Count: Only one protest will be counted per parcel as provided by Government Code Section 53755(b).
- C. For the Account-Based Count: Only one protest will be counted per account.
- D. If a person submitting a protest is both a Parcel Owner (as defined in Section 1(C) of these guidelines) and a Customer, that person's protest will be counted as both a protest for their parcel and a protest for their account.

SECTION 7: Transparency, Confidentiality, and Disclosure.

- A. Once a protest is opened during the tabulation, it becomes a disclosable public record, as required by state law and will be maintained in District files for two (2) years.

SECTION 8: Invalid Protests.

The City Clerk shall not accept as valid any protest if he or she determines that any of the following is true:

- A. The protest does not state its opposition to the proposed charges.
- B. The protest does not name a Parcel Owner or Customer of the parcel identified in the protest.
- C. The protest does not identify a parcel or account served by the City that is subject to the proposed charge.
- D. The protest does not bear an original signature of the Parcel Owner or Customer with respect to, the parcel identified on the protest. Whether a signature is valid shall be entrusted to the reasonable judgement of the City Clerk. A signature is not required for a protest submitted pursuant to Section 2(D).
- E. The protest was altered in a way that raises a fair question as to whether the protest actually expresses the intent of a parcel owner or tenant to protest the charges.
- F. The protest was not received by the City Clerk before the close of the public input portion of the public hearing on the proposed charges.
- G. A request to withdraw the protest was received prior to the close of the public input portion of the public hearing on the proposed charges.

SECTION 9: City Clerk's Decisions Final.

The City Clerk's decision that a protest is not valid shall constitute a final action of the City and shall not be subject to any internal appeal.

SECTION 10: Majority Protest.

A majority protest exists if written protests are timely submitted and not withdrawn with respect to either (i) a majority (50% plus one) of the parcels or (ii) a majority (50% plus one) of the accounts subject to the proposed charge. The City Council will not adopt the proposed increase if there is a majority protest.

SECTION 11: Tabulation of Protests.

At the conclusion of the public hearing, the City Clerk shall tabulate all protests received, including those received during the public hearing, and shall report the result to the City Council. If the number of protests received is manifestly insufficient to constitute a majority protest, the City Clerk may determine the absence of a majority protest without validating the protests received, but may instead deem them all valid without further examination.

SECTION 12: Report of Tabulation.

The City Clerk shall report the results of the tabulation to the City Council.

If at the conclusion of the public hearing, the City Clerk determines that he or she will require additional time to tabulate the protests, he or she shall so advise the City Council, which may adjourn the meeting to allow the tabulation to be completed on another day or days. If so, the City Clerk shall declare the time and place of tabulation, which shall be conducted in a place where interested members of the public may observe the tabulation, and the City Council shall declare the time at which the meeting shall be resumed to receive and act on the tabulation report of the City Clerk.



San Juan Bautista

Regional Wastewater Project

October 7, 2021

Presentation Outline

- 1 Introductions and Background
- 2 Regulatory Framework
- 3 Compliance with Regulations
- 4 Compliance Projects Approved
- 5 Next Steps
- 6 Questions?

City's Water Team

The City put a water team together to manage this complex project consisting of:

- City Council Water Sub-Committee
Mayor Leslie Jordan
Councilmember John Freeman
- City Manager, City Engineer, Project Manager
- Adam Howell, EPA Compliance Officer
- Technical team of Tony Akel Engineering and Steven Beck from Stantec

Background

- San Juan Bautista's system has 4 Parts:
 - 1.A Water source
 - 1.B Water distribution
 - 2.A Wastewater Collection
 - 2.B Wastewater Treatment
- Paid by residents through monthly rates (Enterprise Funds)
- Rates were \$54/month in 2006, \$84 since 2019
- Increase were 7% per year, 1.5% over the past five-years
- Rates have not increased enough to pay for a new Plant-obsolete, run-down

Regulatory Framework

- Permits for Wastewater issued by the State Regional Water Quality Control Board (Clean Water Act)
- Federal EPA works with the State when discharge water is sent to a public waterway (Creek)
- City Executed an Administrative Order on Consent “AOC” with the EPA August, 2020
- A commitment to bring the operations into compliance by December 21, 2023

Community Engagement

- 39 Special meetings in 2020
- Status provided at Every City Council meeting
- 4 Town Hall Meetings focused on Water/Wastewater (beginning in April , 2020)
- City Council's Strategic Plan 2020 and 2021

EPA AOC (Adam Howell, EPA)

- Compelled to meet the milestones and dates established in the AOC
 - ✓ Transmittal Letter from the EPA August 26, 2020:
 - ✓ Key compliance deadlines associated with the AOC include:
 - ✓ August 24, 2020 – AOC signed by EPA; Done
 - ✓ September 1, 2020 – Certify baffles in Pond 2 have been repaired; Done
 - ✓ September 1, 2020 – Certify that UV disinfection system is functioning at full capacity; Done
 - ✓ September 15, 2020 – Submittal of Master Plan; Done
 - ✓ October 15, 2020 – Submittal of a proposed Compliance Project; Done
- The City has completed its Water and Wastewater Master Plans (Tony Akel)

EPA Compliance Project(s) (Steven Beck, Stantec)

- Compliance requires 2 of the City's 4 Part System be fixed:
 - ✓ Water Source
 - ✓ Wastewater Treatment
- The Preliminary Engineering Report (PER) defines these issues and evaluates compliance strategies for the City

Wastewater Improvement Alternatives

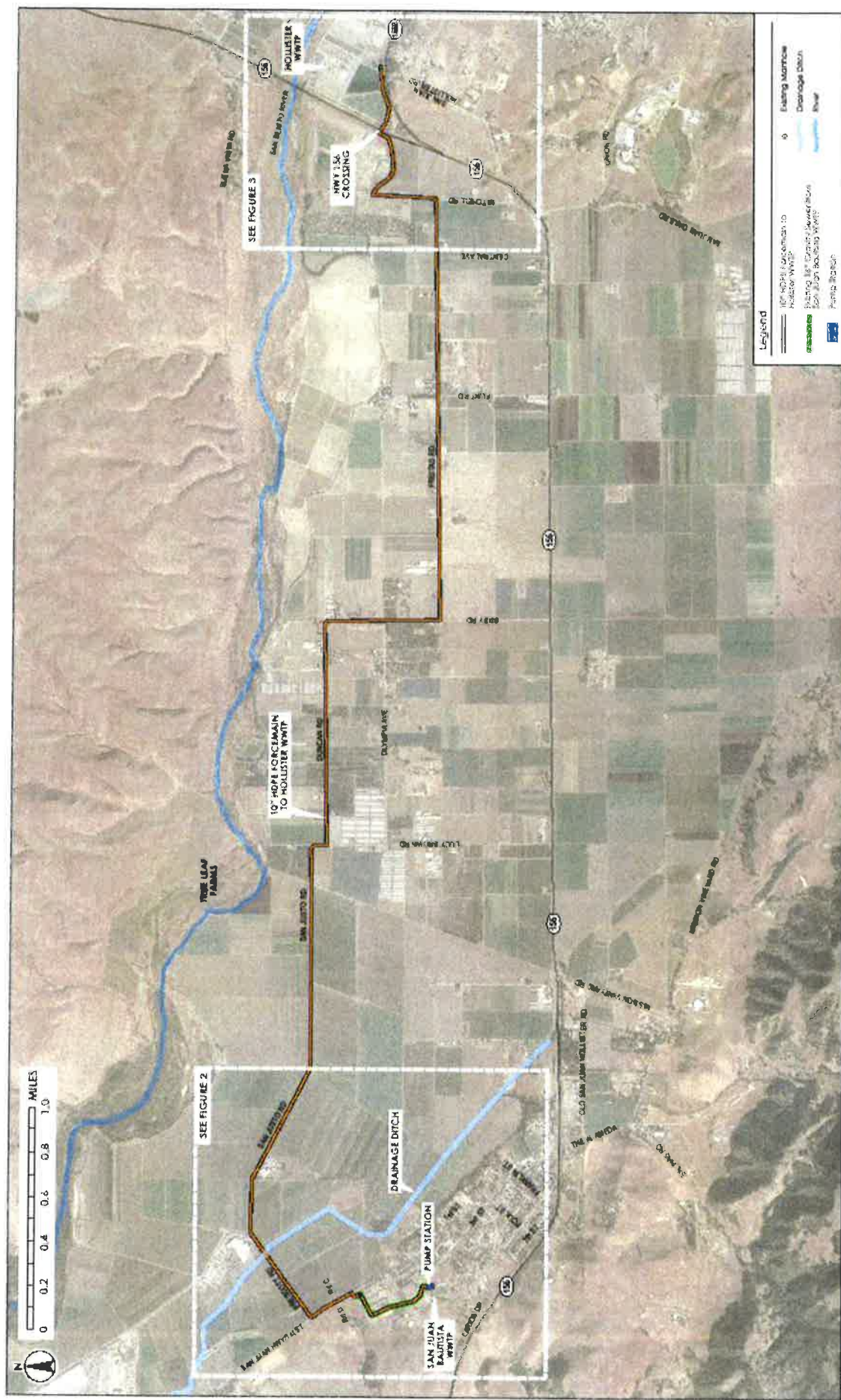
- **Alternative 1:** On-Site WWTP Upgrades (MBR plant) & Off-Site Salinity Control
- **Alternative 2:** On-Site WWTP Upgrades (MBR plant) & On-Site Salinity Control (Reverse Osmosis)
- **Alternative 3:** Send Wastewater to Hollister WWTP & Off-site Salinity Control
- **All 3 Alternatives will cost between \$15-20 million**
- **Doing nothing, is not the least expensive!**

Wastewater Improvement Alternatives

		Comparative Score (Score Total Must Equal 10)			Criterion Score (Relative Weight Times Comparative Score)		
Criteria	Relative Weight	MBR & West Hills WTP			Hollister WWTP & West Hills WTP		
		MBR & West Hills WTP	MBR/RO	Hollister WWTP & West Hills WTP	MBR & West Hills WTP	MBR/RO	Hollister WWTP & West Hills WTP
Life Cycle Costs (Capital and O&M)	12	3.6	3.3	3.1	43	40	37
Footprint	5	4.0	2.0	4.0	20	10	20
Operational Simplicity	14	3.0	2.0	5.0	42	28	70
Reliability	13	3.0	3.0	4.0	39	39	52
Future Regulations Compliance	16	3.0	3.0	4.0	48	48	64
		TOTAL SCORE			192	165	243

Improvement Project Recommendations

- Begin domestic water softener buy-back program
- Decommission the existing sequencing batch reactor (SBR) pond and convert to an equalization basin
- Install a new raw sewage pump station and an 10-inch pipeline to convey wastewater to the Hollister WWTP
- Estimated cost (February 2021) of \$15 million
- Memorandum of Understanding w/Hollister executed September 7, 2021



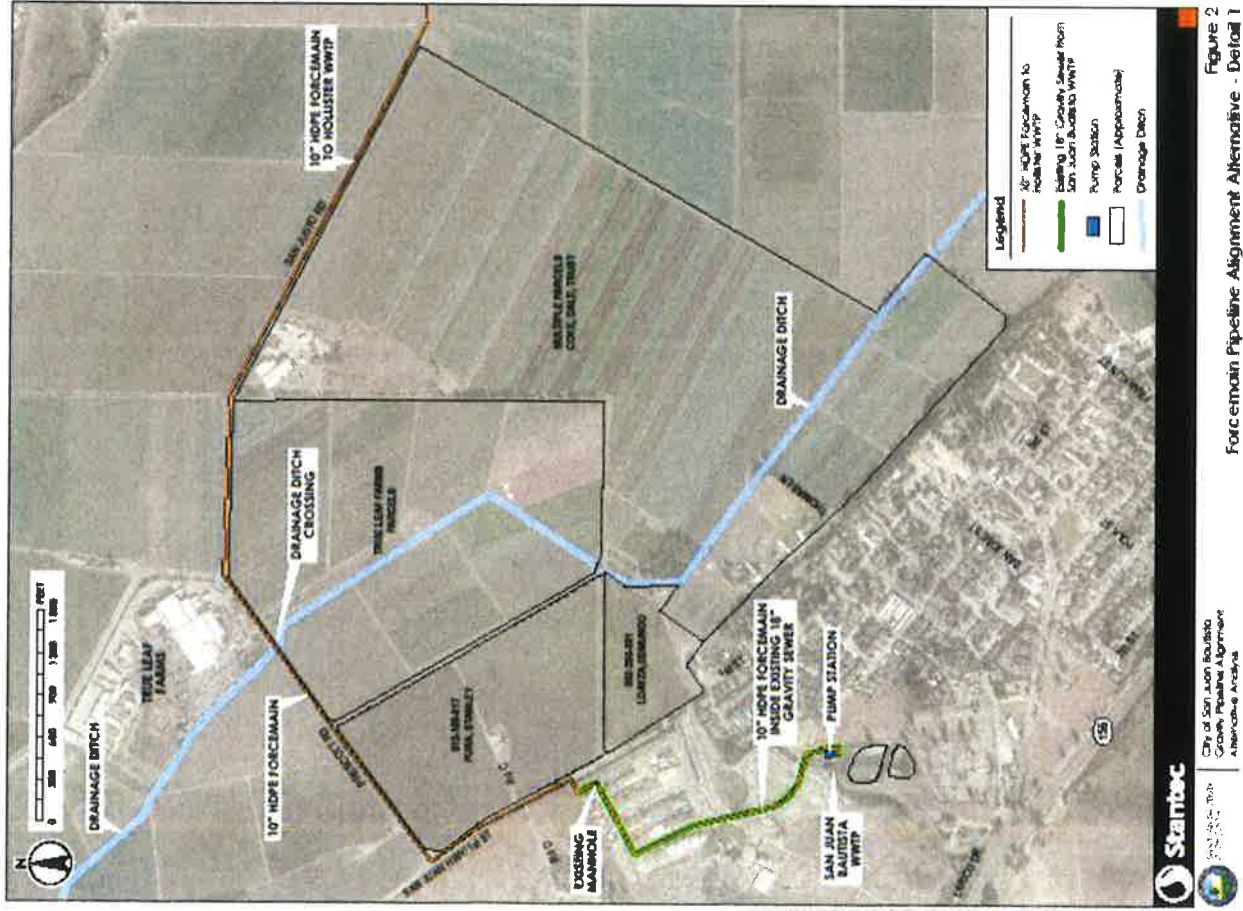


Figure 2
Forcemain Pipeline Alignment Alternative - Detail 1

City of San Juan Bautista
Gravity Pipeline Alignment
Alternative Analysis



Figure 3
Forcemain Pipeline Alignment Alternative - Detail 2

City of San Juan Bautista
Gravity Pipeline Alignment
Alternative Analysis



Next Steps

1. 30% Submittal and Cost Estimate
2. Approve New rates

These first two steps will determine the Project's Feasibility. If approved...

1. CEQA/NEPA (Mitigated Negative Declaration)
2. Complete Grant and Loan Applications
3. Formal Agreement with Hollister
4. Complete Design
5. Bid - Summer 2022
6. Construction

Draft Sewer Rate Study

- Competed Using the Hollister MOU
- Compliance Project Costs Estimates
- Wastewater Master Plan
- Worst Case- Avg. \$13/per month over 5-years
- Assumes some State & Federal aid
- Does not assume any new Federal aid
- Approval of New rates will assure Project Feasibility, and State and Fed Funding
- Rate Study To be Introduced 10.19.2021

Questions?

This is a Town Hall meeting,
Invitations were sent to every utility user

The City has made its team available to answer any and all questions.

Please raise your hand, or Select Control 9 to Raise your hand.
Type questions into the Chat. State to whom the question is being asked

Council will be asked to consider sewer rate changes at its October 19, 2021 Council meeting. More to follow...

THANK YOU! WE ARE ALL IN THIS TOGETHER

Draft Sewer Rate Study Revised Project Cost Assumptions

11/8/21



SAN JUAN BAUTISTA
The City of History



BARTLE WELLS ASSOCIATES
Independent Public Finance Advisors

Table A
City of San Juan Bautista
Recommended Sewer Rates
Sewer Rate Study - Revised Project Cost Assumptions

Proposed Rates	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
	<i>Existing</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>
<i>Residential Sewer Rates</i>						
Monthly Fixed Rate	\$83.61	\$95.62	\$109.01	\$124.27	\$141.67	\$148.75
<i>Commercial Sewer Rates</i>						
Min. Monthly Base Charge	\$84.03	\$95.62	\$109.01	\$124.27	\$141.67	\$148.75
Volumetric Rates						
Standard Strength \$/1,000 gal	\$9.10	\$14.51	\$16.54	\$18.86	\$21.50	\$22.57
Moderate Strength \$/1000 gal	\$13.35	\$14.51	\$16.54	\$18.86	\$21.50	\$22.57
High Strength \$/1,000 gal	\$18.18	\$14.51	\$16.54	\$18.86	\$21.50	\$22.57

Table 1
City of San Juan Bautista
Projected Operating Expenses
Sewer Rate Study - Revised Project Cost Assumptions

Cost Escalation	FY 19-20	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
General Inflation Factor			3.5%	3.5%	3.0%	3.0%	3.0%
Expenses¹	FY 19-20	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
	<i>Actual</i>	<i>Actual</i>	<i>Budgeted</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>
502.000 • Salaries and Wages - FT	\$138,857	\$119,209	\$113,132	\$117,092	\$120,604	\$124,222	\$127,949
504.000 • Salaries and Wages - OT	\$0			\$0	\$0	\$0	\$0
508.000 • FICA	\$9,340	\$9,028	\$9,786	\$10,129	\$10,432	\$10,745	\$11,068
510.000 • Worker's Comp	\$4,940	\$5,623	\$5,193	\$5,375	\$5,536	\$5,702	\$5,873
514.000 • Health Insurance	\$25,683	\$18,821	\$22,724	\$23,519	\$24,225	\$24,952	\$25,700
518.000 • 457k Retirement Contribution	\$757	\$754	\$1,762	\$1,824	\$1,878	\$1,935	\$1,993
522.000 • Uniforms & Alterations	\$191	\$233	\$500	\$518	\$533	\$549	\$565
524.000 • Phys., Drug & Psych Testing	\$0	\$15	\$100	\$104	\$107	\$110	\$113
526.000 • Education and Training	\$412	\$875	\$1,000	\$1,035	\$1,066	\$1,098	\$1,131
528.000 • Travel/Per Diem/Car Allowance	\$35		\$500	\$518	\$533	\$549	\$565
550.000 • Office Supplies	\$2,968	\$1,544	\$2,000	\$2,070	\$2,132	\$2,196	\$2,262
558.000 • Printing and Copies	\$334	\$135	\$100	\$104	\$107	\$110	\$113
548.000 • Advertising	\$0		\$200	\$207	\$213	\$220	\$226
562.000 • Food and Beverages	\$161	\$295	\$500	\$518	\$533	\$549	\$565
516.000 • Insurance - Liab/Bond/Auto/Prop	\$11,218	\$13,237	\$14,500	\$15,008	\$15,458	\$15,921	\$16,399
544.000 • Computer Software Service	\$1,514	\$513	\$500	\$518	\$533	\$549	\$565
545.000 • Computer Hardware Service	\$146	\$286	\$500	\$518	\$533	\$549	\$565
530.000 • Dues and Subscriptions	\$519	\$0	\$750	\$776	\$800	\$824	\$848
634.000 • Copier Services & Lease	\$1,270	\$1,416	\$1,750	\$1,811	\$1,866	\$1,922	\$1,979
638.000 • Bank Charges/PR Processing	\$2,250	\$2,250	\$4,000	\$4,140	\$4,264	\$4,392	\$4,524
551.000 • Postage and Freight	\$2,780	\$3,089	\$2,700	\$2,795	\$2,878	\$2,965	\$3,054
600.000 • Operational Contracts ²	\$114,164	\$122,824	\$135,000	\$139,725	\$69,863		\$0
602.000 • Legal		\$7,620	\$5,000	\$5,175	\$5,330	\$5,490	\$5,655
604.000 • Engineering	\$0	\$9,289	\$7,530	\$7,794	\$8,027	\$8,268	\$8,516
612.002 • Security	\$1,871	\$2,412	\$2,800	\$2,898	\$2,985	\$3,074	\$3,167
612.006 • Web maintenance		\$967		\$0	\$0	\$0	\$0
624.000 • Janitorial		\$182	\$275	\$285	\$293	\$302	\$311
654.000 • Chemical Testing ²	\$21,014	\$71,922	\$65,000	\$67,275	\$33,638	\$10,000	\$10,300
640.000 • Telecomm	\$2,089	\$2,172	\$2,500	\$2,588	\$2,665	\$2,745	\$2,827
642.000 • Electricity	\$64,031	\$71,452	\$83,000	\$85,905	\$88,482	\$68,352	\$70,403
656.000 • Licenses and Permits	\$5,197	\$5,659	\$6,000	\$6,210	\$6,396	\$6,588	\$6,786
531.000 • Bad debt	\$0		\$8,000	\$4,000	\$4,000	\$4,000	\$4,000
712.000 • Materials	\$84	\$0	\$1,000	\$1,035	\$1,066	\$1,098	\$1,131
532.01 • Equipment Rental	\$0	\$0	\$1,500	\$1,553	\$1,599	\$1,647	\$1,696
701.000 • Small Tools	\$602	\$724	\$1,500	\$1,553	\$1,599	\$1,647	\$1,696
702.000 • Safety Gear & First Aid	\$0		\$1,500	\$1,553	\$1,599	\$1,647	\$1,696
554.000 • Gasoline & Diesel Fuel	\$3,297	\$2,320	\$4,000	\$4,140	\$4,264	\$4,392	\$4,524
552.000 • Chemical and Gasses	\$3,759	\$8,053	\$4,500	\$4,658	\$4,797	\$4,941	\$5,089
716.000 • Parts - City Rep. Vehicles	\$457	\$542	\$1,000	\$1,035	\$1,066	\$1,098	\$1,131
718.000 • Parts - City Rep. Equipment	\$3,850	\$2,293	\$4,000	\$4,140	\$4,264	\$4,392	\$4,524
720.000 • Parts - City Rep. Water	\$2	\$45		\$0	\$0	\$0	\$0
722.000 • Parts - City Rep. Sewer	\$5,335	\$7,066	\$8,000	\$8,280	\$8,528	\$8,784	\$9,048
765.000 • Sludge Removal	\$9,107			\$0	\$0	\$0	\$0
764.001 • Sewer Maint. Outside	\$561	\$17,670	\$2,000	\$2,070	\$2,132	\$2,196	\$2,262
751.001 • Maint. & Repair Wells	\$9	\$0		\$0	\$0	\$0	\$0
752.000 • Vehicle Maint. - Outside	\$0	\$52		\$0	\$0	\$0	\$0
754.000 • Equipment Maint. - Outside	\$4,872	\$9,145	\$7,500	\$7,763	\$7,995	\$8,235	\$8,482
762.000 • Streets Maint. & Paving	\$31		\$1,000	\$1,035	\$1,066	\$1,098	\$1,131
766.000 • Sewer Maint. - Plant	\$1,451	\$12,965	\$2,500	\$2,588	\$2,665	\$2,745	\$2,827
Transfer G&A Expenses	\$69,952	\$36,497	\$36,496	\$36,496	\$36,496	\$36,496	\$36,496
Total Operating Expenses	\$515,110	\$569,194	\$573,798	\$588,324	\$495,048	\$389,296	\$399,760
% Change from Previous Year	41.4%	-37.6%	11.4%	3.4%	-13.7%	-33.8%	-19.2%

¹Based on SJB budget

²Expenses reduced as waste is sent to Hollister for treatment

Table 2
City of San Juan Bautista
Projected Operating Revenues
Sewer Rate Study - Revised Project Cost Assumptions

Revenue		FY 19-20	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
		<i>Actual</i>	<i>Actual</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>
486.000 - Utility Fees Commercial		\$185,201	\$291,929					
485.000 - Utility Fees Residential		\$819,653	\$819,653					
Rate Revenue	Demand	\$1,004,854	\$1,111,582	\$1,111,582	\$1,267,204	\$1,444,612	\$1,646,858	\$1,877,418
Additional Rate Revenue ^{1,2}		\$0	\$0	\$155,622	\$177,409	\$202,246	\$230,560	\$93,871
Other Revenue								
490.000 - Misc. Revenue	None							
459.000 - Remib. - Proj/Dev. Costs	None							
484.000 - Interest and Penalties	None	\$18,371	\$20,000	\$12,671	\$15,632	\$97,127	\$20,178	\$15,439
480.003 - Reimbursed City expense	None							
Total Other Revenue		\$18,371	\$20,000	\$12,671	\$15,632	\$97,127	\$20,178	\$15,439
Total Operating Revenue		\$1,023,225	\$1,131,582	\$1,279,875	\$1,460,244	\$1,743,985	\$1,897,596	\$1,986,728
% Change from Previous Year		9.7%	10.6%	13.1%	14.1%	19.4%	8.8%	4.7%

¹ Additional revenue based on recommended increase

² Additional adjusted if adopted mid-fiscal year

Table 3
City of San Juan Bautista
Existing and Proposed Debt
Sewer Rate Study - Revised Project Cost Assumptions

Description	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
	<i>Budget</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>
Existing Debt						
2015 Enterprise Revenue Bonds	\$298,637	\$298,097	\$299,582	\$298,435	\$298,435	\$298,435
2016 General Fund Advance	36,496	36,496	36,496	36,496	36,496	36,496
Total Current Debt Service	\$335,133	\$334,593	\$336,078	\$334,931	\$334,931	\$334,931
Proposed Borrowing						
Net Proceeds Needed					\$5,500,000	\$5,500,000
Repayment Term (yrs)					40	30
Interest Rate					2.00%	1.0%
Month of Issue					1	1
Issuance Cost					\$50,000	\$50,000
Debt Service Reserve						
Total Debt Issue Size					\$5,550,000	\$5,550,000
Annual Debt Service Payment (rounded)					\$203,000	\$215,000
Total Proposed Annual Water Debt	\$0	\$0	\$0	\$0	\$203,000	\$418,000

Table 4
City of San Juan Bautista
Capital Improvement Costs
Sewer Rate Study - Revised Project Cost Assumptions

Project Description	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>
CIP (Current Dollars)					
Fines RWQCB	\$36,000				
Capital Purchases/Improvements					
San Juan Canyon Rd					
Monterey & Alameda State HWY					
Lift Station Replacement (SJB WWTP)					
San Juan Bautista to Hollister		\$16,969,000			
Rancho Vista Lift Station					
Hollister Connection Fee (No Inflation)			\$2,547,200		
Collection System Upgrades and Replacement					
Total CIP (Current Dollars)	\$36,000	\$16,969,000	\$2,547,200	\$0	\$0
CIP (Inflated Dollars)					
<i>Annual Inflation Rate</i>		3.5%	3.5%	3.5%	3.5%
Fines RWQCB	\$36,000				
Capital Purchases/Improvements					
San Juan Canyon Rd					
Monterey & Alameda State HWY					
Lift Station Replacement (SJB WWTP)					
San Juan Bautista to Hollister		\$16,969,000			
Rancho Vista Lift Station					
Hollister Connection Fee (No Inflation)			\$2,547,200		
Collection System Upgrades and Replacement					
Total CIP (3.5% Inflation)	\$36,000	\$16,969,000	\$2,547,200	\$0	\$0

Table 5
City of San Juan Bautista
Cash Flow Projections
Sewer Rate Study - Revised Project Cost Assumptions

Operating Cashflow	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
Reserves						
<i>Total Reserve Balance</i>	\$1,066,884	\$1,267,111	\$1,563,208	\$1,942,538	\$1,008,908	\$1,543,883
Revenue Escalation						
Rate Revenue Increase		14.0%	14.0%	14.0%	14.0%	5.0%
Revenues						
Rate Revenue	\$1,111,582	\$1,111,582	\$1,267,204	\$1,444,612	\$1,646,858	\$1,877,418
Rate Increase Revenue	0	155,622	177,409	202,246	230,560	93,871
Rate Increase Timing Adjustment		-51,874				
Other Revenue	20,000	12,671	15,632	97,127	20,178	15,439
Connection Fee Revenue	\$12,488	\$12,488	\$12,488	\$12,488	\$12,488	\$12,488
<i>Total Revenue</i>	<i>\$1,144,070</i>	<i>\$1,240,489</i>	<i>\$1,472,732</i>	<i>\$1,756,472</i>	<i>\$1,910,084</i>	<i>\$1,999,215</i>
Expenses						
Operating Expenses	\$569,194	\$573,798	\$588,324	\$495,048	\$389,296	\$399,760
Hollister Charges*	0	0	0	312,924	650,882	676,918
Existing Debt Service	335,133	334,593	336,078	334,931	334,931	334,931
New Debt Service	0	0	0	0		418,000
Rate Funded Capital	\$39,516	\$36,000	\$169,000	\$1,547,200	\$0	\$0
<i>Total Expenses</i>	<i>\$943,843</i>	<i>\$944,391</i>	<i>\$1,093,402</i>	<i>\$2,690,103</i>	<i>\$1,375,109</i>	<i>\$1,829,608</i>
Net Revenues	\$200,227	\$296,098	\$379,330	-\$933,630	\$534,975	\$169,607
Ending Unrestricted Balance	\$1,267,111	\$1,563,208	\$1,942,538	\$1,008,908	\$1,543,883	\$1,713,490
Debt Coverage (Target 1.25)	1.72	1.99	2.63	2.83	2.60	1.23
*Hollister charges may change if Hollister performs a new wastewater rate study						
Capital Funding						
Capital Revenues						
Use of Debt Proceeds			\$10,000,000	\$1,000,000		
Grant Revenue	\$0	\$0	\$6,800,000			
Rate Funded Capital	\$39,516	\$36,000	\$169,000	\$1,547,200	\$0	\$0
Total Capital Funding	\$39,516	\$36,000	\$16,969,000	\$2,547,200	\$0	\$0
Total Capital Expenditures	\$39,516	\$36,000	\$16,969,000	\$2,547,200	\$0	\$0

Table 6
City of San Juan Bautista
Sewer Flow Estimate
Sewer Rate Study - Revised Project Cost Assumptions

Estimated Sewer Flow Units	Units	Unit of Measure
<i>Estimated City Population</i>	2,151.00	#
<i>Residential Units</i>	<u>815.00</u>	#
<i>Occupancy</i>	2.64	#
<i>Indoor Water Use per Resident (Sewer Flow)</i>	<u>55.00</u>	Gallons per Day (GPD)
<i>Annual Sewer Flow per Residential Unit</i>	52,983.22	Gallons
<i>Annual Sewer Flow per Residential Unit</i>	52.98	1,000 Gallons
Annual Residential Sewer Flow	43,181.33	1,000 Gallons
FY 2020-21 Commercial Sewer Flow	<u>22,884.99</u>	1,000 Gallons
Total Annual Sewer Flow Estimate	66,066.32	1,000 Gallons

Table 7
City of San Juan Bautista
Sewer Rate Derivation
Sewer Rate Study - Revised Project Cost Assumptions

Fixed Charge Calculation	Units	Sewer Billed Use ¹	Return Factor ²	Estimated Sewer Flow	Sewer Cost Allocation	Revenue Requirement
Residential	815	43,181.33	1	43,181.33	73.80%	\$935,148
Commercial	77	22,884.99	0.67	15,332.95	26.20%	\$332,055
Total	892	66,066.32		58,514.27		\$1,267,204

1: Residential billed use based on estimated indoor consumption and Commercial billed use is based on metered water use

2: Commercial return factor based on annual winter use as a percent of total water demand

Commercial Volumetric

Rate Derivation	Units	Unit of Measure
Total Sewer Flow	22,884.99	1,000 Gallons
Revenue Requirement	\$332,055.16	\$
Sewer Volumetric Unit Rate	\$14.51	\$ per 1,000 gallons

Residential Fixed

Rate Derivation	Units	Unit of Measure
Residential Units	815.00	Unit
Revenue Requirement	\$935,148.50	\$
Total Monthly Fixed Charge	\$95.62	\$ per Unit per Month



BARTLE WELLS ASSOCIATES
INDEPENDENT PUBLIC FINANCE ADVISORS

2625 Alcatraz Ave, #602
Berkeley, CA 94705
Tel 510 653 3399
www.bartlewells.com

DATE: November 24, 2021
TO: Don Reynolds, City Manager, City of San Juan Bautista
FROM: Erik Helgeson, Senior Project Manager
SUBJECT: Revised Rate Tables Reflecting Updated Capital Costs

MEMORANDUM

INTRODUCTION/BACKGROUND

Bartle Wells Associated developed a wastewater rate study for the City of San Juan Bautista (City) which was presented to the City Council on October 19, 2021. At that meeting the City Council authorized City staff to mail 218 notices with the rates recommended in the rate study. The primary driver for the recommended rate increases was the project to connect the San Juan Bautista collection system to the Hollister treatment plant (Project). After the October 19th meeting the estimated project cost was revised from \$12.66 million to \$18.17 million. The following memo and attached tables are updated to demonstrate that the rates presented on October 19th are sufficient to support the updated project cost.

UPDATED MODEL ASSUMPTIONS

The assumptions in the rate model were conservative in order to ensure sufficient revenues. The following assumptions were updated for this analysis.

Growth

The rate study did not assume any growth to be conservative. However, the master plan assumed a 1.9% annual growth rate. BWA updated the cashflow to reflect a 1% annual growth rate in rate revenue and connection fees.

Financing

The rate study made financing assumptions based on a traditional bond to be conservative. However, the financing the City will likely receive will be from either SRF or USDA. The attached tables reflect SRF financing.

Expenses

BWA reviewed the expense assumptions with City staff and updated the projected expense reductions after the treatment services are transferred to the City of Hollister.

Inflation

BWA revised the inflation assumptions after FY 2022/23 down from 3.5% to 3%.

Grant Funding

The rate study assumed the City will receive \$6 million in financing. BWA reviewed all of the likely grant sources with City staff and \$6.3 million seems likely.

CONCLUSION

While the cost of the Project has significantly increased, with reasonable updates to the rate study assumptions the rates will still support the Project.

Attachment: Revised Rate Study Tables

Draft Sewer Rate Study Revised Project Cost Assumptions

12/01/21



SAN JUAN BAUTISTA
The City of History



BARTLE WELLS ASSOCIATES
Independent Public Finance Advisors

Table A
City of San Juan Bautista
Recommended Sewer Rates
Sewer Rate Study - Revised Project Cost Assumptions

Proposed Rates	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
	<i>Existing</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>	<i>Proposed</i>
<i>Residential Sewer Rates</i>						
Monthly Fixed Rate	\$83.61	\$95.62	\$109.01	\$124.27	\$141.67	\$148.75
<i>Commercial Sewer Rates</i>						
Min. Monthly Base Charge	\$84.03	\$95.62	\$109.01	\$124.27	\$141.67	\$148.75
Volumetric Rates						
Standard Strength \$/1,000 gal	\$9.10	\$14.51	\$16.54	\$18.86	\$21.50	\$22.57
Moderate Strength \$/1000 gal	\$13.35	\$14.51	\$16.54	\$18.86	\$21.50	\$22.57
High Strength \$/1,000 gal	\$18.18	\$14.51	\$16.54	\$18.86	\$21.50	\$22.57

Table 1
City of San Juan Bautista
Projected Operating Expenses
Sewer Rate Study - Revised Project Cost Assumptions

Cost Escalation	FY 19-20	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
General Inflation Factor			3.5%	3.5%	3.0%	3.0%	3.0%
Expenses ¹	FY 19-20	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
	Actual	Actual	Budgeted	Projected	Projected	Projected	Projected
502.000 · Salaries and Wages - FT	\$138,857	\$119,209	\$113,132	\$117,092	\$120,604	\$124,222	\$127,949
504.000 · Salaries and Wages - OT	\$0			\$0	\$0	\$0	\$0
508.000 · FICA	\$9,340	\$9,028	\$9,786	\$10,129	\$10,432	\$10,745	\$11,068
510.000 · Worker's Comp	\$4,940	\$5,623	\$5,193	\$5,375	\$5,536	\$5,702	\$5,873
514.000 · Health Insurance	\$25,683	\$18,821	\$22,724	\$23,519	\$24,225	\$24,952	\$25,700
518.000 · 457k Retirement Contribution	\$757	\$754	\$1,762	\$1,824	\$1,878	\$1,935	\$1,993
522.000 · Uniforms & Alterations	\$191	\$233	\$500	\$518	\$533	\$549	\$565
524.000 · Phys., Drug & Psych Testing	\$0	\$15	\$100	\$104	\$107	\$110	\$113
526.000 · Education and Training	\$412	\$875	\$1,000	\$1,035	\$1,066	\$1,098	\$1,131
528.000 · Travel/Per Diem/Car Allowance	\$35		\$500	\$518	\$533	\$549	\$565
550.000 · Office Supplies	\$2,968	\$1,544	\$2,000	\$2,070	\$2,132	\$2,196	\$2,262
558.000 · Printing and Copies	\$334	\$135	\$100	\$104	\$107	\$110	\$113
548.000 · Advertising	\$0		\$200	\$207	\$213	\$220	\$226
562.000 · Food and Beverages	\$161	\$295	\$500	\$518	\$533	\$549	\$565
516.000 · Insurance - Liab/Bond/Auto/Prop	\$11,218	\$13,237	\$14,500	\$15,008	\$15,458	\$15,921	\$16,399
544.000 · Computer Software Service	\$1,514	\$513	\$500	\$518	\$533	\$549	\$565
545.000 · Computer Hardware Service	\$146	\$286	\$500	\$518	\$533	\$549	\$565
530.000 · Dues and Subscriptions	\$519	\$0	\$750	\$776	\$800	\$824	\$848
634.000 · Copier Services & Lease	\$1,270	\$1,416	\$1,750	\$1,811	\$1,866	\$1,922	\$1,979
638.000 · Bank Charges/PR Processing	\$2,250	\$2,250	\$4,000	\$4,140	\$4,264	\$4,392	\$4,524
551.000 · Postage and Freight	\$2,780	\$3,089	\$2,700	\$2,795	\$2,878	\$2,965	\$3,054
600.000 · Operational Contracts ²	\$114,164	\$122,824	\$135,000	\$139,725	\$69,863		\$0
602.000 · Legal		\$7,620	\$5,000	\$5,175	\$5,330	\$5,490	\$5,655
604.000 · Engineering	\$0	\$9,289	\$7,530	\$7,794	\$8,027	\$8,268	\$8,516
612.002 · Security	\$1,871	\$2,412	\$2,800	\$2,898	\$2,985	\$3,074	\$3,167
612.006 · Web maintenance		\$967		\$0	\$0	\$0	\$0
624.000 · Janitorial		\$182	\$275	\$285	\$293	\$302	\$311
654.000 · Chemical Testing ²	\$21,014	\$71,922	\$65,000	\$67,275	\$33,638	\$10,000	\$10,300
640.000 · Telecomm	\$2,089	\$2,172	\$2,500	\$2,588	\$2,665	\$2,745	\$2,827
642.000 · Electricity	\$64,031	\$71,452	\$83,000	\$85,905	\$88,482	\$68,352	\$70,403
656.000 · Licenses and Permits	\$5,197	\$5,659	\$6,000	\$6,210	\$6,396	\$6,588	\$6,786
531.000 · Bad debt	\$0		\$8,000	\$4,000	\$4,000	\$4,000	\$4,000
712.000 · Materials	\$84	\$0	\$1,000	\$1,035	\$1,066	\$1,098	\$1,131
532.01 · Equipment Rental	\$0	\$0	\$1,500	\$1,553	\$1,599	\$1,647	\$1,696
701.000 · Small Tools	\$602	\$724	\$1,500	\$1,553	\$1,599	\$1,647	\$1,696
702.000 · Safety Gear & First Aid	\$0		\$1,500	\$1,553	\$1,599	\$1,647	\$1,696
554.000 · Gasoline & Diesel Fuel	\$3,297	\$2,320	\$4,000	\$4,140	\$4,264	\$4,392	\$4,524
552.000 · Chemical and Gasses	\$3,759	\$8,053	\$4,500	\$4,658	\$4,797	\$988	\$1,018
716.000 · Parts - City Rep. Vehicles	\$457	\$542	\$1,000	\$1,035	\$1,066	\$1,098	\$1,131
718.000 · Parts - City Rep. Equipment	\$3,850	\$2,293	\$4,000	\$4,140	\$4,264	\$4,392	\$4,524
720.000 · Parts - City Rep. Water	\$2	\$45		\$0	\$0	\$0	\$0
722.000 · Parts - City Rep. Sewer	\$5,335	\$7,066	\$8,000	\$8,280	\$8,528	\$8,784	\$9,048
765.000 · Sludge Removal	\$9,107			\$0	\$0	\$0	\$0
764.001 · Sewer Maint. Outside	\$561	\$17,670	\$2,000	\$2,070	\$2,132	\$2,196	\$2,262
751.001 · Maint. & Repair Wells	\$9	\$0		\$0	\$0	\$0	\$0
752.000 · Vehicle Maint. - Outside	\$0	\$52		\$0	\$0	\$0	\$0
754.000 · Equipment Maint. - Outside	\$4,872	\$9,145	\$7,500	\$7,763	\$7,995	\$8,235	\$8,482
762.000 · Streets Maint. & Paving	\$31		\$1,000	\$1,035	\$1,066	\$1,098	\$1,131
766.000 · Sewer Maint. - Plant	\$1,451	\$12,965	\$2,500	\$2,588	\$2,665		\$0
Transfer G&A Expenses	\$69,952	\$36,497	\$36,496	\$36,496	\$36,496	\$36,496	\$36,496
Total Operating Expenses	\$515,110	\$569,194	\$573,798	\$588,324	\$495,048	\$382,598	\$392,861
% Change from Previous Year	41.4%	-37.6%	11.4%	3.4%	-13.7%	-35.0%	-20.6%

¹Based on SJB budget

²Expenses reduced as waste is sent to Hollister for treatment

Table 2
City of San Juan Bautista
Projected Operating Revenues
Sewer Rate Study - Revised Project Cost Assumptions

Cost Escalation		Inflation	2020	2021	2022	2023	2024	2025	2026
General Inflation Factor		General	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
No Escalation		None	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Demand Growth		Demand				1.0%	1.0%	1.0%	1.0%

Revenue		FY 19-20	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
		Actual	Actual	Projected	Projected	Projected	Projected	Projected
486.000 - Utility Fees Commercial		\$185,201	\$291,929					
485.000 - Utility Fees Residential		\$819,653	\$819,653					
Rate Revenue	Demand	\$1,004,854	\$1,111,582	\$1,111,582	\$1,279,876	\$1,473,649	\$1,696,759	\$1,953,649
Additional Rate Revenue ^{1,2}		\$0	\$0	\$155,622	\$179,183	\$206,311	\$237,546	\$97,682
Other Revenue								
490.000 - Misc. Revenue	None							
459.000 - Remib. - Proj/Dev. Costs	None							
484.000 - Interest and Penalties	None	\$18,371	\$20,000	\$12,671	\$15,872	\$22,002	\$28,217	\$30,012
480.003 - Reimbursed City expense	None							
Total Other Revenue		\$18,371	\$20,000	\$12,671	\$15,872	\$22,002	\$28,217	\$30,012
Total Operating Revenue		\$1,023,225	\$1,131,582	\$1,279,875	\$1,474,931	\$1,701,962	\$1,962,522	\$2,081,343
% Change from Previous Year		9.7%	10.6%	13.1%	15.2%	15.4%	15.3%	6.1%

¹Additional revenue based on recommended increase

²Additional adjusted if adopted mid-fiscal year

Table 3
City of San Juan Bautista
Existing and Proposed Debt
Sewer Rate Study - Revised Project Cost Assumptions

Description	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
	<i>Budget</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>
Existing Debt						
2015 Enterprise Revenue Bonds	\$298,637	\$298,097	\$299,582	\$298,435	\$298,435	\$298,435
2016 General Fund Advance	36,496	36,496	36,496	36,496	36,496	36,496
Total Current Debt Service	\$335,133	\$334,593	\$336,078	\$334,931	\$334,931	\$334,931
Proposed Borrowing						
Net Proceeds Needed					\$11,866,200	
Repayment Term (yrs)					30	
Interest Rate					1.20%	
Month of Issue					1	
Issuance Cost					\$100,000	
Debt Service Reserve						
Total Debt Issue Size					\$11,966,200	
Annual Debt Service Payment (rounded)					\$477,000	
Total Proposed Annual Water Debt	\$0	\$0	\$0	\$0	\$477,000	\$477,000

Table 4
City of San Juan Bautista
Capital Improvement Costs
Sewer Rate Study - Revised Project Cost Assumptions

Project Description	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>
CIP (Current Dollars)					
Fines RWQCB	\$36,000				
Capital Purchases/Improvements					
San Juan Canyon Rd					
Monterey & Alameda State HWY					
Lift Station Replacement (SJB WWTP)					
San Juan Bautista to Hollister		\$15,619,000			
Rancho Vista Lift Station					
Hollister Connection Fee (No Inflation)			\$2,547,200		
Collection System Upgrades and Replacement					
Total CIP (Current Dollars)	\$36,000	\$15,619,000	\$2,547,200	\$0	\$0

Table 5
City of San Juan Bautista
Cash Flow Projections
Sewer Rate Study - Revised Project Cost Assumptions

Operating Cashflow	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
Reserves						
<i>Total Reserve Balance</i>	\$1,066,884	\$1,267,111	\$1,587,222	\$2,200,188	\$2,821,685	\$3,001,235
Revenue Escalation						
Rate Revenue Increase		14.0%	14.0%	14.0%	14.0%	5.0%
Revenues						
Rate Revenue	\$1,111,582	\$1,111,582	\$1,279,876	\$1,473,649	\$1,696,759	\$1,953,649
Rate Increase Revenue	0	155,622	179,183	206,311	237,546	97,682
Rate Increase Timing Adjustment		-77,811				
Other Revenue	20,000	12,671	15,872	22,002	28,217	30,012
Connection Fee Revenue	\$12,488	\$62,438	\$62,438	\$62,438	\$62,438	\$62,438
<i>Total Revenue</i>	<i>\$1,144,070</i>	<i>\$1,264,502</i>	<i>\$1,537,369</i>	<i>\$1,764,400</i>	<i>\$2,024,961</i>	<i>\$2,143,782</i>
Expenses						
Operating Expenses	\$569,194	\$573,798	\$588,324	\$495,048	\$382,598	\$392,861
Hollister Charges*	0	0	0	312,924	650,882	676,918
Existing Debt Service	335,133	334,593	336,078	334,931	334,931	334,931
New Debt Service	0	0	0	0	477,000	477,000
Rate Funded Capital	\$39,516	\$36,000	\$0	\$0	\$0	\$0
<i>Total Expenses</i>	<i>\$943,843</i>	<i>\$944,391</i>	<i>\$924,402</i>	<i>\$1,142,903</i>	<i>\$1,845,411</i>	<i>\$1,881,709</i>
Net Revenues	\$200,227	\$320,111	\$612,967	\$621,497	\$179,550	\$262,072
Ending Unrestricted Balance	\$1,267,111	\$1,587,222	\$2,200,188	\$2,821,685	\$3,001,235	\$3,263,308
Debt Coverage (Target 1.25)	1.72	2.06	2.82	2.86	1.22	1.32
*Hollister charges may change if Hollister performs a new wastewater rate study						
Capital Funding	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
Capital Revenues						
Use of Debt Proceeds			\$10,619,000	\$1,247,200		
Grant Revenue	\$0	\$0	\$5,000,000	\$1,300,000		
Rate Funded Capital	\$39,516	\$36,000	\$0	\$0	\$0	\$0
Total Capital Funding	\$39,516	\$36,000	\$15,619,000	\$2,547,200	\$0	\$0
Total Capital Expenditures	\$39,516	\$36,000	\$15,619,000	\$2,547,200	\$0	\$0

Table 6
City of San Juan Bautista
Sewer Flow Estimate
Sewer Rate Study - Revised Project Cost Assumptions

Estimated Sewer Flow Units	Units	Unit of Measure
<i>Estimated City Population</i>	<i>2,151.00</i>	<i>#</i>
<i>Residential Units</i>	<i><u>815.00</u></i>	<i>#</i>
<i>Occupancy</i>	<i>2.64</i>	<i>#</i>
<i>Indoor Water Use per Resident (Sewer Flow)</i>	<i><u>55.00</u></i>	<i>Gallons per Day (GPD)</i>
<i>Annual Sewer Flow per Residential Unit</i>	<i>52,983.22</i>	<i>Gallons</i>
<i>Annual Sewer Flow per Residential Unit</i>	<i>52.98</i>	<i>1,000 Gallons</i>
Annual Residential Sewer Flow	43,181.33	1,000 Gallons
FY 2020-21 Commercial Sewer Flow	<u>22,884.99</u>	1,000 Gallons
Total Annual Sewer Flow Estimate	66,066.32	1,000 Gallons

Table 7
City of San Juan Bautista
Sewer Rate Derivation
Sewer Rate Study - Revised Project Cost Assumptions

Fixed Charge Calculation	Units	Sewer Billed Use ¹	Return Factor ²	Estimated Sewer Flow	Sewer Cost Allocation	Revenue Requirement
Residential	815	43,181.33	1	43,181.33	73.80%	\$935,148
Commercial	77	22,884.99	0.67	15,332.95	26.20%	\$332,055
Total	892	66,066.32		58,514.27		\$1,267,204

1: Residential billed use based on estimated indoor consumption and Commercial billed use is based on metered water use

2: Commercial return factor based on annual winter use as a percent of total water demand

	15.49	77.43
Commercial Volumetric Rate Derivation	Units	Unit of Measure
Total Sewer Flow	22,884.99	1,000 Gallons
Revenue Requirement	\$332,055.16	\$
Sewer Volumetric Unit Rate	\$14.51	\$ per 1,000 gallons

Residential Fixed Rate Derivation	Units	Unit of Measure
Residential Units	815.00	Unit
Revenue Requirement	\$935,148.50	\$
Total Monthly Fixed Charge	\$95.62	\$ per Unit per Month

ORDINANCE NO. 2021-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA INCREASING SEWER RATES AND AMENDING SECTION 3-5-150 OF THE SAN JUAN BAUTISTA MUNICIPAL CODE REGARDING SEWER RATES

WHEREAS, the City provides its wastewater customers with wastewater collection and treatment services; and

WHEREAS, the City funds these services, including associated operations, maintenance, improvement, and debt service costs, with sewer rates that are collected from wastewater customers on their monthly municipal utility bills; and

WHEREAS, the existing rates are not sufficient to fully fund anticipated expenses; and

WHEREAS, the City engaged Bartle Wells & Associates ("BWA") to recommend a schedule of sewer rates that would fully fund the City's anticipated wastewater system costs and would spread those costs amongst sewer customers in a manner consistent with the requirements of Article XIII D, Section 6 of the California Constitution ("Proposition 218"); and

WHEREAS, on October 19, 2021, by its Resolution No. 2021-53 (the "Resolution of Intention"), the City Council, following the recommendation of BWA, proposed to increase the City's sewer rates over a five year period; and

WHEREAS, on December 14, 2021, the City Council held a public hearing (the "Public Hearing") regarding the proposed increase; and

WHEREAS, notice of the Public Hearing was mailed to wastewater customers in the manner required by Proposition 218, Section 53755 of the Government Code, and applicable law; and

WHEREAS, at the public hearing, all interested persons had the opportunity to provide oral and written testimony regarding the proposed rates; and

WHEREAS, written protests against the proposed schedule of rate increases were accepted by the City pursuant to the Guidelines for the Acceptance and Tabulation of Protests (the "Guidelines") set forth in Attachment "B" to the Resolution of Intention, which Guidelines are on file in the Office of the City Clerk, available for public inspection, and incorporated herein by reference; and

WHEREAS, the City Council has reviewed BWA's Sewer Rate Study, dated October 13, 2021, which is on file in the Office of the City Clerk, available for public inspection, and incorporated herein by reference; and

WHEREAS, the City Council has reviewed the additional information submitted to the City by BWA via memorandum dated December 1, 2021, which is on file in the Office of the City Clerk, available for public inspection, and incorporated herein by reference; and

WHEREAS, the City Council desires to adopt the proposed schedule of rate increases; and

WHEREAS, the City Council desires to amend the Municipal Code to permit future sewer rate increases to be adopted by resolution.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
HEREBY ORDAINS AS FOLLOWS:**

Section 1. The City Council finds and declares as follows:

- A. The forgoing recitals are true and correct.
- B. No majority protest, as defined in the Guidelines, exists against the proposed rate increase.
- C. Revenues derived from the proposed rates are not anticipated to exceed the funds required to provide wastewater collection and treatment services.
- D. Revenues derived from the proposed rates will not be used for any purpose other than providing wastewater collection and treatment services.
- E. The amount of the proposed rates imposed upon any parcel or person as an incident of property ownership will not exceed the proportional cost of the service attributable to the parcel.
- F. Wastewater collection and treatment services are actually used by, or immediately available to customers subject to the rates.

Section 2. The rates set forth in Attachment "A" to this Ordinance, which is attached hereto and incorporated herein by reference, are hereby adopted. Each of the Rates set forth in Attachment "A" shall go into effect as set forth therein, without further action of the City Council. The Council may, by ordinance or resolution, reduce any rate set forth in Attachment "A" but may not increase any rate about what is shown in Attachment "A" without complying with the notice, protest and hearing provisions of Proposition 218.

Section 3. Section 3-5-150 of the Municipal Code is amended to read:

3-5-150. Sewer Rates

Subject to the notice, protest and hearing requirements of Article XIII D, Section 6 of the California Constitution, the City Council may adopt and revise sewer rates by ordinance or resolution.

Section 4. Environmental Assessment. The City Council declares that the approval of this ordinance is not subject to the California Environmental Quality Act ("CEQA") because pursuant to CEQA Guidelines Sections 15060 (c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment); and, 15060 (c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the approval of this ordinance is not a "Project" under CEQA Regulation Section 15061(b)(3) because it has no potential for causing a significant effect on the environment.

Section 5. Severability. This Ordinance and the various parts thereof are hereby declared to be severable. Should any section of the Ordinance be declared by a court to be unconstitutional or invalid, such decisions shall not affect the validity of the Ordinance as a whole, or any parts thereof, so declared unconstitutional or invalid.

Section 6. Effective Date. This Ordinance shall go into effect thirty (30) days after the date of its adoption.

THE FOREGOING ORDINANCE was first read at a special meeting of the San Juan Bautista City Council on the 14th day of December, 2021, and adopted at a regular meeting of the San Juan Bautista City Council on the 21th day of December 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

/s/

Leslie Q. Jordan, Mayor

ATTEST:

/s/

Shawna Freels, City Clerk

Attachment A

New Schedule of Sewer Rates

	Effective 2/1/2022	Effective 7/1/2022	Effective 7/1/2023	Effective 7/1/2024	Effective 7/1/2025
Residential					
Monthly Fixed Rate	\$95.62	\$109.01	\$124.27	\$141.67	\$148.75
Commercial					
Min. Monthly Rate	\$95.62	\$109.01	\$124.27	\$141.67	\$148.75
Volumetric Rates (\$/1,000 Gal)	\$14.51	\$16.54	\$18.86	\$21.50	\$22.57

Residential users pay a fixed monthly rate per dwelling unit (ie per single family home, apartment unit, or condominium unit).

Commercial users pay a “volumetric” rate per 1,000 gallons of metered water consumption, subject to a minimum rate (ie each month they pay the higher of the calculated volumetric charge or the minimum rate).

Pass Through

The City of Hollister will begin charging the City of San Juan Bautista a treatment charge when the City of San Juan Bautista commences using treatment services provided by Hollister. Hollister’s charge is stated as a rate per EDU of sewage received by Hollister from the City. An EDU is the monthly volume of sewage generated by a flow of 161 gallons of sewage per day. The rates shown in the table above assume that this treatment charge will be \$52.48 in Fiscal Year 2023-24, \$54.58 in FY 2024-25 and \$56.76 in FY 2025-26. If Hollister charges treatment charges that are different from these assumed amounts, the City will “pass through” the rate change as follows:

For every \$0.10 the Hollister charge per EDU is greater or less than the assumed amount the monthly residential rate and the minimum commercial rate as shown in the rate table will increase or decrease by \$0.0797 while the volumetric commercial rate per 1,000 gallons will increase or decrease by \$0.0181.

For example, if Hollister charges \$54.68 per EDU per month in FY 2024-25 the monthly residential rate will be \$141.74 and the commercial volumetric rate will be \$21.52.