

**MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE LOS PADRES DAM OUTLET MODIFICATIONS PROJECT**

I. INTRODUCTION

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. It provides for monitoring mitigation measures required of California American Water (Cal-Am) for the Los Padres Dam Outlet Modifications Project (Project), as set forth in the Initial Study and Final Negative Mitigated Declaration (IS/MND).

Section 21081.6 of the California Public Resources Code and Sections 15091(d) and 15097 of the State CEQA Guidelines require public agencies “to adopt a reporting or monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment.”

An MMRP is required for the Proposed Project because the IS/MND identified significant impacts and identified mitigation measures to reduce those impacts to less than significant levels.

I.A PURPOSE

This MMRP has been prepared to facilitate the implementation, maintenance, and completion of mitigation measures according to schedule and in a satisfactory manner throughout implementation of the Project. The District may modify the MMRP in response to changing conditions or circumstances.

Table 1 describes the individual mitigation measures, and for each measure, identifies the timing, responsibility for implementation, and responsibility for oversight. The order in which mitigation measures are presented (by resource category) follows the sequence in the IS/MND.

I.B ROLES AND RESPONSIBILITIES

Cal-Am is responsible for implementing mitigation measures for the Project. Cal-Am and/or its contractors will take all actions necessary to implement the mitigation measures and complete monitoring that confirms each mitigation measure has been successfully completed.

**TABLE 1
MITIGATION MONITORING AND REPORTING PROGRAM**

Environmental Impact Number and Specific Environmental Issue	Mitigation Measure (MM) Number	Mitigation Measure Description	Timeframe for Implementation	Responsibility for Implementation	Responsibility for Oversight
Biological Resources					
<p>Impact BIO-1: Construction impacts to plant species and communities.</p>	<p>MM-BIO-1</p>	<p>Preconstruction Plant Surveys and Avoidance: A qualified botanist shall be retained to perform focused special-status plant species surveys, including plants associated with special-status wildlife (such as milkweed), in areas of suitable habitat in or adjacent to (within 100 feet, where appropriate) the proposed disturbance areas during the appropriate flowering period prior to vegetation clearing or grubbing. The surveys shall be conducted in accordance with the U.S. Fish and Wildlife Service (USFWS) <i>Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed, and Candidate Plants</i> (USFWS 1996); the California Department of Fish and Wildlife (CDFW) <i>Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities</i> (CDFW 2018). If any special-status species are observed during the special-status plant surveys, the location of the individual plant or population will be recorded with a global positioning system (GPS) device for mapping purposes. If special-status plants are identified within proposed disturbance areas, boundaries of disturbance areas will be modified to avoid impacted individual special-status plants, if feasible. If project-related impacts on special-status plants in the project area are unavoidable, then consultation with CDFW may be required to develop a mitigation plan or additional avoidance and minimization measures. Measures that may be implemented if a special-status plant is observed include establishing a no-disturbance buffer around locations of individuals or a population, protection with barrier fencing, salvage or seed collection, and additional monitoring requirements.</p> <p>Addition: The Project will incorporate pre-construction protocol special status plant surveys by a qualified botanist prior to vegetation disturbance. Field investigations in 2023 reduced the potential of a number of species to occur.</p> <p>Special-status plant species will be avoided whenever possible by delineating and observing a no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s) or specific habitat type(s) required by special-status plant species.</p> <p>If a State-listed plant species is identified during botanical surveys and the above no-disturbance buffers cannot be maintained, Cal-AM will consult with CDFW to determine if the Project can avoid take. If take cannot be avoided, will pursue an ITP.</p> <p>Cal-Am will plan to report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database.</p>	<p>Conduct plant surveys prior to construction activities.</p> <p>Implement physical avoidance measures prior to beginning construction activities and maintain until final site restoration is complete.</p> <p>Salvage and/or collect seeds during the appropriate periods for individual species as identified in the IS/MND.</p>	<p>Cal-Am</p>	<p>Monterey Peninsula Water Management District</p>
<p>Impact BIO-2: Construction impacts to special-status plants and wildlife.</p>	<p>MM-BIO-2</p>	<p>Minimize Footprint in Sensitive Habitats: During project development, the work areas shall be reduced to the smallest possible footprint feasible in areas that provide potentially suitable habitat for special-status plants and wildlife, including but not limited to, aquatic resources and the following vegetation communities: California sagebrush - black sage scrub, coast live oak woodland, coyote brush scrub, needle grass – melic grass grassland, Pacific madrone – coast live oak woodland, wild oats and annual brome grassland, and white alder grove. All areas to be avoided during construction activities will be fenced and/or flagged as close to the construction limits as feasible.</p>	<p>Minimize footprint at the initiation of fieldwork and maintain until final restoration is complete.</p>	<p>Cal-Am</p>	<p>Monterey Peninsula Water Management District</p>

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Impact BIO-3: Construction impacts to sensitive biological resources.	MM-BIO-3	Worker Environmental Awareness Training: The contractor will conduct mandatory contractor/worker awareness training for construction personnel. The awareness training shall be provided to all construction personnel to brief them on the locations of sensitive biological resources, the need to avoid impacts on biological resources (e.g., plants, wildlife, and aquatic resources), and the penalties for not complying with biological mitigation requirements. If new construction personnel are added to the project, the personnel shall be required to receive the mandatory training before starting work.	Train construction personnel environmental on awareness prior to the initiation of fieldwork, before new construction personnel begin project related activities.	Cal-Am	Monterey Peninsula Water Management District
Impact BIO-4: Construction impacts to plant species and communities.	MM-BIO-4	Monitoring Vegetation Disturbance and Clearing: Prior to vegetation disturbance and clearing activities, the contractor will delineate the limits of disturbance or clearing and a biologist shall confirm that delineated limits are in accordance with project plans. Upon completion of vegetation disturbance and clearing activities, a biologist shall confirm the work is restricted to limits of disturbance.	Monitor vegetation prior to beginning disturbance and clearing activities. Inspect vegetation disturbance limits following completion of disturbance and clearing activities.	Cal-Am	Monterey Peninsula Water Management District
Impact BIO-5: Construction impacts to special-status plants and wildlife.	MM-BIO-5	Restoration of Temporarily Disturbed Areas: All exposed and/or disturbed areas resulting from construction activities shall be returned to their original contour and grade and restored using native seeds local to the project area, preferentially within (but not exclusive to) the same HUC-6 boundary as the BSA. Species for the seed mix shall be selected based on site topography and hydrology. Milkweed will be incorporated where appropriate.	Implement restoration activities following completion of necessary project work within the specified footprint.	Cal-Am	Monterey Peninsula Water Management District
Impact BIO-6: Construction impacts to aquatic species and habitats.	MM-BIO-6	In-water Work Window: All in-water work associated with the proposed project shall be conducted between June 1 and September 30, the seasonal work window recommended by the National Marine Fisheries Service (NMFS) to minimize effects on steelhead. Extensions of that seasonal work window may be obtained from permitting agencies under compelling circumstances.	Implement in-water work window during specified timeframes throughout the duration of the project.	Cal-Am	Monterey Peninsula Water Management District
Impact BIO-7: Construction impacts to aquatic species and habitats	MM-BIO-7	Isolating In-water Work Areas and fish relocation: Construction isolation methods shall be implemented to enclose construction areas during in-water work. Isolation plans will describe methods for isolating the work area, removing fish located in the work area with minimal impacts, and identifying the point of release for any captured fish. In addition to the reservoir work, these methods shall be implemented for work in the side channel to the Carmel River at the downstream end of the outlet works. A qualified biologist will monitor work within the side channel. Any brown trout captured will be euthanized. Monitoring construction and collecting and relocating any steelhead from work sites will be done by a qualified biologist in accordance with the programmatic biological opinion for the Memorandum of Agreement (MOA) between Cal-Am, NMFS, and the California Coastal Conservancy. Addition: In addition to NMFS, Cal-Am will consult with CDFW in development of a fish relocation plan.	Implement construction isolation during periods of work in-reservoir and in the Carmel River side channel. Monitor during periods of work in the Carmel River side channel.	Cal-Am	Monterey Peninsula Water Management District
Impact BIO-8: Construction impacts to aquatic species and habitats	MM-BIO-8	Construction Hours: Drilling for the piles shall only occur during daylight hours. Restricted working hours will allow for relaxation periods and movement windows for special-status fish present in the project area	Implement construction hours during the in-water work window identified in MM-BIO-6.	Cal-Am	Monterey Peninsula Water Management District

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<p>Impact BIO-9: Construction impacts to special status species.</p>	<p>MM-BIO-9</p>	<p>Visual Encounter Survey and Relocation: Within 24 hours before beginning construction activities, a qualified biologist shall inspect the project site. Qualification requirements for a qualified biologist will be subject to approval by USFWS and CDFW. The monitoring biologist will be available during project activities. If a California red-legged frog or other federally-listed species is encountered during construction activities, the monitoring biologist shall have the responsibility and authority to stop construction activities and notify USFWS within 24 hours. As negotiated with USFWS, work will not continue until the appropriate corrective action(s) have been taken. If state-listed species are found within the survey area, a qualified biologist shall attempt to be move them at least 500 feet away from the project footprint to a location with similar habitat. If a turtle nest is found within the survey area, construction activities shall not take place within 100 feet of the nest until the turtles have hatched or the eggs have been moved to an appropriate location. Any egg relocation shall be conducted by a qualified biologist in coordination with CDFW.</p> <p>Addition: Cal-Am will assess the presence of special-status bat roosts by conducting surveys during the appropriate seasonal period of bat activity to the extent the Project schedule allows. Cal-Am will implement a 100-foot no-disturbance buffer around the roost and a qualified biologist who is experienced with bats monitor the roost for signs of disturbance to bats from Project activity. If a bat roost is identified and work is planned to occur during the breeding season, Cal-Am will employ measures to avoid disturbance to maternity roosts through consultation with CDFW.</p> <p>A qualified biologist will conduct focused surveys for Western Pond Turtle within 10 days prior to Project implementation and during the egg-laying season. Any WPT nests that are discovered will remain undisturbed with a no-disturbance buffer maintained around the nest until the eggs have hatched and neonates are no longer in the nest or Project areas. If WPT individuals are discovered at the site during surveys or Project activities, they will be allowed to move out of the area of their own volition without disturbance.</p> <p>If feasible to complete Western Bumble Bee surveys and nests are detected, a 50-foot no-disturbance buffer around nests will be employed. If focused surveys for WBB are infeasible or if surveys are conducted and WBB is detected, Cal-Am will consult with CDFW to discuss how to avoid take. If take cannot be avoided, Cal-Am will pursue an ITP.</p> <p>For the American badger, Monterey dusky-footed woodrat, two-striped garter snake, California legless lizard, Coast horned lizard, and Coast Range newt - within 10 days prior to disturbance of potentially suitable habitat, a qualified biologist will conduct surveys for other state species of special concern. These surveys will include evaluating active dens and burrows evaluating to identify species potentially utilizing them. A 50-foot no-disturbance buffer will be implemented around active dens and burrows that are potentially utilized by other state species of special concern. If it is infeasible for the Project to maintain the buffers, Cal-Am will coordinate with CDFW discuss minimizing potential impacts.</p> <p>Cal-Am will plan to report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database.</p>	<p>Conduct visual encounter and relocation prior to commencement of construction activities.</p>	<p>Cal-Am</p>	<p>Monterey Peninsula Water Management District</p>

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Impact BIO-10: Construction impacts to special status species.	MM-BIO-10	<p>Relocating California red-legged frog: Prior to the start of work, areas will be identified by the qualified biologist and approved by USFWS as acceptable locations to which California red-legged frog may be relocated if encountered within a work area. Federally-listed species shall not be removed from the work area or maintained in captivity overnight without prior notification and approval by the USFWS, unless the animal needs emergency medical assistance. In coordination with the USFWS, medical assistance may be provided to injured animals by a certified wildlife veterinarian familiar with amphibian care.</p> <p>Addition: Reasonable and prudent measures to avoid and minimize potential impacts to ESA species, including CRLF will be determined through consultation with USFWS. Cal-Am will implement CDFW Recommended CRLF Survey and CRLF Avoidance Mitigation Measures as recommended or similarly, pending consultation with USFWS. Consultation with CDFW is included as a requirement of MM-BIO-10.</p>	Conduct visual encounter and relocation prior to commencement of construction activities.	Cal-Am	Monterey Peninsula Water Management District
Impact BIO-11: Construction impacts to special status species.	MM-BIO-11	<p>Disease Prevention: To avoid the spread of diseases between work sites, the field work code of practice developed by the Declining Amphibian Populations Task Force shall be followed at all times. The USFWS-approved biologist or permitted person may substitute a bleach solution (0.5 to 1.0 cup of bleach to 1.0 gallon of water) for the ethanol solution. Care must be taken so that all traces of the disinfectant are removed before entering the next aquatic habitat.</p>	Conduct disease prevention efforts throughout site preparation, staging, and the duration of construction activities until final rehabilitation has been completed.	Cal-Am	Monterey Peninsula Water Management District
Impact BIO-12: Construction impacts to special status species.	MM-BIO-12	<p>Scheduling Vegetation Disturbance Outside of the Nesting Season: Vegetation disturbance, including ground-disturbance of herbaceous or shrub vegetation, vegetation clearing, or tree-trimming, will be scheduled outside of the bird nesting season (February 1 to August 31) to the maximum extent feasible. If construction or other project activities are scheduled to occur during the bird breeding season, a qualified avian biologist shall conduct a pre-construction nesting-bird survey to avoid disturbing or destroying that active bird nests. These surveys are detailed in MM-BIO-14 for raptors and MM-BIO-15 for other bird species.</p>	Implement vegetation disturbance protocol prior to the initiation of disturbance activities until final rehabilitation has been completed.	Cal-Am	Monterey Peninsula Water Management District

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<p>Impact BIO-13: Construction impacts to special status species.</p>	<p>MM-BIO-13</p>	<p>Preconstruction Raptor Surveys: If construction activities occur during the raptor nesting season (February 1 to August 31), surveys for raptor nests shall be conducted prior to the commencement of construction activities in and near the BSA in accordance with CDFW <i>Survey and Monitoring Protocols and Guidelines for Birds</i> (2023e). If active raptor nests are identified, nest buffers restricting construction activities shall be established through coordination with CDFW and USFWS and nest monitoring by a qualified avian biologist shall be conducted to avoid nest disturbance.</p> <p>Addition: A qualified wildlife biologist will conduct surveys for nesting raptors following the Protocol for Golden Eagle Occupancy, Reproduction, and Prey Population Assessment (Driscoll 2010) to the extent that the Project schedule allows. If ground-disturbing activities take place during the typical bird breeding season of February 1 through September 15, additional pre-construction surveys for active nests will be conducted by a qualified biologist no more than 10 days prior to the start of construction. If an active GOEA nest is found, Cal-Am will implement a ½-mile no-disturbance buffer until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest for survival. If nesting eagles are detected and the ½-mile no-disturbance nest buffer is not feasible, Cal-Am will consult with CDFW to determine if the Project can avoid take.</p> <p>A qualified wildlife biologist will conduct additional surveys for nesting white-tailed kites and peregrine falcons within areas of Project activity and a ¼-mile buffer to the extent that the Project schedule allows.</p> <p>If an active white-tailed kite or American peregrine falcon nest is found, Cal-Am will implement a ¼-mile no-disturbance buffer until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest for survival. If active nests are detected and the ¼-mile no-disturbance nest buffer is not feasible, Cal-Am will consult with CDFW to discuss potential biological or ecological rationale to consider reducing the buffer and determine if the Project can avoid take.</p> <p>A qualified wildlife biologist will conduct California Spotted Owl surveys for occupancy and nesting utilizing established protocols, prior to the commencement of vegetation removal activities.</p> <p>If an active CSO nest is found, Cal-Am will implement a ¼-mile no-disturbance buffer until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. If active nests are detected and the ¼-mile no-disturbance nest buffer is not feasible, Cal-Am will consult with CDFW to discuss potentially reducing the buffer.</p> <p>Regarding California Tiger Salamander Potential additional survey requirements and reasonable and prudent measures to avoid and minimize potential impacts to ESA species, including CTS, will be determined through consultation with USFWS. An ITP would be obtained if warranted and will be determined through consultation with USFWS.</p> <p>Cal-Am will plan to report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database.</p>	<p>Implement preconstruction raptor surveys throughout the duration of construction and disturbance activities within 10 days of such activities.</p>	<p>Cal-Am</p>	<p>Monterey Peninsula Water Management District</p>

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<p>Impact BIO-14: Construction impacts to special status species.</p>	<p>MM-BIO-14</p>	<p>Preconstruction Bird Surveys: If vegetation clearing or tree-trimming is necessary during the bird nesting season (generally March 1 to August 31), surveys for active bird nests shall be conducted by a qualified avian biologist within 14 days of construction initiation within a 50-foot buffer around vegetation disturbance areas. If active nest sites are identified in the survey areas, a no-disturbance buffer shall be established, as determined by a qualified biologist, based on the species and activities proposed in the vicinity of the nest.</p> <p>Addition: Cal-Am will plan to report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database.</p>	<p>Implement preconstruction bird surveys throughout the duration of construction and disturbance activities within 10 days of such activities.</p>	<p>Cal-Am</p>	<p>Monterey Peninsula Water Management District</p>
<p>Impact BIO-15: Construction impacts to special status plant species.</p>	<p>MM-BIO-15</p>	<p>Reseeding Disturbed Needle Grass–Melic Grass Grassland: If through implementation of mitigation measure MM-BIO-1 patches of needle grass–melic grass grassland are confirmed to be present in the BSA and project disturbance cannot be avoided, temporarily impacted areas will be restored at a 1:1 ratio, as directed by the regulating agency, after completion of the project. This restoration will be described in more detail in a site-specific habitat mitigation and monitoring plan, which will be written after focused surveys have confirmed needle grass–melic grass grassland is present and will be impacted.</p> <p>Addition: Cal-Am will require a qualified biologist conduct preconstruction surveys for active nests 14 days to no more than 10 days prior to the start of ground disturbance if the disturbance cannot be schedule outside the nesting season. These surveys will be intended to cover a sufficient area around the work site to identify nests and determine their status. Either a qualified biologist will monitor active nests, or a no-disturbance buffer will be implemented around active nests. Buffers will be at least 50 feet and up to 250 feet around active nests of non-listed bird species if feasible and 500-foot around active non-listed raptor nests if feasible</p>	<p>Conduct reseeded following the completion of construction activities, during site rehabilitation.</p>	<p>Cal-Am</p>	<p>Monterey Peninsula Water Management District</p>
<p>Impact BIO-16: Construction impacts to special species and habitats.</p>	<p>MM-BIO-16</p>	<p>Tree Inventory: A preconstruction tree inventory will be conducted in proposed work areas where trees may need to be trimmed or removed. Survey attributes will include tree species, location, and diameter at breast height. The results of the survey will be documented in a technical memorandum.</p>	<p>Conduct tree inventory prior to the initiation of construction and disturbance activities.</p>	<p>Cal-Am</p>	<p>Monterey Peninsula Water Management District</p>
<p>Impact BIO-17: Construction impacts to special status species and habitats.</p>	<p>MM-BIO-17</p>	<p>Riparian Habitat Minimization and Restoration: In addition to mitigation measure MM-BIO-1 to minimize disturbance footprints and mitigation measure MM-BIO-5 to restore temporarily disturbed areas, riparian habitat impacts will be further minimized by trimming and removing vegetation only where necessary. Temporary construction areas are typically cleared and grubbed of all vegetation. Based on the nature and extent of proposed project activities within riparian habitat, trimming may be largely adequate for construction activities within riparian habitat. However, if temporary disturbance warrants revegetation, a riparian restoration plan will be implemented that will include restoring riparian habitat at a minimum 1:1 ratio (by both ground surface area and number of trees) with species identified from the tree inventory.</p>	<p>Conduct riparian habitat minimization during site preparation and maintain throughout the duration of construction and disturbance activities.</p> <p>Conduct riparian habitat restoration following construction, prior to demobilization.</p>	<p>Cal-Am</p>	<p>Monterey Peninsula Water Management District</p>

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Geology and Soils					
Impact GEO-1: Construction impacts to soils.	MM-GEO-1	Landslide Reduction Measures: During construction, slope stabilization would be installed on all disturbed slopes and vegetation removal would be minimized as required by the project stormwater pollution prevention plan (SWPPP). Worker parking and construction staging would be prohibited in areas downslope of steep slopes (slopes 15 percent or greater) at all times during construction. Vehicles and equipment would only be parked on engineered roadways during and 2 weeks after rain events of 0.5 inches or greater (bound by 48-hour dry periods at the beginning and end of rain events). As part of worker awareness training, the contractor would educate workers on potential exposure to landslide hazards in the area and emergency response protocols prior to work on site. The contractor would further institute a warning system to alert workers and halt work during times of landside hazards. Landslide occurrences and protocols would be documented in the inspection reports and included in regular project team meetings.	Conduct landslide stabilization measures prior to beginning construction activities. Conduct worker awareness training prior to worker access to landslide zones (in areas downslope of steep slopes (slopes 15 percent or greater)). Implement landslide protocols throughout the duration of survey, construction, site restoration, and demobilization.	Cal-Am	Monterey Peninsula Water Management District
Hazards and Hazardous Materials					
Impact HAZ-1: Construction activities resulting in an increase in wildfire potential.	MM-HAZ-1	Fire Prevention Measures: Specific fire prevention measures would be incorporated into project construction documents and implemented during construction activities. The fire prevention measures include but are not limited to the following: fire extinguishers or other approved fire suppressants shall be available at all times, fire prevention and suppression drills shall be performed daily, flammable materials shall be properly stored, temporary electrical equipment shall be properly installed, dust-collecting apparatus on power equipment shall be used, dry grass shall be cut low or removed from staging areas, and workers shall be prohibited from smoking on-site.	Implement fire prevention measures throughout the duration of survey, construction, site restoration, and demobilization.	Cal-Am	Monterey Peninsula Water Management District