Sunnyslope Water District

BOARD OF DIRECTORS
SPECIAL MEETING

District Office Board Room ✶ **3570 Airline Hwy., Hollister, CA**

NOTICE & AGENDA

DECEMBER 7, 2021

Special Board Meeting - 5:15PM

Closed Session to precede the Regular Session – 4:30PM

AS AUTHORIZED BY THE STATE OF CALIFORNIA EXECUTIVE ORDER N-29-20 PUBLIC ACCESS TO DISTRICT MEETINGS CAN BE OBTAINED THROUGH THE FOLLOWING ACCESS POINTS:

ZOOM MEETING ACCESS LINK

https://us06web.zoom.us/j/87076968712
No Passcode Required

Or Telephone: Dial + 1 (669) 900-9128 and when prompted enter Meeting ID: 870 7696 8712
No Passcode Required

COVID PROTECTION GUIDLINES

Per the San Benito County meeting guidelines all attendees must comply and wear a face covering if not fully vaccinated. If providing proof of vaccination attendees will not need to wear a face covering. Virtual meeting access will continue to be provided until further determined by the District Board; All attendees must comply with any other rules of procedures/instructions announced by the Board of Directors or as directed by Staff. The meeting will be available through Zoom for those who wish to join remotely. Anyone requiring accommodations may contact the Main Office at (831) 637-4670 a minimum of 24 hrs prior to the start of the meeting.

Mission Statement:

"Our Mission is to provide safe, reliable, and high-quality water and wastewater services to our customers and all future generations in an environmentally and financially responsible manner."

A. CALL TO ORDER - ROLL CALL

President Buzzetta_____, Vice-President Parker_____,

Director Brown_____, Director Alcorn_____, and Ed Mauro _____.

B. PUBLIC COMMENT ON CLOSED SESSION MATTERS – Members of the public may address the Board on the item or items listed on the Closed Session agenda, with a time limit of three minutes per speaker.

CLOSED SESSION

C. CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTIONS:

1. **Conference with Legal Counsel – Pending Litigation (§ 54956.9):**
    a. *County of San Benito vs. SSCWD*, San Benito County Superior Court Case No. CU-20-00068
2. **Public Employee Performance Review (§ 54957)** – Title: General Manager

REGULAR SESSION

D. PLEDGE OF ALLEGIANCE

E. REPORT IN OPEN SESSION ACTION TAKEN IN CLOSED SESSION

F. APPROVAL OF AGENDA

G. PUBLIC COMMENTS and AUDIENCE INTRODUCTIONS – The public may comment[1] on any District business, not on the agenda, with a time limit of three minutes per speaker. No actions may be taken by the Board during the public comment period.

H. CONSENT AGENDA – No items of Consent to be presented.

I. NEW BUSINESS – The Board will review and discuss agenda items and take action or direct staff to return to the Board for action at a following meeting. The public may address the Board[2] on these items as the Board reviews each item.

1. Consider the Following Amendments to District Policies and Procedures:
    a. Reserve Policy (#8600) b. Investment Policy (#8650) (Page 1)
2. Authorize the General Manager to Proceed with Well #11 Rehabilitation for a Total Cost Not to Exceed $75,000 (CEQA Categorically Exempt 15301 (d)). (Page 13)

3. Authorize the General Manager to Execute a Professional Engineering Services Agreement with MNS Engineers Inc. for construction documents pertaining to the rehabilitation of the 6" Force main crossing and installation of a new 8" gravity sewer line servicing the Promontory Subdivision. (CEQA Categorically Exempt 15301 (d)). (Page 15)

J. STATUS REPORTS – No items from Committees to be presented.

1. Finance Committee – Meeting held November 18th to discuss modifications the District Reserve Policy #8600 and to discuss Investment Policy adoption.
2. Water Resources Agency – Meeting held December 2nd, Director Parker Addended.
3. Policy and Procedures Committee – Meeting scheduled December 3rd to discuss modifications the District Reserve Policy #8600 and to discuss Investment Policy adoption.

K. BOARD and STAFF REPORTS

1. Directors
2. District Counsel
3. General Manager – General Manager to provide the Board with an update on the Employee Holiday BBQ scheduled December 17th, 2021.

L. FUTURE AGENDA ITEMS

1. FY2020-21 Audit and Financials Presentation. *Scheduled December 21, 2021*
2. Board President Election for 2022 and Appointments to District Committees. *Scheduled December 21, 2021.*

M. ADJOURNMENT

Upon request, Sunnyslope County Water District (SCWD) will make a reasonable effort to provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. SCWD will also make a reasonable effort to provide translation services upon request. Please submit a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service as soon as possible in advance of the meeting.

Next Regular Board Meeting – December 21, 2021 @ 5:15 p.m., District Office

AGENDA DEADLINE: **December 15, 2021 @ 12:00 p.m.**

Future Scheduled Committee Meetings

Governance Committee Meeting, January 12th, 5pm @ Veteran's Hall (SBCWD)

Water Resources Agency – January 6th, 2021 @ 4:00 PM

[1] The person speaking is requested to fill out a speaker card stating items on which they wish to comment to be properly recognized during communications from the public and address comments to the Board of Directors. A limit of three (3) minutes per speaker is requested to allow others an opportunity to comment. Board members may ask questions of the speaker, but no action may be taken and no discussion may be held on non-agenized items raised by the public. The General Manager may refer the matter to the proper personnel for review.

[2] The person speaking is requested to fill out a speaker card stating their name, address, and items on which they wish to comment to be properly recognized during communications from the public and address comments to the Board of Directors. Please limit your comment to three (3) minutes. Please step up to and speak at the podium.

Staff Report

Agenda Item: **I - 1**

DATE: December 3, 2021 (December 7, 2021 Meeting)

TO: Board of Directors

FROM: Drew Lander, General Manager

SUBJECT: Consider the Following Amendments to District Policies and Procedures:

a. Reserve Policy (#8600) b. Investment Policy (#8650)

BACKGROUND:

The most current Reserve Policy #8600 was first approved in May 2014. The policy is amended from time to time and the edited policy reflects amendments contemplated by the Board during the FY 2021-22 budget planning.

The most current Investment Policy was first approved in May 1986. The policy was approved by Resolution 396 and was not assigned a policy reference number. The policy proposed would supersede the current investment policy in its entirety and be included in the policy manual as policy #8650.

The proposed policy #8600 and #8650 will be copied and distributed in draft form prior to the commencement of the meeting.

The policies were reviewed in both the Finance Committee and the Policy & Procedures Committee. Comments have been incorporated. The Policy and Procedures Committee recommends the full Board review the policies and provide comments as desired. The final drafts will be returned to the Board at the December 21st regular board meeting with a recommendation to approve and adopt.

FISCAL IMPACT:
There is no direct fiscal impact of adopting the revised Policies #8600, #8650. Investment Policy #8650 is proposed as a mechanism to increase the current interest returns on those funds currently held in reserve. The risks associated with investment returns vary between

instruments chosen however it is the intent of the policy to significantly reduce risks of loss through the instruments authorized by the policy.

ENVIRONMENTAL IMPACT:
The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

RECOMMEDATION:
The Policy & Procedures Committee and staff recommend the Board review the policies and provide the GM comments as desired. No action is required. The final drafts will return to the board at the December 21st, 2021 Board meeting for consideration and approval.

Attachments:

The current Board approved policies are included in the packet for reference. The draft policies to be discussed will be distributed and presented at the Board meeting.

8600: Reserve Policy

8600.1 Purpose

The purpose of the Sunnyslope County Water District's (SSCWD) Reserve Policy is to ensure that the District will, at all times, have sufficient funding available to meet its operating, capital, and debt service cost obligations. Reserves will be managed in a manner that allows the District to fund costs consistent with its annual budget and Capital Improvement Program, while avoiding significant rate fluctuations due to changes in cash flow requirements.

The total of all the available reserves, which includes Board designated and undesignated reserves, but excludes legally restricted reserves, shall not fall below 50% of budgeted annual operating costs of the current fiscal year, consistent with the adopted water and wastewater rates. Adequate reserves and sound financial policies promote SSCWD's bond ratings in the capital markets; provide financing flexibility; avoid potential restrictive debt covenants; and ensure stable rates for the District's customers.

8600.2 Scope

The Reserve Policy covers all reserve funds of the District. At the end of each fiscal year, compliance with the Reserve Policy will be reported to the District's Board of Directors by looking at the reserve balances for the year then ended, compared to the total operating budget for the same fiscal year. As part of each fiscal year's budget adoption process, the new operating budget will be compared to the projected reserve balance.

8600.3 Reserve Fund Types Defined

There are three major types of reserve funds: Legally Restricted Reserves, Board Designated Reserves, and Unrestricted Reserves. Legally Restricted Reserves have restrictions imposed by an outside source, such as bond covenants, contractual obligations, or other restrictions. Board Designated Reserves are set aside for a specific purpose as determined by action of the Board of Directors. The Board of Directors has the authority to redirect the use of these reserves as the needs of the District change. Unrestricted Reserves are required for adequate cash flow to meet operating needs and are planned for a source of funding the Capital Improvement Program and to assist in providing for orderly rate increases.

8600.4 SSCWD Specific Reserve Fund Purposes

A. Legally Restricted Reserves

1. CSWRCB SRF Loan: This fund is governed by the California State Water Resources Control Board State Revolving Fund Agreement (SRF Loan). The SRF Loan Agreement requires the District to establish a Reserve fund equivalent to one year's debt service, which is approximately $740,000. The SRF Loan matures in 2033.

2. 2002 Revenue Bonds: The reserve requirements of the California Statewide Communities Development Authority Water and Wastewater Revenue Bonds Series 2002A have been satisfied with an insurance policy purchased by SSCWD in 2002. The 2002 Revenue Bonds mature in 2032.

3. Water Capacity (Connection) Fees: Water capacity fees are collected from new development based on meter size to ensure that new customers pay their fair share of capital costs necessary to provide water service. Water capacity fee reserves may be used for capital improvements to the water system that expand capacity to serve the connections and to refurbish existing District facilities to maintain the capacity of the water system. Water capacity fee reserves will be drawn down and used prior to other District funds for qualifying projects.

4. Wastewater Capacity (Connection) Fees: Wastewater capacity fees are collected from new development based on equivalent dwelling units to ensure that new customers pay their fair share of capital costs necessary to provide wastewater service. Wastewater capacity fee reserves may be used for capital improvements to the wastewater system that expand capacity to serve the connections and to refurbish existing District facilities to maintain the capacity of the wastewater system. Wastewater connection fee reserves will be drawn down and used prior to other District funds for qualifying projects.

B. Board Designated Reserves

1. Capital Improvement Reserve Fund: This reserve is to fund two years of capital projects as planned in the Capital Improvement Program (CIP) and the two-year capital budget. The rationale for funding two fiscal years is that the typical construction season for many capital projects span the spring and summer months, which fall into two fiscal years. This reserve fund will reflect the financial plan and annual rate model along with other reserve funds to smooth future rate increases.

This reserve fund will be drawn down annually as revenue capital expenditures are made. At the end of each fiscal year, the fund balance will be evaluated and replenished based on the next two years' revenue funded capital requirements. Annual replenishment shall be reported to the Board of Directors as part of each Fiscal Year-End Financial Report.

2. Vehicle Replacement Fund: As vehicles are replaced a sinking fund will be created to capture the depreciated value of vehicles each year, which will be used to fund planned replacement of vehicles at the end of their useful lives. This reserve fund is utilized to cover equipment replacement while smoothing cash flows in the financial plan and rate model to minimize annual pressure on rates.

This reserve fund will be drawn down annually as replacement vehicles are purchased consistent with the adopted budget and as approved by the Board. At the beginning of each fiscal year, funds will be deposited in this sinking fund as provided for in the adopted fiscal year budget. Reserve deposits will be based on annualized depreciation

of the vehicle as determined by the General Manager. Annual deposits shall be reported to the Board of Directors as part of each fiscal year-end financial report. In addition, interest earnings on fund balances will be deposited into the fund as will the net proceeds of the sale of retired/replaced vehicles and equipment. These additional deposits are to provide for inflationary increases to replacement vehicle and equipment costs. This fund shall be maintained at a minimum balance of the funds required for the following year's budgeted fleet replacements.

3. Emergency Equipment Replacement Fund: Occasionally, equipment at the District's wells, wastewater treatment plants, pump stations, and other facilities will fail unexpectedly requiring immediate replacement prior to a planned replacement through the capital improvement project. This fund is established to provide for those replacements. A minimum of $50,000 will be maintained in the fund for any emergency repairs or replacements. The reserve fund balance shall be reported to the Board of Directors as part of each fiscal year-end financial report and the fund will be replenished at the beginning of each fiscal year, if drawn below minimum.

4. Office and Miscellaneous Equipment Replacement Fund: As office equipment and other miscellaneous equipment with a value of greater than $1,000 is replaced, a sinking fund will be created to capture the depreciated value of the equipment each year to fund its planned replacement at the end of its useful life. This reserve fund is utilized to cover equipment replacement while smoothing cash flows in the financial plan and rate model to minimize annual pressure on rates.

This reserve fund will be drawn down annually as equipment is purchased consistent with the adopted budget and as approved by the Board. At the beginning of each fiscal year, funds will be deposited in this sinking fund as provided for in the adopted fiscal year budget. The fund balance shall be reported to the Board of Directors as part of each fiscal year-end financial report and the fund replenished at the beginning of each fiscal year.

5. Drought Contingency Reserve: Water sales revenue may be impacted under drought conditions due to reductions in consumption and due to regulatory or State and Federal mandated reductions in supply. Costs for water supply may also increase due to the need to purchase additional surface water. This fund is established to supplement water sales revenue at the direction of the Board of Directors. It will be initially funded in the amount of 10% of the projected water rate revenue for each fiscal year. The balance in this reserve may be increased or decreased as authorized by action of the Board based on the continuance and severity of a drought.

C. Unrestricted Reserves

The remaining funds will be classified as unrestricted reserves and will be drawn down over time to smooth rate increases and will be maintained at a minimum balance of six months of annual operating budget requirements, consistent with the Board's Rate Setting Policy.

Policy Approved:	May 14, 2014
Policy Amended:	March 17, 2020
	Date

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Sunnyslope County Water District

RESOLUTION NO. 396

A RESOLUTION APPROVING AND ESTABLISHING INVESTMENT POLICY AND GUIDELINES

RESOLVED, by the Board of Directors of the Sunnyslope County Water District, San Benito County, California, that

WHEREAS, the State Legislature has adopted a requirement for the establishment of Investment Policy and Guidelines and the presentation and filing of monthly Investment Reports;

WHEREAS, the District's fiscal officer, its Secretary-Auditor, has prepared a form of Investment Policy and Guidelines and a Report of Investments for the month of May, 1986, and

WHEREAS, the public interest will be served thereby;

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED and ORDERED, as follows:

1. District monies not required for immediate expenditure shall be invested in accordance with the Investment Policy and Guidelines of the District, which Policy and Guidelines shall be, and they are hereby, established in accordance with the Statement of Policy and Guidelines, a copy of which is hereto attached and by reference incorporated herein.

2. That the Secretary-Auditor of the District shall, each month, furnish the Board of Directors with a detailed listing of the previous month's Investments, date of purchase, date of maturity, the name of the institution or institutions where the investments were placed and the interest rate on such investments, a copy of which report is hereto attached and by reference incorporated herein.

* * * * *

I hereby certify that the foregoing resolution is a full, true and correct copy of a resolution duly adopted by the Board of Directors of the Sunnyslope County Water District, San Benito County, California, at a meeting thereof duly held on the 8th day of May, 1986, by the following vote:

AYES, and in favor thereof, Directors: Churchill, Hailstone, Renz, Williams

NOES, Directors: None

ABSENT, Directors: Blaettler

s/ J. W. Jackson
Secretary

(SEAL)

APPROVED:

s/ Larry Williams
President

To: Board of Directors
Water District

From: Secretary-Auditor

Re: Annual Statement of Investment Policy

BACKGROUND AND PURPOSE

State legislation requires that the District's Financial Officer submit to the Board an annual statement of investment policy and monthly reports regarding investments and deposits of District funds.

It is intended that this document constitute the first Annual Statement of Investment Policy, and attached hereto are the first Monthly Investment Reports. Hereafter, the annual statements will be submitted in January of each year, and monthly reports will be submitted at the Board meeting of the month following the report month.

DISTRICT REGULATIONS

A major part of the District's established investment policy is based on provisions contained in its designations of depository and in accordance with Government Code Section 53600 through 53609 governing the investment of public monies and Section 53630 through 53683 governing the deposit of public monies.

INVESTMENT POLICY AND GUIDELINES

I. INTRODUCTION

District monies not required for immediate expenditure will be invested in compliance with governing provisions of law (see Government Code Sections 53600 et seq.) and this policy.

The District will maintain adequate cash availability and maximum yield on invested idle funds while insuring that principal invested is protected from loss.

Investments will be made in a range of instruments to insure diversification of District's portfolio and liquidity of assets in an emergency situation.

II. DEFINITION AND PROVISIONS OF THE GOVERNMENT CODE

Pursuant to the provisions of law and this policy and guideline statement the president of the Board and its Secretary-Auditor are hereby delegated investment authority by the Board. In accordance with the provisions of the Government Code of the State of California, collateral established as security for public funds will be those securities specified by law as eligible for collateral for deposits of local public agencies.

Investments of District monies not required for immediate expenditure will be made in securities or other certificates of indebtedness as provided by law for the investment of public funds. Investments shall be made in accordance with this policy.

III. CASH FLOW AND AVAILABILITY

An average amount of monthly warrants and one monthly payroll shall be maintained in immediately available investments, such as the State Treasurer's Local Agency Investment Fund or a similar liquid instrument.

Periodic analysis of cash flow shall serve as the basis for determining the maturity date of investments.

IV. ACCEPTABLE INVESTMENT INSTRUMENTS

The District investment portfolio may include the following instruments or other deposits or investments in accordance with Section VI hereof:

Certificates of Deposit purchased from banks or savings and loan institutions.

Bankers Acceptances.

Treasury Bills and Notes.

Government Agency Securities (e.g. Federal National Mortgage Association, Government National Mortgage Association, Federal Farm Credits.)

State Local Agency Investment Fund

Passbook Savings Account

V. AMOUNTS TO BE INVESTED

The District shall invest all idle funds except for those amounts required by the District's banks to pay for bank services furnished to the District.

VI. GUIDELINES BY TYPE OF INVESTMENT

A. CERTIFICATES OF DEPOSIT: Cash shall be invested only in FDIC or FSLIC insured or fully collateralized certificates of deposit. Collateral for a given investment must be 110% of principal for government securities collateral.

For investments greater than $100,000, the institution must maintain $100 million in assets. For investments greater than $300,000, the institution must maintain at least $300 million in assets.

The District shall not invest in any institution less than five years old.

The institution must maintain a net worth to asset ratio of at least 3%, and a positive earnings record.

The institution must have on file with the District a current FDIC call report (banks) or FHLB report.

The bank or institution must be located in California.

B. TREASURY BILLS AND NOTES: The District shall require safekeeping documentation of the treasury instrument in an acceptable safekeeping account in the District's name. The maximum maturity on a treasury instrument shall be three years.

C. GOVERNMENT AGENCY SECURITIES: The District shall require physical delivery of these securities to an acceptable safekeeping account in the District's name. Examples of these securities include Government National Mortgage Association, Federal National Mortgage Association, Federal Land Bank, and Federal Farm Credit Banks.

D. STATE LOCAL AGENCY INVESTMENT FIND: No investment with the Local Agency Investment Fund may, by State regulation, exceed Five Million Dollars ($5,000,000).

E. PASSBOOK SAVINGS ACCOUNT: Savings account shall be maintained for amounts under One Hundred Thousand Dollars ($100,000) that are received too late in the day to invest in other instruments.

VII. MATURITY OF INVESTMENTS

With the exception of Treasury notes, the maturity of a given investment shall not exceed one year. Treasury notes may be purchased for a period not to exceed three years. Approximately 50% of the idle funds shall be placed in investments that can be sold for face value in the open market in the event of an emergency.

VIII. USE OF SECURITIES DEALERS AND BROKERS

The District may utilize the services of brokers and securities dealers only if the firm to be used is recognized as a primary dealer by the Federal government.

The District shall work directly with banks and savings and loan institutions when purchasing Certificates of Deposit and not utilize the services of brokers for the purpose of such investment.

IX. INVESTMENT COMMITTEE AUTHORITY AND REPORTS TO BOARD OF DIRECTORS

A staff Investment Committee consisting of the District Manager, Board President and Secretary-Auditor shall meet to review the District investment portfolio, cash reports and anticipated cash requirements in selecting investment instruments for idle District funds.

A Board Investment Subcommittee shall meet quarterly to insure that District investments are consistent with the adopted policy and to consider changes in the policy. The subcommittee may be the Board of Directors of the District and may meet in conjunction with a regular District meeting.

Pursuant to state law (Section 53646 of the Government Code), the board shall receive a detailed monthly listing of all investments in the District portfolio which shall be prepared by the District' Secretary-Auditor.

Staff Report

Agenda Item: **I - 2**

DATE: December 2, 2021 (December 7, 2021 Meeting)

TO: Board of Directors

FROM: Drew Lander, General Manager
Dee J Burbank, Operations and Maintenance Crew Chief

SUBJECT: Authorize the General Manager to Proceed with Well #11 Rehabilitation for a Total Cost Not to Exceed $75,000 (CEQA Categorically Exempt 15301 (d)).

BACKGROUND:
On Monday November 29th staff was alerted to a power fault at Well #11. Well #11 is a critical supply well to the SSCWD system. It performs well and must be returned to service as soon as possible. An electrical technician was mobilized to trouble shoot the fault. Testing revealed an electrical failure within the motor. Available information at this point requires the replacement or rebuild of the 150hp submersible well motor.

The engineering estimates provided below take into consideration the worst-case situation that staff expects to encounter. The funding allocation requested will only be reached in the event that the pump must be fully replaced. Staff will continue to evaluate the cost vs. life expectancy of the equipment as more information becomes available. Rebuild costs will be less expensive. If the General Manager determines that reconstruction and reuse of existing equipment is in the best interest of the District, then that path will be taken. Time is of the essence as a fully operational well is required prior to the commencement of the 2022 irrigation season when water demand will necessitate this well be operational.

• Replacement of the motor is estimated	$35,000
• Pump rehabilitation	$20,000
• Labor for removal and installation of the well equipment	$5000
• Potential check valve, power cable and drop pipe replacement	$9000
• Video inspection of casing and screens	$1500
• De-chlorination/Sampling	$5000
	Total = $75,500

Maggiora Brothers Inc. has been scheduled to pull the well for inspection and evaluation.

To date approximately $5000 of District funds have been encumbered as inspection and scheduling of the pump removal was critical path to evaluation of the inoperable pump.

FINANCIAL IMPACT:
To date $5000 has been expended with approval of the General Manager. In the event that the well condition is worse than expected, $70,500 will be required to complete the repair. A total of $75,500.00 is required to rehabilitate the well and return it to service. Funds for the repair will be allocated from District Capital Improvement Reserves.

ENVIRONMENTAL IMPACT:
A reduction in ground water use is anticipated. The proposed work is a repair of an existing asset and will not result in greater impacts to the environment. The proposed action is Categorically Exempt 15301 (d) (State CEQA Guidelines) and therefore CEQA is not applicable.

RECOMMENDATION:
Acknowledge the current expenditure of the General Manger in the amount of $5,000 and authorize the General Manager to complete the repair of Well #11 for an estimated $70,500.00 at a total cost not to exceed $75,500.00.

Staff Report

Agenda Item: **I - 3**

DATE: December 2, 2021 (December 7, 2021 Meeting)

TO: Board of Directors

FROM: Drew Lander, General Manager
Rob Hillebrecht, Associate Engineer

SUBJECT: Authorize the General Manager to Execute a Professional Engineering Services Agreement with MNS Engineers Inc. for construction documents pertaining to the rehabilitation of the 6" Force main crossing and installation of a new 8" gravity sewer line servicing the Promontory Subdivision. (CEQA Categorically Exempt 15301 (d)).

BACKGROUND:
At the September 2021 regular board meeting the Board reviewed, and by a majority, approved the water facilities agreement for the Promontory at Ridgemark Development. The staff report prepared by Associate Engineer, Rob Hillebrecht identified the preferred method for providing wastewater service to the development as a pipe bridge over the adjacent ravine as was contemplated and certified in the Environmental Impact Report (EIR) prepared for the development.

Recently staff has completed a planning session for future demand and use needs of the Ridgemark Sewer Treatment Plant. To make sure there is disposal capacity for treated effluent, the ponds at Ridgemark II could provide additional infiltration. The Ridgemark II ponds are accessed by a 6 inch diameter force main which follows the same alignment as the proposed gravity sewer line needed to serve the Promontory development.

It is advantageous for the District to rehabilitate the 6" force main jointly with the installation of the 8" gravity sewer line for Promontory. Design costs and construction costs can be shared. Staff proposes to allow the new pipe bridge to follow the exact alignment of the force main and both pipes will be included on the new structure. This will provide the best solution for sewer service to the development, and it will simultaneously provide the District with a new force main crossing which will reduce environmental risk of the old pipe leaking or becoming unusable.

The SSCWD will manage the design and permitting of the project to ensure the asset meets District requirements and it is proposed that the Developer will provide the construction services with District oversight. A modified easement will be required to be prepared and the underlying property owner has given tentative approval of the proposed realignment because this will benefit the developer of those properties as well. Prior to commencement of construction an amendment of the current Promontory agreement will be approved by the board identifying the expense allocations. This project is an example of how a public/private partnership can accomplish the needs of all interested parties for the long term good of the public.

FINANCIAL IMPACT:
Design, permitting and recording of the new easement is estimated not to exceed $100,000. Funds for the proposed project will be allocated from District Capital Improvement Reserves. The District will manage the design contract for quality control purposes and the developer will reimburse the District for all design costs minus the additional costs needed to add the 6 inch force main to the proposed structure. This same methodology will be applied to the construction costs. Early engineering estimates propose the District responsibility for design and construction should not exceed $200,000 for this project. Expenses will be tabulated and balanced in connection fee credits with the developer.

ENVIRONMENTAL IMPACT:
The proposed action is Categorically Exempt 15301 (d) (State CEQA Guidelines) as a standalone rehabilitation of the existing infrastructure. However, with the addition of the gravity sewer line the existing certified EIR for the Promontory development will be leveraged to ensure compliance with all CEQA regulations. Dennis Duffy & Associates will consult on this project to ensure compliance.

RECOMMENDATION:
The Board should make a motion to authorize the General Manager to Excecute a Professional Engineering Services Agreement with MNS Engineers Inc. for the Design of the Promontory at Ridgemark Gravity Sewer Bridge with a cost sharing agreement to be approved by the Board prior to athorizaiton to construct.

Attachments:

1) MNS Engineering Inc. services proposal.
2) Dennis Duffy & Associates wetland delineation.

MNS ENGINEERS INC
111 N. Market Street, Suite 440
San Jose, CA 95113
408.610.4202 Ph

November 30, 2021

Sunnyslope County Water District
Attention: Mr. Drew Lander, PE, QSP/QSD, CCM, General Manager
3570 Airline Highway
Hollister, CA 95023-9702

SUBJECT: Proposal for Professional Engineering Services – Promontory at Ridgemark Gravity Sewer

Dear Mr. Lander,

Thank you for the opportunity to submit this proposal to provide professional engineering services for preparation of contract documents for the Promontory at Ridgemark Gravity Sewer Project (Project) for the Sunnyslope County Water District (Sunnyslope, District). MNS Engineers, Inc. (MNS) offers our qualified team to provide professional services for this Project.

Background and Project Understanding

Sunnyslope provides sanitary sewer service to the Ridgemark, Quail Hollow, and Oak Creek developments. The District is retaining the services of an engineering consultant to design and prepare contract documents for the construction of a new gravity sewer to convey wastewater from the Promontory at Ridgemark Development (Development) to the District's wastewater collection system. The proposed alignment will extend approximately 1,100 feet from the Development to the District's existing sewer main in Marks Drive. The alignment will cross an existing, active golf course and drainage channel. Across the drainage channel, the new sewer main will be installed as an elevated pipe bridge with regularly spaced supports, parallel to an existing golf cart path. A force main, not currently in service, will also be relocated to the pipe bridge for future use. The proposed below grade gravity sewer will be PVC pipe in accordance with current District standards. Above grade piping will be ductile iron piping with appropriate interior and exterior coatings. Below grade pipe sections will be installed at depths ranging from 1- to 20-feet.

Project Scope

MNS proposes the following scope of work to provide engineering services for the Project. A description of the anticipated work for each task follows.

Task 1. Project Management, QA/QC, and Meetings

Task 1.1. Project Management

Project Manager, Nick Panofsky, PE, will be responsible for the coordination of the internal project team including subconsultants and overall administration of the contract for MNS. He will continuously monitor the Project's schedule and budget to ensure milestones are met, sufficient time is allotted for quality control reviews, the Project budget is maintained, and the final product meets the expectations of Sunnyslope.

Nick will coordinate with Sunnyslope to ensure open lines of communication are maintained and staff members are up to date on the status and progress of the Project. Frequent phone calls and email updates will be sent from Nick to the District Project Manager, as well as other forms of communication as appropriate including video conferences to discuss Project issues.

Nick will prepare monthly invoices to meet Sunnyslope's requirements. Invoice amounts will be detailed by the tasks described herein.

Task 1.2. Quality Assurance/Quality Control (QA/QC)

Each member of the engineering team will initiate reviews of their work on a consistent basis and adhere to the procedures and requirements set forth in the MNS QA/QC standards of practice. The MNS QA/QC Manager, Tyler Hunt, PE, QSD, will perform an overall review of each deliverable for quality and discipline coordination, prior to submittal to Sunnyslope.

Task 1.3. Meetings

MNS will facilitate and lead meetings to move the Project forward and ensure Sunnyslope is informed and in concurrence with the progress of the Project. For each meeting, MNS will prepare an agenda. Meeting minutes will be prepared and distributed within five business days of each meeting. MNS has budgeted for a project kick-off meeting and site visit, a 60% design review meeting (virtual) and a 100% design review meeting (virtual).

Task 2. Topographic Survey, Boundary Survey, Easement Support, and Utility Research

MNS will prepare a project base map as described in the following tasks.

Task 2.1. Topographic Survey

MNS will perform ground surveying and mapping for the proposed sewer improvements located in Hollister. Ground surveying will include a portion of the parcel known as APN 020-330-046 (Approx. 3.50 acres) extending from Marks Drive to the northerly parcel line of APN 025-420-019. The mapping will be tied to the NAD83 and NAVD88 datum. The scope of work to include the following items:

- Hardscape, structures, walls, fences, trees (6” in diameter and above)
- Observable utilities
- 50’ cross sections along the proposed pipeline

MNS will prepare a topographic base map in AutoCAD at a scale of 1”=20’ with 1’ contour intervals.

Task 2.2. Boundary Survey and Easement Support

A record boundary will be prepared based on a best fit of field located monuments. Legal description and plats for a permanent and temporary construction easement will be prepared for the proposed improvements (2 Total).

This scope of work does not include existing easement retracement or the cost of acquiring a title report. This also does not include the cost of county recorder fees for document research.

Task 2.3. Utility Research

MNS will contact utility agencies with below-grade facilities in the Project areas to obtain atlas maps and other available information regarding the type, size, location, material, and depth of existing utilities. We have budgeted $100 to cover the costs of fees associated with these requests.

- Charter Communications (Spectrum)
- AT&T
- PG&E

We assume the District will provide accurate record drawings of existing water and wastewater facilities in the Project area.

Task 3. Geotechncial Investigation

Our subconsultant, Pacific Crest Engineering, will develop geotechnical recommendations for the Project. A detailed proposal for Pacific Crest services is provided as an attachment. MNS will coordinate and support the geotechnical work and review documents prior to submittal to the District.

Task 4. Contract Document Development

Using the site information collected in Task 2 and 3, MNS will prepare detailed drawings for the Project. Drawings will be prepared in the latest version of AutoCAD Civil 3D. Plan and profile (P&P) drawings will be prepared with a horizontal scale of 1-inch equals 20 feet, with the vertical scales on profiles being drawn at a scale of 1-inch equals 4 feet. An anticipated sheet list includes:

Sheet	Sheet	Description
1	G-1	Title Sheet, Vicinity Map, Location Map and Sheet Index
2	G-2	General and Civil Notes and Sheet Layout Plan
3	C-1	Sewer Plan and Profile – 1
4	C-2	Sewer Plan and Profile – 2
5	C-3	Sewer Plan and Profile – 3
6	C-4	Sewer Manhole Details and Pipe Support Details
7	C-5	Sewer Trench, Connection, and Miscellaneous Details
8	S-1	Structural Notes and Inspection Requirements
9	S-2	Structural Details

The pipeline design will consider California Department of Drinking Water separation requirements from water mains, existing utilities, neighborhood convenience, and anticipated requirements of public safety. We assume the Contractor will be responsible for developing a sewer bypass plan, with the requirements of the plan detailed in the technical specifications.

Specifications

We will prepare technical specifications using the District's boilerplate Special Provisions template. MNS will develop technical specifications for this project based on District Engineering Standards and Standard Specifications for Public Works Construction (Greenbook). Design specifications will be in conformance to jurisdictional entities including the San Benito County, the District, and other entities as required.

Engineer's Opinion of Probable Construction Cost

MNS will prepare an Engineer's Opinion of Probable Construction Cost for each design submittal. We will base the estimate on recent projects of similar size and scope upon which we have worked, as well as cost estimating manuals, communication with contractors, and other resources.

Subtask 4.1 60 Percent Design

MNS will prepare 60 percent design plans, specifications and Engineer's Estimate of Probable Construction Cost (PS&E) for District review. 60 percent specifications will be limited to a table of contents of technical sections. We will assemble a review package in Adobe Acrobat (PDF) format and transmit electronically. Following receipt of the District's consolidated 60 percent design comments, we will hold a design review meeting with District staff to discuss the District's comments. We anticipate all comments will be generally within the scope of this proposal.

We will review and update the PS&E package in a timely manner for a 90 percent design submittal. We will prepare a response matrix summarizing each District comment on the 60 percent design, identifying how each comment is addressed in the final submittal.

Subtask 4.2 90 Percent Design

MNS will prepare 90 percent PS&Es for District review. We will assemble a review package in PDF format and transmit electronically. Following receipt of the District's consolidated 90 percent design comments, we will hold a design review meeting with District staff to discuss the District's comments. We anticipate all comments will be generally within the scope of this proposal.

We will review and update the PS&E package in a timely manner for a final design submittal. We will prepare a response matrix summarizing each District comment on the 90 percent design, identifying how each comment is addressed in the 100 percent submittal.

Subtask 4.3 Final Design

We will prepare final PS&Es for the project suitable for public bidding. The final plans and specifications will be stamped and signed by a Professional Engineer registered in the State of California.

We will submit both hard copy and electronic documents upon completion of the work. Electronic formats will include images prepared in PDF format and also electronic files compatible with Microsoft Word, Excel, and AutoCAD, as appropriate. We anticipate delivering all electronic submittals and one paper copies of all documents (or as desired by the District).

MNS assumes the District will provide final reproduction of plans and specifications and will provide to prospective bidders.

Task 5. Environmental Document Support

MNS will assist the District's environmental permitting effort for the Project. MNS will provide requested information to the District's environmental consultant including a project description, anticipated equipment to be used, disturbance areas, and other anticipated construction impacts.

Project Team

MNS has assembled a qualified team with the skills and expertise to bring this Project to completion in accordance with Sunnyslope's goals. Resumes for proposed staff are provided as an attachment to this proposal. Additional staff members are available based on Sunnyslope's needs. We have included subconsultants, SSG Structural Engineers to provide structural engineering support, and Pacific Crest Engineering for geotechnical engineering support.

Compensation

Based on our understanding of the requirements, we have estimated that **$85,483** will be required for this scope of services. It should be noted that this is a not to exceed cost and is provided on a time and materials basis based on the attached standard fee schedule.

Task	Fee
Task 1 – Project Management, QA/QC, and Meetings	$8,615
Task 2 – Topographic Survey, Boundary Survey, Easement Support, and Utility Research	$16,120
Task 3 – Geotechnical Investigation	$17,415
Task 4 – Contract Document Development	$40,683
Task 5 – Environmental Document Support	$2,650
Total	**$85,483**

Assumptions

MNS has made the following assumptions in preparation of this proposal:

- Potholing to locate existing utilities will not be required
- Golf course restoration will not be required, including restoration of existing irrigation system

- Environmental compliance documents will be prepared by others
- No protected trees will be removed as part of the project
- No permits will be required to be obtained by MNS
- Traffic control plans, if necessary, will be prepared by others

Closing

Thank you for the opportunity to submit our proposal to provide professional engineering services for preparation of contract documents for the Promontory at Ridgemark Gravity Sewer Project. We are excited and look forward to working with Sunnyslope. Please contact me with any questions you may have regarding our submittal at 805.592.2074 or npanfosky@mnsengineers.com. Thank you for your consideration.

Sincerely,
MNS Engineers, Inc.

Nick Panofsky, PE
Lead Engineer

Attachments:
1. Resumes
2. Standard Fee Schedule
3. Fee Proposal Spreadsheet
4. Pacific Crest Engineering Proposal

Nick Panofsky, PE, QSD

Lead Engineer

Firm
- MNS Engineers, Inc.

Areas of Expertise
- Water/wastewater infrastructure rehabilitation and improvements
- Stormwater Management Plans
- Water resources planning
- Project management

Years of Experience
- 15 Total

Licensing
- Professional Civil Engineer, CA No. 75006

Certification
- Qualified SWPPP Developer, CA No. 75006

Education
- MBA, Shidler College of Business, University of Hawaii, HI
- BS, Environmental Engineering, California Polytechnic State University, San Luis Obispo, CA

Affiliations
- American Public Works Association
- American Society of Civil Engineers
- American Water Works Association
- Water Environment Federation

Mr. Panofsky has over 15 years of professional consulting experience in the water resources industry. Nick has advanced his expertise through a variety of municipal infrastructure design projects including potable water, recycled water, wastewater, and stormwater. He has been involved in every stage of the design process, including planning, analysis, design, construction management, and operational assistance. He actively manages projects to meet both technical and financial goals. His experience includes:

On-Call Engineering Services, Carmel Area Wastewater District, CA. *Project Engineer*. This contract involved a variety of field and office tasks in support of on-call engineering activities. Responsibilities included advancing a variety of projects including a vactor truck dumping station, reroofing multiple buildings at the wastewater treatment plant, design of chemical storage facilities at the wastewater treatment plant, and other improvements.

Pescadero Road Sewer Replacement, Carmel Area Wastewater District, CA. *Lead Project Engineer*. The project involved planning services for the replacement of approximately 2,250 linear feet of gravity sanitary sewer main. The existing sewer main was recommended to be replaced along the existing alignment, which included steep unimproved terrain. The existing sewer was failing as a result of earth movement and several trees which fell, impacting the grade of the sewer. Development of the multi-phase planning process involved public outreach, tree removal surveys, and coordination with multiple agencies and private property owners.

Quail Lodge Sewer Main Extension, Carmel Area Wastewater District, CA. *Lead Project Engineer*. This project involved planning services associated with construction of approximately 12,000 linear feet of gravity sewer mains and force mains, two wastewater lift stations, and various other improvements to provide sanitary sewer service to approximately 200 residences and several commercial properties. The planning process included developing a hydraulic model of proposed sewers based on LIDAR data of the area, and preparation of a preliminary engineering report.

Hatton Canyon Sewer Replacement, Carmel Area Wastewater District, CA. *Project Manager*. Hatton Canyon State Park is poorly maintained, and stormwater often overflows its natural drainage path into the maintenance roadway running parallel to the sewer

alignment and natural drainage path. Due to these issues, 5,520 feet of existing 8-inch vitrified clay pipe (VCP) gravity sewer main must be replaced. The sewer pipeline is located along an environmentally sensitive corridor used as a public hiking trail and access road. MNS prepared a Preliminary Engineering Report (PER) to evaluate alternative sewer pipeline alignments and construction methods, which included open trench construction and the pipe bursting (trenchless) method. The PER summarized all findings from the engineering, environmental, and geotechnical analysis; developed a preliminary sewer pipeline design; recommended manhole sealing products; documented bypassing, right-of-way, permitting, and traffic control requirements; and developed project cost estimates. The 60 percent plans were used to prepare an Initial Study and Mitigated Negative Declaration (IS/MND) for compliance with the California Environmental Quality Act (CEQA). Upon completion of the final design documents, MNS will provide support for obtaining encroachment permits for construction and construction management and inspection.

Coastal Inflow and Infiltration Reduction Project, City of Santa Barbara, CA. *Project Engineer.* This project developed design plans to rehabilitate approximately 3,300 linear feet of 33-inch vitrified clay pipe (VCP) sewer main located west of Cabrillo Boulevard in Santa Barbara. Some of the manholes are located in the sandy beach area, which required special environmental mitigation measures. The alignment crosses under Mission Creek and the entrance to Stearns Wharf, which necessitated extensive public coordination requirements. The project included lining of the existing sewer without bypassing. A spiral wound polyvinyl chloride (PVC) pipe lining product was specified. Responsibilities included leading the design effort.

Robin Hill Road Sewer Main Replacement, Goleta Sanitary District, CA. *Project Manager.* This project provides planning and design services for the replacement of 1,250 linear feet of 10-inch-diameter vitrified clay sewer pipe located in Robin Hill Road in Goleta, CA. Construction for the project will include ground dewatering and sewer bypassing. The preliminary design effort included field survey, sewer flow monitoring, desktop review of geotechnical studies within the project area, and preparation of Basis of Design report for sewer replacement. Field survey determined the sewer includes a vertical sag in profile resulting in loss of hydraulic capacity. Based on findings, final design for replacement sewer is ongoing. Final design includes additional geotechnical investigations and preparation of final contract documents for construction including traffic control plans. MNS will lead the effort to obtain encroachment permits from the Cities of Goleta and Santa Barbara for project construction.

Building 3250 Sewer Main Replacement, Vandenberg Air Force Base, CA. *Project Manager.* This project replaced aging and deficient wastewater infrastructure within Vandenberg Air Force Base (VAFB) located outside of Building 3250. The design involved the rehabilitation of approximately 410 feet of the existing 8-inch asbestos cement pipeline (ACP) with a cast-in-place (CIP) pipeline; and removing approximately 380 feet of existing 8-inch ACP sewer line and replacing with an 8-inch polyvinyl chloride (PVC) pipeline. MNS provided engineering support services which included topographic survey and record drawings.

Sewer Line Replacement, City of Solvang, CA. *Project Manager.* The existing 12-inch cast iron and vitrified clay pipe (VCP) sewer segment was in need of immediate replacement due to turburculation. The section of sewer main runs parallel to Adobe Creek through Hans Christian Andersen Park and under Mission Drive, also known as State Route 246. This critical sewer main rehabilitation project involved plan and design, which included removal of turburculation nodules in the existing pipe, followed by cast-in-place pipe (CIPP) lining. Additional project challenges involved developing a conceptual bypassing plan through a culvert under Caltrans right-of-way and California Department of Fish and Wildlife (CDFW) permitting.

Flying Flags Sewer Line Repair, City of Buellton, CA. *Project Manager.* The project replaced approximately 150 linear feet of 10-inch cast iron and vitrified clay gravity sewer main with PVC, installed a new manhole, and raised another manhole to grade to reduce infiltration. Located within a mobile home park, close coordination occurred with a large number of transient residents. Additionally, the sewer line—installed at a depth of approximately 15 feet in soft sandy soils—required a nearly 30-foot-wide excavation for the entire length of the project alignment. Unknown utilities also had to be located and protected. Responsibilities included managing a team of engineers, drafters, and other staff to develop detailed contract documents for replacing.

Tyler Hunt, PE, QSD/QSP

Lead Engineer

Firm
- MNS Engineers, Inc.

Areas of Expertise
- Project management
- Municipal infrastructure
- Wastewater treatment
- Wastewater reclamation
- Site improvements
- Irrigation and water delivery design
- Low-impact development
- Stormwater pollution prevention plans
- Water system consolidation

Years of Experience
- 22 Total
- 3 With MNS
- 19 Prior to MNS

Licensing
- Professional Civil Engineer, CA No. 74580
  (Issue date: 07/23/2009; Expiration date: 12/31/2021)

Certification
- Qualified SWPPP Developer, CA No. 00822

Education
- BS, Agricultural Systems Management, California Polytechnic State University, San Luis Obispo, CA, 1999

Affiliations
- American Public Works Association, Executive Committee
- American Society of Civil Engineers

Mr. Hunt has over 22 years of experience in the water resources/wastewater industry. Tyler's expertise includes project management, water/wastewater conveyance, site improvements, wastewater treatment, wastewater reclamation, irrigation and water delivery, stormwater pollution prevention, low-impact development (LID), water system consolidation, and municipal infrastructure projects. In addition to engineering design, he is experienced with providing construction management and inspection services such as public utility coordination, inspection, estimating, and client support. His experience includes:

North Road Pump Station and Force Main Rehabilitation Project Constructability Review, City of Belmont, CA. *Constructability Reviewer.* MNS was asked by the City to perform a constructability review on the 95% plans and specifications provided by another consultant for the North Road Pump Station and Force Main Rehabilitation Project in the City of Belmont. The project consists of the replacement of a sanitary sewer lift station at the intersection of North Road and El Camino Real as well as the replacement of approximately 3,000 linear feet of 12-inch force main in El Camino Real. The project was reviewed for conformance with generally accepted design standards and to identify potential contractor change orders.

Vandenberg Airforce Base (AFB) Inverted Siphon Evaluation, American Water Company, CA. *Project Manager.* This project evaluated three inverted siphons used to convey sanitary sewage from the base to the City of Lompoc's Wastewater Treatment Plant (WWTP). The evaluation included survey, field condition inspection, and capacity calculations. The results and recommendations for rehabilitation were summarized in a technical memorandum.

Solvang Standard Details Update, City of Solvang, CA. *Project Manager.* The City of Solvang's standard engineering details for local development had not been updated since 2008. MNS updated their standard details including roads, storm drainage, sewer, and water to meet current engineering standards. In consultation with the City, MNS determined which details required revisions and executed all the updates.

Lift Station No. 28 Removal, City of Oxnard, CA. *Project Manager.* Lift Station 28 was taken out of service a few years ago, but the structure was still in place. MNS provided plans and specifications to remove the

remaining facilities below grade and restore the site. Additional work included plugging of existing pipes, removal of portions of the masonry wall, and new AC pavement.

Sewer Main Replacements, City of Lompoc, CA. *Project Manager.* This multiphase infrastructure project replaced over 5,000 linear feet of existing gravity sewer mains. Construction elements include trenchless pipe installation, traffic control plans, overlapping easements, Caltrans right-of-way (R/W) for encroachment on State Route 1, and multiple Union Pacific Railroad (UPRR) crossings. MNS provided land surveying and civil engineering services, including engineered construction plans, site verification, and agency coordination support.

Robin Hill Road Sewer Main Replacement, Goleta Sanitary District, CA. *QA/QC Manager.* This project provides planning and design services for the replacement of 1,250 linear feet of 10-inch-diameter vitrified clay sewer pipe located in Robin Hill Road in Goleta, CA. Construction for the project will include ground dewatering and sewer bypassing. The preliminary design effort included field survey, sewer flow monitoring, desktop review of geotechnical studies within the project area, and preparation of Basis of Design report for sewer replacement. Field survey determined the sewer includes a vertical sag in profile resulting in loss of hydraulic capacity. Based on findings, final design for replacement sewer is ongoing. Final design includes additional geotechnical investigations and preparation of final contract documents for construction including traffic control plans. MNS will lead the effort to obtain encroachment permits from the Cities of Goleta and Santa Barbara for project construction.

2019 Sanitary Sewer Main Replacement, City of Sunnyvale, CA. *QA/QC Manager*. This project designs sewer mains to replace approximately 9,900 linear feet of aging sanitary sewer pipes located in 16 different areas with segment lengths ranging from 360 to 1,150 linear feet. Associated appurtenances included surface restoration and rehabilitation of manholes and lateral reconnections. Certain locations require increasing pipe sizes. Project also included CIPP lining of a sewer crossing Interstate 280 and replacement within Caltrans R/W.

Carmel Valley Manor Sewer Main Extension, Carmel Valley Manor, Carmel Valley, CA. *QA/QC Manager*. This project developed a feasibility study to abandon the septic system at the Carmel Valley Manor and connect to the Carmel Area Wastewater District sewer system located about 10,000 feet away from the Manor. Currently, the project is in the design phase, which includes detailed design and bid documents, geotechnical evaluation, environmental studies, California Environmental Quality Act (CEQA) process, and land acquisition for the pump station.

Master Sewer Plan Update, North of River Sanitary District, CA. *Project Engineer*. This project updated the District's Master Sewer Plan. Responsibilities included conducting an evaluation of the District's facilities and capacities including the collection system and wastewater treatment plant; and providing recommendations to improve capacity issues and facilities to handle future growth.

Gunner Ranch West Infrastructure Master Plan, Gunner Ranch West, Madera County, CA. *Project Manager.* This project involved master planning of new infrastructure for 1,800 residential homes along with retail commercial and a medical campus centered on Valley Children's Hospital. Master planning included backbone infrastructure for stormwater, sanitary sewer, water, and roads.

Los Olivos Wastewater System Preliminary Report Update, Santa Barbara County Environmental Health Services, CA. *Project Manager*. This project provided revisions to a study of the options for improving wastewater treatment in the Los Olivos Special Problems Area. The study provided updates to the proposed treatment and disposal processes as well as providing an additional option for continued on-site treatment by residents. Opinions of probable cost were also updated.

Wastewater Treatment Plant Evaluation Study, June Lake Public Utility District, CA. *Project Engineer.* This study discussed the options to improve the treatment process at the June Lake Wastewater Treatment Plant. Options included providing direction to the District for the installation of new headworks, oxidation ditch improvements, clarifier improvements, and treated effluent disposal improvements.

Calle Joaquin Lift Station, City of San Luis Obispo, CA. *Project Manager.* This project designed a 739-gallon-per-minute (GPM) sanitary sewer lift station, force main, inverted siphon, and gravity line for the City of San Luis Obispo Utilities Department. Project challenges included crossings under San Luis Obispo Creek and US 101, as well as helping the City reduce odor concerns associated with the current lift station.

Jordyn Doyle, EIT

Project Engineer

Firm
- MNS Engineers, Inc.

Areas of Expertise
- Water and wastewater engineering design
- AutoCAD
- Civil 3D
- ArcMap GIS
- AES
- Interpreting plan sets
- Hand calculations
- Public works design

Years of Experience
- 4 Total

Certification
- Engineer-in-Training, No. 164435

Education
- MS, Engineering Science, University of the Pacific, CA
- BS, Civil Engineering, University of the Pacific, CA

Ms. Doyle is an experienced Civil Design Engineer with over four years of demonstrated project success. Jordyn is recognized for being a driven producer with a myriad of technical skills focused on the development of various design projects in public works construction. She also has a strong educational background with a master's degree in water and wastewater engineering design and treatment. Her experience includes:

Street, Water, and Sewer Improvements, City of Fullerton, CA. *Design Engineer*. The project developed street designs to City standard and best practices. The design work included portions of the sewer to be replaced.

Modjeska Park Underground Stormwater Detention System, City of Anaheim, CA. *Design Engineer*. This project designed the diversion system and grading for the installation of the detention system.

Curb Ramp Program, City of Long Beach, CA. *Design Engineer*. This project designed curb return and mid-block curb ramps.

Anaheim Sewer Capital Improvement Program (CIP), Cannon, CA. *Design Engineer*. This project upgraded deficient sewer lines with diversion pipes and upsizing existing pipes.

Newport Beach Concrete Streets, City of Newport, CA. *Design Engineer*. Designed street, curb, gutter, sidewalk, and storm drain facilities.

Water Master Plan, City of Modesto, CA. *Assistant Engineer*. This project designed the diversion system and grading for the installation of the detention system. Responsibilities included consolidating data from water system into figures in Microsoft Excel for water master plans and utilized GIS to model and gather data about the system for metering projects and modeling practice. (05/2016 – 08/2016).

Public Works GIS Database, City of Modesto, CA. *Engineering Intern*. This project supported City Engineers with various projects. Tasks included data collection, correspondence with consultants, invoicing, and meeting preparation. Responsibilities included preparing a GIS database for consolidating as-built and record drawings; creating maps in GIS to provide visuals for projects; and developing and cataloging all the City's scanned as-built and record drawings into a GIS database based on location of the plans.

MNS ENGINEERS INC

2021 STANDARD SCHEDULE OF FEES

PROJECT/PROGRAM MANAGEMENT

Principal-In-Charge	$280
Senior Project/Program Manager	255
Project/Program Manager	225
Assistant Project/Program Manager	185
Senior Project Coordinator	155
Project Coordinator	125

ENGINEERING

Principal Engineer	$240
Lead Engineer	215
Supervising Engineer	200
Senior Project Engineer	190
Project Engineer	170
Associate Engineer	155
Assistant Engineer	140

SURVEYING

Principal Surveyor	$235
Lead Surveyor	225
Senior Survey Project Manager	205
Supervising Surveyor	200
Senior Project Surveyor	180
Project Surveyor	160
Senior Land Title Analyst	155
Associate Project Surveyor	150
Assistant Project Surveyor	130
Party Chief (PW)	155
Chainperson (PW)	135
One-Person Survey Crew (PW)	185

CONSTRUCTION MANAGEMENT

Principal Construction Manager	$255
Senior Construction Manager	235
Senior Resident Engineer	225
Resident Engineer	210
Structure Representative	195
Construction Manager	185
Assistant Resident Engineer	175
Sr. Construction Inspector (PW)	165
Construction Inspector (PW)	156
Office Administrator	105

TECHNICAL SUPPORT

CADD Manager	$175
Supervising Technician	145
Senior Technician	135
Engineering Technician	105

ADMINISTRATIVE SUPPORT

Senior Management Analyst	$160
Management Analyst	135
IT Technician	120
Graphics/Visualization Specialist	100
Administrative Assistant	80

GOVERNMENT SERVICES

City Engineer	$215
Deputy City Engineer	195
Assistant City Engineer	180
Plan Check Engineer	170
Permit Engineer	150
City Inspector	135
Senior City Inspector (PW)	165
City Inspector (PW)	156
Principal Stormwater Specialist	155
Senior Stormwater Specialist	140
Stormwater Specialist	125
Stormwater Technician	115
Building Official	175
Senior Building Inspector	150
Building Inspector	135
Planning Director	185
Senior City Planner	160
Assistant Planner	145
Senior Grant Writer	160
Grant Writer	135
Associate Grant Writer	105
Assistant Grant Writer	85

DIRECT EXPENSES

Use of outside consultants as well as copies, blueprints, survey stakes, monuments, computer plots, telephone, travel (out of area) and all similar charges directly connected with the work will be charged at cost plus fifteen percent (15%). Mileage will be charged at the current federal mileage reimbursement rate. Expert Witness services will be charged at three (3) times listed rate.

PREVAILING WAGE RATES

Rates shown with Prevailing Wage "(PW)" annotation are used for field work on projects subject to federal or state prevailing wage law and are subject to increases per DIR.

ANNUAL ESCALATION

Standard fee rates provided for each classification are subject to an annual escalation increase of 3.0% starting January 1, 2022.

OVERTIME

Overtime for non-exempt employees will be charged at 1.5 x hourly rate; overtime for exempt employees and other classification will be charged at 1 x hourly rate.

MNS ENGINEERS INC

		Engineering							Survey	ADMIN		
		Lead Engineer - NP	Lead Engineer - TH	Project Engineer - JD	Principal Surveyor	Associate Project Surveyor	Party Chief	Chainperson	Senior CADD Technician	Administrative Assistant	Total Resource Hours	Total Hours*Rates
	2021 Rate	$215	$215	$170	$235	$150	$155	$135	$135	$80		
1 - Project Management	**Task 1**											
1.1 - Project Management	**Task 1.1**	15								2	17	$3,385
1.2 - Meetings and Communication	**Task 1.2**	10		8							18	$3,510
1.3 - QA/QC	**Task 1.3**		8								8	$1,720
Task 1 Subtotal		**25**	**8**	**8**	**0**	**0**	**0**	**0**	**0**	**2**	**43**	**$8,615**
2 – Survey, Easements, and Utility Research	**Task 2**											
2.1 - Topographic Survey	**Task 2.1**				6	8	12	12			38	$6,090
2.2 - Boundry Survey and Easement Support	**Task 2.2**				8	20	10	10			48	$7,780
2.3 - Utility Research	**Task 2.3**	2		8							10	$1,790
Task 2 Subtotal		**2**	**0**	**8**	**14**	**28**	**22**	**22**	**0**	**0**	**96**	**$15,660**
3 – Geotechnical Investigation	**Task 3**											
3.1 - Geotechnical Investigation	**Task 3.1**	4		2							6	$1,200
Task 3 Subtotal		**4**	**0**	**2**	**0**	**0**	**0**	**0**	**0**	**0**	**6**	**$1,200**
4 – Contract Document Development	**Task 4.4**											
4.1 - 60% Design	**Task 4.1**	16		60					24			$16,880
4.2 - 90% Design	**Task 4.2**	16		40								$10,240
4.3 - Final Design	**Task 4.3**	8		24								$5,800
Task 4 Subtotal		**40**	**0**	**124**	**0**	**0**	**0**	**0**	**24**	**0**	**0**	**$32,920**
5 - Environmental Document Support	**Task 5**											
5.1 - Environmental Document Support	**Task 5.1**	6		8							14	$2,650
Task 5 Subtotal		**0**	**0**	**8**	**0**	**0**	**0**	**0**	**0**	**0**	**14**	**2,650**
Sub-Total	**Hours**	71	8	150	14	28	22	22	24	2	**159**	**$ 61,045**
	Cost	$15,265	$1,720	$25,500	$3,290	$4,200	$3,410	$2,970	$3,240	$160		

	SUBCONSULTANTS			
	Subconsultant Participation	SSG	Pacific Crest	Total Subconsultant Costs
Task 1				
Task 1.1	$0	$0	$0	
Task 1.2	$0	$0	$0	
Task 1.3	$0	$0	$0	
		$0	**$0**	**$0**
Task 2				
Task 2.1	$0	$0	$0	
Task 2.2	$0	$0	$0	
Task 2.3	$0	$0	$0	
		$0	**$0**	**$0**
Task 3				
Task 3.1	$0	$14,100	$14,100	
		$0	**$14,100**	**$14,100**
Task 4.4				
Task 4.1	$3,000	$0	$3,000	
Task 4.2	$3,000	$0	$3,000	
Task 4.3	$750	$0	$750	
		$6,750	**$0**	**$6,750**
Task 5				
Task 5.1	$0	$0	$0	
		$0	**$0**	**$0**
Sub-Total		**$6,750**	**$14,100**	**$20,850**

	Reimbursable Expenses	MNS Engineers	Reimbursable Expense Costs
Task 1			
Task 1.1			$0
Task 1.2			$0
Task 1.3			$0
		$0	**$0**
Task 2			
Task 2.1	$400	$400	
Task 2.2			$0
Task 2.3			$0
		$400	**$400**
Task 3			
Task 3.1			$0
		$0	**$0**
Task 4.4			
Task 4.1			$0
Task 4.2			$0
Task 4.3			$0
		$0	**$0**
Task 5			
Task 5.1			$0
		$0	**$0**
Sub-Total		**$400**	**$400**

	Summary	Total MNS Resource Costs	Total Subconsultant Costs & All Reimbursable Expenses With 15% Markup	Total
Task 1				
Task 1.1	$3,385	$0		$3,385
Task 1.2	$3,510	$0		$3,510
Task 1.3	$1,720	$0		$1,720
	Task 1 Subtotal			**$8,615**
Task 2				
Task 2.1	$6,090	$460		$6,550
Task 2.2	$7,780	$0		$7,780
Task 2.3	$1,790	$0		$1,790
	Task 2 Subtotal			**$16,120**
Task 3				
Task 3.1	$1,200	$16,215		$17,415
	Task 3 Subtotal			**$17,415**
Task 4.4				
Task 4.1	$16,880	$3,450		$20,330
Task 4.2	$10,240	$3,450		$13,690
Task 4.3	$5,800	$863		$6,663
	Task 4 Subtotal			**$40,683**
Task 5				
Task 5.1	$2,650	$0		$2,650
	Task 5 Subtotal			**$2,650**
Grand Total	$61,045	$24,438		**$85,483**

November 30, 2021 Proposal No. PR 21-185

Mr. Nick Panofsky
MNS Engineers
201 N. Calle Cesar Chavez, Suite 300
Santa Barbara, CA 93103

Subject: **Proposal for a Geotechnical Investigation – Design Phase**
Sunnyslope CWD Sewer Main
Carmel Area Wastewater District (CAWD)
Carmel, California

Dear Mr. Panofsky,

Pacific Crest Engineering Inc. (PCE) is pleased to present our proposed scope of work and fee to perform a geotechnical investigation for the proposed gravity sewer and force main in the Hollister community of San Benito County, California. This proposal is based on our discussions with you, review of the proposed sewer main alignment provided by you, and a review of available maps and literature pertaining to the project area.

INTRODUCTION

It is our understanding that the proposed project will consist of constructing approximately 1,100 linear feet of new gravity sewer and force main. The proposed alignment will traverse an abandoned golf course and cart path south of Marks Drive in the community of Hollister. The new sewer will be installed at depths of up to 20 feet. Approximately 200 feet of the pipeline at the small drainage crossing is expected to be supported above grade with regularly spaced concrete supports adjacent to an existing cart path. It is our understanding that open cut trenching is currently planned to install the pipeline.

SCOPE OF WORK

We are proposing a design-phase work scope comprised of literature review, site reconnaissance, subsurface exploration, and laboratory testing to develop geotechnical recommendations to support preparation of final project plans and specifications. Our work will culminate in a design-level Geotechnical Investigation Report which will summarize our findings and present our conclusions and recommendations.

As part of this approach, we propose the following scope of work:

1. Site reconnaissance and review of literature pertinent to the project site, available in our files or provided by your office.

2. A draft site plan map depicting our planned boring locations will be prepared and submitted to the Client for review prior to drilling our test borings.

3. We will mark the proposed test boring locations in white paint, and contact Underground Service Alert (USA) at least 72 hours prior to performing our field investigation. In addition, we will subcontract with a private underground locator to assist in clearing proposed test boring locations.

4. We will explore, sample, and classify surface and subsurface soils by advancing 5 to 6 test borings at select and accessible locations along the proposed pipeline alignment. The borings will be drilled to depths of approximately 10 to 25 feet. A log of soil, bedrock, and groundwater conditions will be maintained.

   Representative (disturbed) soil samples will be obtained at selected depths within each test location. The test holes will be backfilled with soil cuttings.

5. Laboratory testing of selected soil samples to determine relevant engineering properties. Laboratory testing will include, as applicable moisture content, unit weight, Atterberg Limits, grain size distribution, corrosion potential, and shear strength.

6. Compilation and analysis of collected field and laboratory data gathered in Tasks 1 through 5 and based on this analysis, we will provide our findings, conclusions and recommendations for the design and construction of the sewer main replacement. Our report is expected to include pertinent recommendations applicable to open cut trenching, dewatering, excavation, backfilling, E'c values for design of flexible pipe, pipeline external loading on flexible and rigid pipes, utility trench backfill and lateral earth pressures.

   We will submit a draft report for one round of team review. We will then incorporate the review comments into a final geotechnical report.

FEE FOR SERVICES

We propose to perform the scope of work outlined herein on a time and materials basis in accordance with our 2021 Schedule of Fees. We have assumed the work is to be performed as part of a public works project. This requires compliance with public works laws requiring payment of prevailing wages and maintenance of certified payrolls, among others.

Based on our current understanding of the project concept and subject to variation among items, the table below presents a summary of anticipated tasks and their associated fees for completing the geotechnical investigation:

OPINION OF PROBABLE COST

PROPOSAL NAME: SUNNYSLOPE CWD SEWER MAIN
PROPOSAL DATE: 11-30-2021
NUMBER OF BORINGS: 5-6
DEPTH OF BORINGS: 25 Feet

PREVAILING WAGE PROJECT

CATEGORY	PERSONNEL/ITEM	HOURS (FEET)	$/HOUR (FEET)	COST/ITEM
SITE RECONNAISSANCE &	PRINCIPAL ENGINEER	4	180	720
PROJECT COORDINATION	ASSOCIATE ENGINEER	4	175	700
BORING SITE MAP	STAFF ENGINEER / GEOLOGIST	4	150	600
TEST BORINGS	DRILL RIG	8	420	3360
PREV. WAGE RATES	STAFF ENGINEER / GEOLOGIST	8	150	1200
	MARK BORING LOCATIONS/USA	4	150	600
	PRIVATE UTILITY LOCATOR	4	210	840
LABORATORY ANALYSIS	LUMP SUM			1200
ENGINEERING ANALYSIS	PRINCIPAL ENGINEER	4	180	720
AND CALCULATIONS	ASSOCIATE ENGINEER\GEOLOGIST	10	175	1750
REPORT PREPARATION	STAFF ENGINEER / GEOLOGIST II	6	150	900
90% PLAN REVIEW	CLERICAL/CERTFIED PAYROLL	2	90	180
	10% Contigency			1277
TOTAL OF COSTS FOR PROFESSIONAL SERVICES				14047

Based on the work scope outlined above and our understanding of the project objectives, we estimate our fee to perform the geotechnical services described in Tasks 1 through 6, inclusive will not exceed Fourteen Thousand One Hundred Dollars ($14,100.00), unless additional services are authorized in writing.

SCHEDULE

We are prepared to commence work immediately upon your authorization. We anticipate tasks 1 through 6 to be completed within the following time frames:

- Project Coordination/Utility Locating — 1-2 weeks
- Drilling and Laboratory Testing — 4 weeks
- Engineering Analysis and DRAFT Report Preparation — 2 weeks
- Respond to review comments and final report — 1 week after receipt of comments

We therefore estimate the work proposed herein can be completed within 8 to 10 weeks from your authorization to proceed, site access, permit processing, scheduling of exploration equipment, weather and laboratory analysis permitting. Preliminary geotechnical design criteria can be provided to the design team during the course of our investigation.

SCOPING ASSUMPTIONS

Our scope of work and fee assumes the Client understands the following issues:

a. This scope of work assumes that the District will provide for rights-of-access onto all easements and any private properties that must be crossed to access the proposed drilling sites. Pacific Crest Engineering, Inc. will field mark the proposed test boring locations, notify Underground Service Alert (USA and hire a Locator Service prior to beginning field work so that public and private underground utilities can be identified and the proposed boring locations cleared. Pacific Crest Engineering, Inc. is not responsible for damage to any utilities not identified and/or not properly marked at the ground surface.

b. We also assume we will be provided with updated site plans showing proposed utility improvement locations.

c. Our services will be provided on a "time and expense" basis, in accordance with our 2021 Schedule of Fees. Our fee estimate is based on the available information provided to develop this proposal. Those services not listed, emerging project requirements, preparation for and participation in meetings and presentations (over the four man-hours budgeted in this proposal), and/or the designers request for additional information beyond this scope of services will be considered extra services and will be billed in accordance with our standard rates.

d. Our scope of work and fee assumes the Client will provide a base topographic map and site plan, with a scale of 1-inch equals 20 feet or larger, prior to initiation of our work.

SERVICES NOT INCLUDED

Our scope of work and fee does not include the following:

a. Payment of encroachment permit fees, to any public agency or utility company having jurisdiction over the work area.

b. Development of design plans, shoring plans or project specifications is specifically excluded from our scope.

c. Post-report services and construction phase observation, consultation, or testing.

d. An environmental assessment or investigation for the presence of hazardous or toxic materials. This scope of work and budget assumes that contaminated soil and/or groundwater will not be encountered. If any unusual vapors, odors, or visual contamination are noticed during drilling of any test boring, the boring will be stopped, backfilled with grout and the suspected drill cuttings will be bagged, labeled for future source reference, and provided to the Client for disposal.

AUTHORIZATION

To authorize our firm to provide these services, please send an agreement for professional services and authorization to proceed to our office as soon as possible.

Pacific Crest Engineering Inc. appreciates the opportunity to provide our services, and would be pleased to answer any questions you may have about our proposed scope of work and fee. We can be reached at (831) 722-9446.

Sincerely,
PACIFIC CREST ENGINEERING INC.

Elizabeth M. Mitchell, GE
President/Principal Geotechnical Engineer
GE 2718

Biological Resources Report
for
Promontory Pipe Bridge

Prepared by

October 2021

Denise Duffy & Associates, Inc.
947 Cass St. Suite 5
Monterey, California 93940

Prepared for
Sunnyslope County Water District
3570 Airline Highway
Hollister, CA 95023

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FIGURES

APPENDICES

APPENDIX E Wetland Delineation Data Sheets

1.0 INTRODUCTION

1.1 Project Description

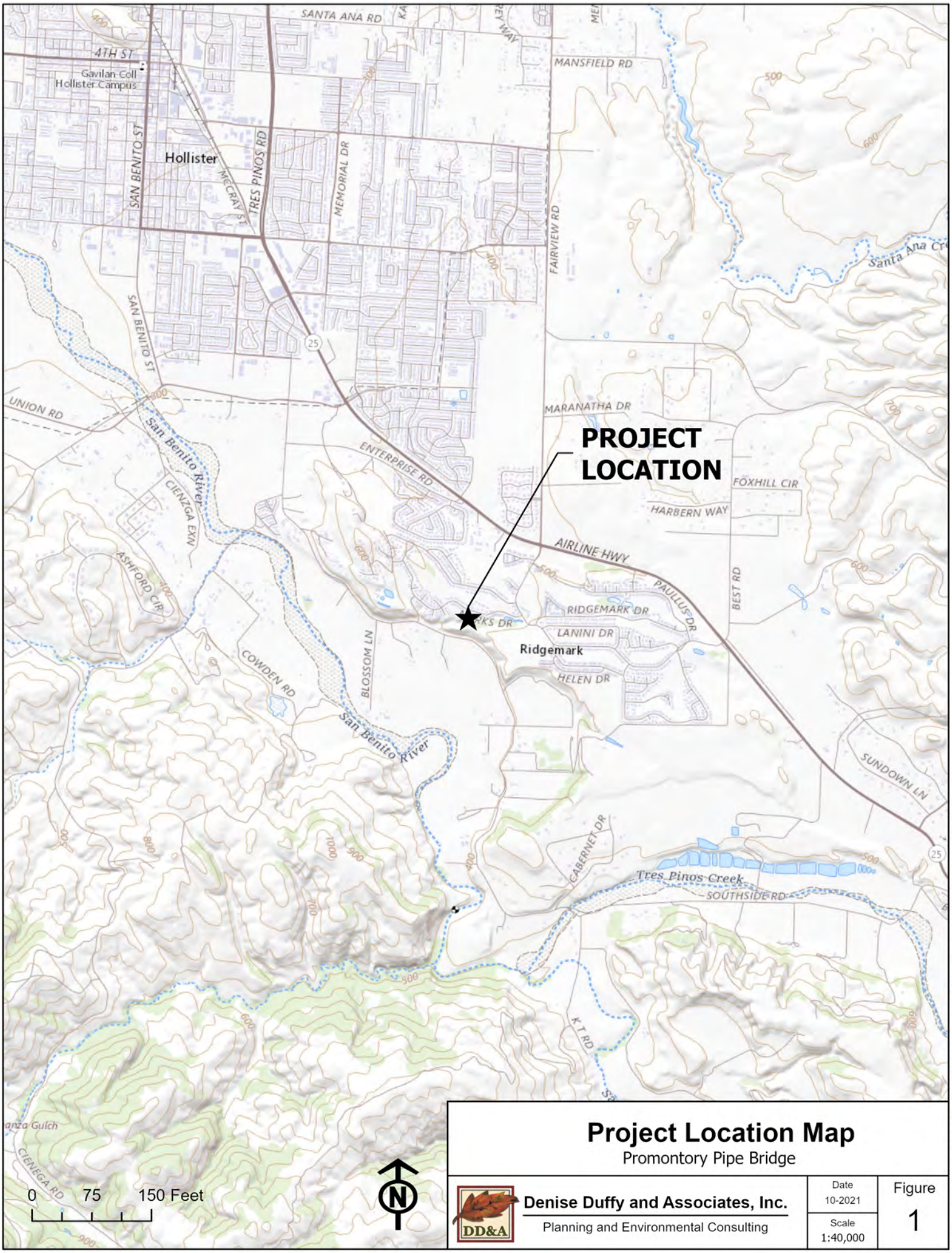
DENISE DUFFY & ASSOCIATES, Inc. (DD&A) is contracted by Sunnyslope County Water District (SCWD) to assess biological resources at the proposed Promontory Pipe Bridge (project). The project is located approximately 250 feet south of the 200 block of Marks Drive, Hollister, San Benito County, California (**Figure 1**). The proposed project includes construction of a pipe bridge spanning a gorge to provide an 8-inch PVC utility connection to the future Bluffs at Ridgemark housing development. The proposed pipe bridge would be constructed within a ten-foot-wide utility easement near the top of an existing earthen berm that is associated with a stormwater retention feature and provides a crossing for an existing concrete golf cart path (**Appendix A, Figure 2**). The survey area is comprised of all proposed project components plus an additional buffer of approximately 300 feet.

The emphasis of this study is to describe existing biological resources, identify any special-status species and sensitive habitats, and assess potential impacts that may occur to biological resources within and adjacent to the survey area. This report assesses the pipe bridge in the context of the Draft EIR (DEIR) for the Bluffs at Ridgemark housing development, which identifies the bridge as a proposed off-site improvement component of the project (Rincon, 2017).

1.2 Summary of Results

The results of the evaluation of biological resources in the survey area is consistent with the DEIR and indicate that while no special status plant species have the potential to occur, several special-status wildlife species do have the potential to occur within the survey area and may be impacted by the project. Mitigation provided in the DEIR is sufficient to reduce all impacts to these species to a less than significant level under the California Environmental Quality Act (CEQA)

The survey area was evaluated for the presence of sensitive and regulated habitats. No riparian vegetation is present in the survey area that is regulated by California Department of Fish & Wildlife (CDFW) and no Lake and Streambed Alteration Agreement is required. A delineation of wetlands and other waters of the U.S and state was conducted. The results confirmed that no jurisdictional wetlands occur within the survey area. However, the bottom of the canyon may be determined jurisdictional waters by the Central Coast Regional Water Quality Control Board (RWQCB) and the U.S. Army Corps of Engineers (Corps) and permits might be required if fill were proposed in these areas. However, no permits would be required if these areas are avoided through design of the pipe bridge off-site improvement.



Project Location Map

Promontory Pipe Bridge

Denise Duffy and Associates, Inc.

Planning and Environmental Consulting

Date	Figure
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Scale	
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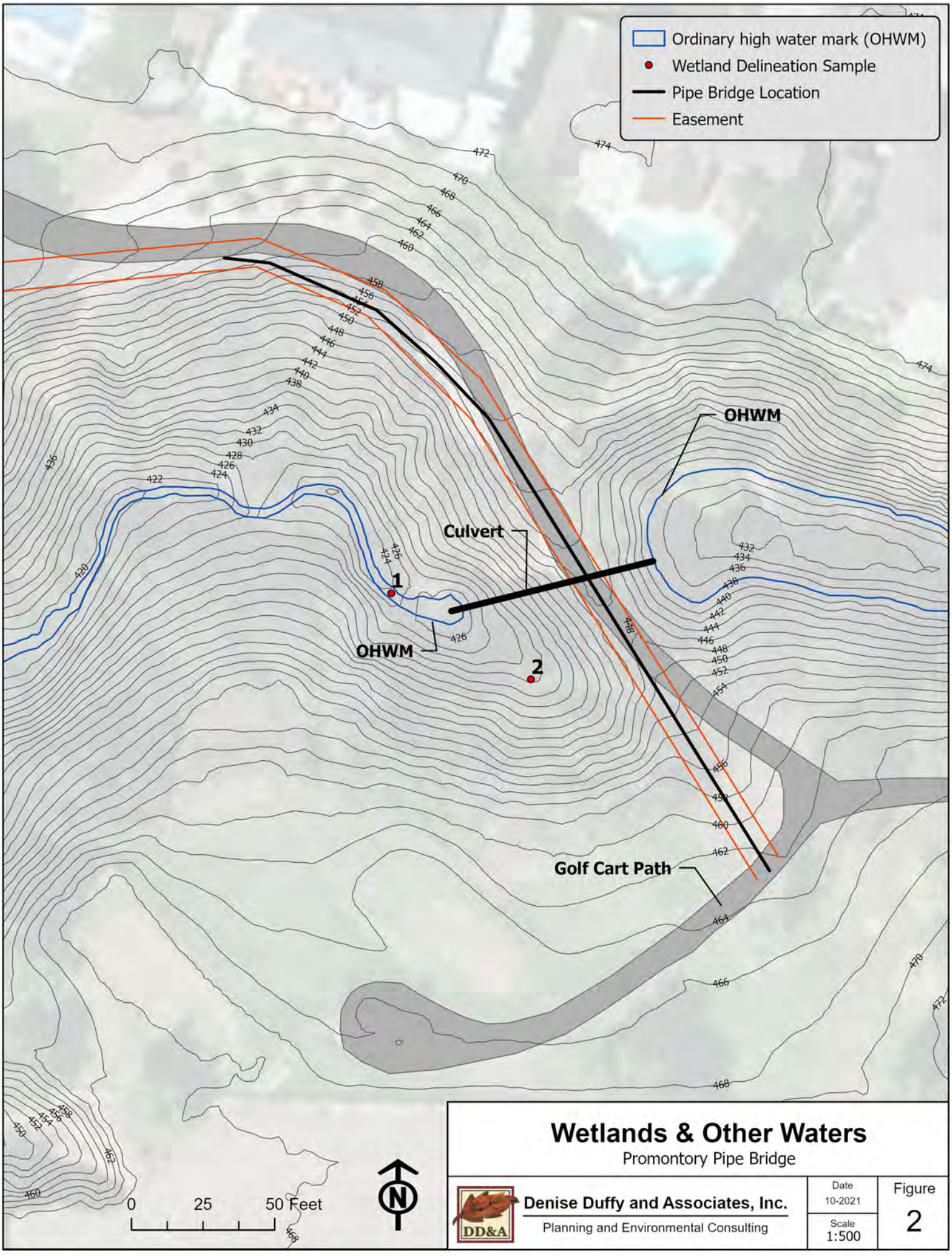

Wetlands & Other Waters

Promontory Pipe Bridge

Denise Duffy and Associates, Inc.

Planning and Environmental Consulting

Date	Figure
10-2021	2
Scale	
1:500	

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2.0 METHODS

2.1 Personnel and Survey Dates

DD&A biologists evaluated the survey area on October 21, 2021. The survey area was defined by the location of the pipe bridge as shown on preliminary design drawings (**Appendix A**) and as described by SCWD, plus an additional buffer of approximately 300 feet (**Figure 2**). Survey methods included walking the survey area using aerial maps and GPS to map biological resources. Available reference materials were reviewed prior to conducting the field survey (see "Data Sources" below). Data collected during the survey were used to assess the environmental conditions of the survey area and its surroundings, evaluate environmental constraints at the site and within the local vicinity, and provide a basis for recommendations to minimize and avoid impacts.

The survey area was evaluated for botanical resources following the applicable guidelines outlined in: *Guidelines for Conducting and Reporting Botanical Inventories for Federally listed, Proposed and Candidate Plants* (U.S. Fish and Wildlife Service [USFWS], 2000), *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (California Department of Fish & Wildlife [CDFW], 2021a), and *CNPS Botanical Survey Guidelines* (California Native Plant Society [CNPS], 2001).

The survey also included an assessment of potentially jurisdictional wetlands and waters in accordance with the *1987 Corps of Engineers Manual* (1987 Manual, Environmental Laboratory, 1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (Supplement, Corps, 2008). Other waters were delineated using *A Field Guide to the Identification of the Ordinary High-Water Mark (OHWM) in the Arid West Region of the Western United States* (Lichvar and McColley, 2008).

2.2 Data Sources

Prior to conducting field work, DD&A reviewed literature and data sources to determine the occurrence or potential for occurrence of special-status species within the survey area as follows:

- Current agency status information from USFWS and CDFW for species listed, proposed for listing, or candidates for listing as threatened or endangered under the ESA or CESA, and those considered CDFW "species of special concern", including:
    - CNDDB occurrences reports from the Tres Pinos quadrangle and the eight surrounding quadrangles, including Mt. Harlan, Paicines, Cherry Peak, Quien Sabe Valley, Mariposa Peak, Tree Sisters, and San Felipe (CDFW, 2021b; **Appendix C**); and
    - USFWS IPaC Resource List (USFWS, 2021a; **Appendix D**).
- CDFW's Special Animals List (CDFW, 2021d); and
- The CNPS *Inventory of Rare and Endangered Vascular Plants of California* (CNPS, 2021).
- DEIR for The Bluffs at Ridgemark (Rincon 2017).

From these resources, a list of special-status plant and wildlife species known or with the potential to occur in the vicinity of the survey area was created (**Appendix B**). This list supplements and updates the list of special-status plant and wildlife species reported in the DEIR (Rincon 2017).

2.2.1 Botany

Vegetation types identified in A Manual of California Vegetation (Sawyer et.al., 2009) were utilized to determine if vegetation types identified as sensitive on CDFW's California Natural Communities List (CDFW, 2019a) are present within the survey area. Scientific nomenclature for plant species identified

within this document follows The Jepson Manual: Vascular Plants of California, Edition 2 (Baldwin et al., 2012).

2.2.2 Wildlife

The following literature and data sources were reviewed: CDFW reports on special-status wildlife (Remsen, 1978; Williams, 1986; Jennings and Hayes, 1994; Thelander, 1994; Thomson et. al, 2016); California Wildlife Habitat Relationships Program species-habitat models (Zeiner et al., 1988 and 1990); and general wildlife references (Stebbins, 1972, 1985, and 2003).

2.3 Special-Status Species

Special-status species are those plants and animals that have been formally listed or proposed for listing as Endangered or Threatened or are Candidates for such listing under ESA or CESA. Listed species are afforded legal protection under the ESA and CESA. Species that meet the definition of rare or endangered under the CEQA Section 15380 are also considered special-status species. Animals identified as "species of special concern" (most of which are species whose breeding populations in California may face extirpation if current population trends continue) on the CDFW's "Special Animals" list (CDFW, 2019b) meet this definition and are typically provided management consideration through the CEQA process, although they are not legally protected under the ESA or CESA.

Plants listed as rare under the California Native Plant Protection Act (CNPPA) or included in CNPS California Rare Plant Ranks (CRPR; formerly known as CNPS Lists) 1A, 1B, 2A, and 2B are also treated as special-status species as they meet the definitions of Sections 2062 and 2067 of the CESA and in accordance with CEQA Guidelines Section 15380. In general, CDFW requires that plant species on CRPR 1A (Plants presumed extirpated in California and Either Rare or Extinct Elsewhere), CRPR 1B (Plants rare, threatened, or endangered in California and elsewhere), CRPR 2A (Plants presumed extirpated in California, but more common elsewhere), and CRPR 2B (Plants rare, threatened, or endangered in California, but more common elsewhere) of the CNPS *Inventory of Rare and Endangered Vascular Plants of California* (CNPS, 2021) be fully considered during the preparation of environmental documents relating to CEQA. In addition, species of vascular plants, bryophytes, and lichens listed as having special-status by the CDFW are considered special-status plant species (CDFW, 2021b).

Raptors (e.g., eagles, hawks, and owls) and their nests are protected in California under Fish and Game Code Section 3503.5. Section 3503.5 states that it is "unlawful to take, possess, or destroy the nest or eggs of any such bird except otherwise provided by this code or any regulation adopted pursuant thereto." In addition, fully protected species under the Fish and Game Code Section 3511 (birds), Section 4700 (mammals), Section 5515 (fish), and Section 5050 (reptiles and amphibians) are also considered special-status animal species. Species with no formal special-status designation but thought by experts to be rare or in serious decline may also be considered special-status animal species in some cases, depending on project-specific analysis and relevant, localized conservation needs or precedence.

2.4 Sensitive Habitats

Sensitive habitats include riparian corridors, wetlands, habitats for legally protected species, areas of high biological diversity, areas supporting rare or special-status wildlife habitat, and unusual or regionally restricted habitat types. Vegetation types considered sensitive include those identified as sensitive on the CDFW's *California Natural Communities List* (i.e., those habitats that are rare or endangered within the borders of California) (CDFW, 2021c) and those that are occupied by species listed under ESA or are

critical habitat in accordance with ESA, and those that are defined as ESHA under the CCA. Specific habitats may also be identified as sensitive in city or county general plans or ordinances. Sensitive habitats are regulated under federal regulations (such as the Clean Water Act [CWA] and Executive Order 11990 – Protection of Wetlands), state regulations (such as CEQA and the CDFW Streambed Alteration Program), or local ordinances or policies (such as city or county tree ordinances and general plan policies).

3.0 RESULTS

3.1 Vegetation Types

The proposed location for the pipe bridge and the immediately surrounding area consists of primarily oak woodland. Oak woodlands generally occupy the slopes and lower portions of the gorge. Once out of the drainage, the remaining area consists of former golf course turf, residential development, and tilled agricultural fields. Vegetation types are discussed below and shown on **Figure 3**.

3.1.1 Blue oak woodland

Blue oak woodland within the survey area is dominated by an upper canopy of blue oak (*Quercus douglasii*) with subdominant coast live oak (*Quercus agrifolia*). In some areas, California buckeye (*Aesculus californica*) occurs as scattered individuals or clusters of trees. Shrubs found in the oak woodland include hairy honeysuckle (*Lonicera hispidula*), poison oak (*Toxicodendron diversilobum*), and toyon (*Heteromeles arbutifolia*). The herbaceous layer is dominated by non-native annual grasses, especially ripgut brome (*Bromus diandrus*).

3.1.2 California sagebrush scrub

California sagebrush scrub occurs on steep south and west-facing slopes along the upper edges of the gorge within the survey area. Dominant plant species are California sagebrush (*Artemisia californica*), poison oak, toyon, and California buckwheat (*Eriogonum fasciculatum*).

3.1.3 Non-native Annual Grassland

Non-native annual grassland is found along the edges of the agricultural fields and margins of blue oak woodland and scrub communities. Dominant plant species include ripgut brome (*Bromus diandrus*), slender wild oat (*Avena barbata*), black mustard (*Brassica nigra*), vetch (*Vicia* sp.), and red-stem filaree (*Erodium circutarium*).

3.1.4 Developed

Developed areas include paved roads, structures, residential areas, and former golf course. No special-status wildlife were observed within the developed areas; however, raptors and other protected avian species may nest within trees present in the developed areas.

3.1.5 Active Agriculture

Field located immediately south of the proposed project area are under active agricultural use, including tilled fields and dirt access roads. These areas are regularly disturbed and maintained and provide only low quality habitat for wildlife. However, special-status species have the potential to disperse through active agriculture.

3.2 Sensitive Habitats

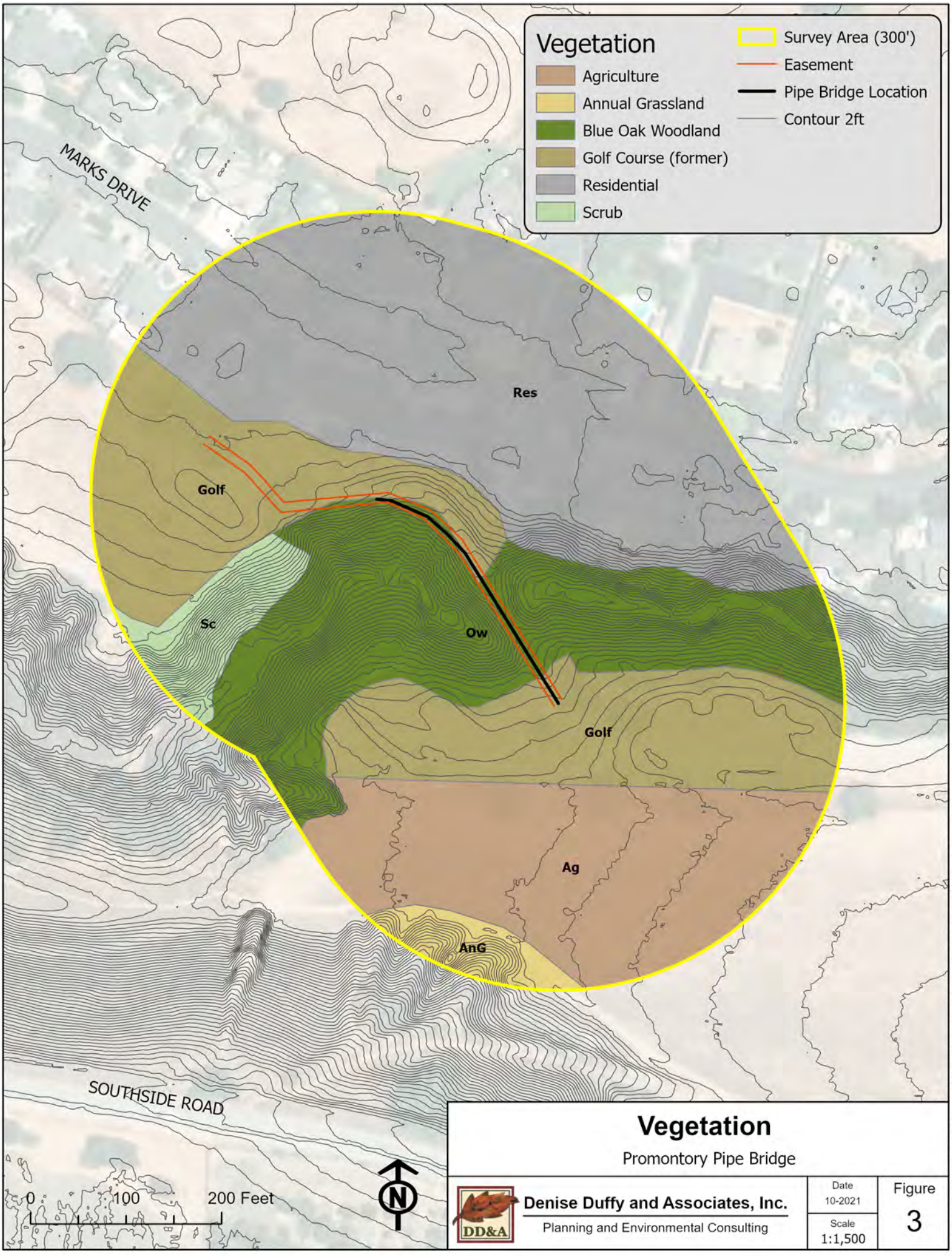
3.2.1 Wetlands and Other Waters

The evaluation of two sampling points using the methodology specified in the 1987 Manual and the Supplement confirmed that wetlands potentially under Corps jurisdiction are not present in the survey area. This finding is also supported by the visual assessment of the site as well as data from the National Wetlands Inventory (USFWS, 2021b) and soil survey maps (USDA, 2021), which do not map wetlands or hydric soils at the site. Wetland delineation data sheets are provided as **Appendix E** and the location of sample points 1 and 2 are shown on **Figure 2**. Sample point 1 was located within the bed features of the drainage channel downstream of the earthen fill structure, which was dry at the time of the survey. Wetland vegetation and hydric soils were absent at sample point 1. Due to the position of sample point 1 in the channel, which receives periodic stormwater runoff, several secondary hydrology indicators were present, including water marks (B2 Riverine), sediment deposits (B2 Riverine), and drainage patterns (B10). It is very likely that these indicators were present as the result of stochastic and infrequent storm water flow event that result in erosion and sediment size sourcing but are not representative of prolonged saturated soils resulting from wetland hydrology. Regardless,, all three indicators of dominant hydrophytic vegetation, hydric soil, and wetland hydrology must be present to qualify the location as a potentially jurisdictional wetland. Sample point 2 was located on a slope outside of the drainage channel in native soil adjacent to the toe of the earthen fill structure and did not contain any wetland indicators.

Site observations both upstream and downstream of the earthen fill structure and the proposed pipe bridge location found clear bed and bank features defining a periodically active channel and OHWM, below which the Corps and RWQCB could potentially claim jurisdiction. However, this channel is limited to the bottom of the drainage and does not extend upward to the location of the proposed pipe bridge. The OHWM was mapped using GPS to define the location of potentially jurisdictional other waters of the U.S. and/or state (**Figure 2**). The OHWM shown on **Figure 2** includes the bank features of the detention pond that is created by the earthen fill structure as well as a relatively narrow channel both upstream of the detention pond and downstream of the fill structure. Once full to a depth of approximately five to six feet, water in the detention basin drains through a culvert with an outlet approximately 40 feet downstream from the golf cart path. The drainage continues for approximately 1,500 feet downstream until it reaches another detention basin and Southside Road. The connection of the gorge with other navigable waters (i.e., San Benito River) is unclear beyond this point, which suggests that this feature could be considered isolated and therefore not under Corps jurisdiction. It would likely be considered under the jurisdiction of the RWQCB; however, the final determination can only be made by the applicable agencies.

3.2.2 Riparian

In addition to the assessment of potentially jurisdictional wetlands and other waters, DD&A evaluated the drainage for presence of riparian areas that would be regulated under Section 1602 of the Fish and Game Code. No riparian corridor was observed and in fact, blue oak woodland and associated upland understory species extend to the floor of the gorge.



Vegetation

Promontory Pipe Bridge

Denise Duffy and Associates, Inc.

Planning and Environmental Consulting

Date	Figure
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Scale	
1:1,500	

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3.3 Special-Status Species

Published occurrence data within the project area and surrounding USGS quadrangles were evaluated to compile a table of special-status species known to occur in the vicinity of the survey area (see "Methods"). Each of these species was evaluated for their likelihood to occur within and immediately adjacent to the survey area (**Appendix B**). Only the special-status species that are known to or have been determined to have a moderate or high potential to occur within or immediately adjacent to the survey area are discussed below. All other species evaluated are unlikely to occur or have a low potential to occur based on the species-specific reasons presented in **Appendix B**, are therefore unlikely to be impacted by the project, and are not discussed further.

3.3.1 Special Status Wildlife Species

American Badger

The American badger (*Taxidea taxus*) is a CDFW species of special concern. Badgers occupy a diversity of habitats within California. The principal requirements seem to be sufficient food, friable soils, and relatively open, uncultivated grounds. Grasslands, savannas, and mountain meadows near timberline are preferred. Badgers feed primarily of burrowing rodents, such as gophers, squirrels, mice, and kangaroo rats, as well as some insects and reptiles. Badgers also break open beehives to eat both the brood and honey. This species is active all year long and is nocturnal and diurnal. Mating occurs in summer and early fall and two to five young are born in burrows dug in relatively dry, often sandy soil, usually with sparse overstory cover.

American badger could potentially utilize the open grassy areas or woodland margins to forage for prey and excavate burrows. Two active large mammal burrows were observed approximately 150 feet southwest of the project site within silty loam soils in blue oak woodland on a north-facing slope of the gorge. The nearest American badger sighting reported by the CNDDB is a 2014 roadkill observation approximately 1,500 feet from the project site.

San Joaquin Kit Fox

The San Joaquin kit fox (*Vulpes macrotis mutica*) is a federal Endangered and state Threatened species. Its present range extends from the southern end of the San Joaquin Valley, north to Stanislaus County along the east, and along the interior Coast Range valleys and foothills to central Contra Costa County. The kit fox typically inhabits valley alkaline scrub, valley and foothill grasslands, and open oak woodlands of low to moderate relief. Kit foxes are known to occupy human-altered habitats, such as vineyards, orchards, and petroleum fields, where denning opportunities and suitable prey are available. Man-made features, such as culverts in roadbeds and pipes, are frequently used in developed landscapes in the southern range of the kit fox. Kit foxes are thought to be weak excavators and largely dependent on rodent burrows, which they enlarge as den sites. Studies of kit fox in the northern part of their range support this presumption, as kit foxes are largely dependent on California ground squirrel (*Spermophilus beecheyi*) burrows for the creation of den sites. In the course of a year, up to 70 different dens may be used by a single individual. Mating occurs from December to February with pups born between February and late March. Pups emerge above ground, and are fed primarily by the male adult, at approximately one month old. Pups are fed 4 to 5 months, after which, the pups begin to forage independently. Juveniles disperse as far as 19 kilometers away from natal dens. Home ranges vary in size, depending on prey availability. Average home range is approximately 500 hectares.

Although the project site is within the historic range of San Joaquin kit fox, records from the Hollister area are over 40 years old. The nearest CNDDB occurrence is a sighting from 1971 approximately 800 feet

northeast of the site. Currently, the nearest regions with San Joaquin kit fox populations are in the vicinity of San Luis Valley, 20 miles towards the northeast, and the Panoche Valley, 30 miles towards the southwest.

Western Red Bat & Western Mastiff Bat

The western red bat (*Lasiurus blossevillii*) is a CDFW species of special concern. This species occurs in California, Arizona, and New Mexico, south to South America (Cryan, 2003). In California, western red bats occur from Shasta County to the Mexican border, west of the Sierra Nevada/Cascade crest and deserts. Although this species is migratory, western red bats are known to reside in California year-round and there is evidence that California populations do not migrate out of the state (Cryan, 2003). Western red bats are associated with forests and woodlands from sea level up through mixed conifer forests; however riparian areas appear to be favored, particularly willows, cottonwoods, and sycamores (Western Bat Working Group, 2005). Roost sites are often in edge habitat adjacent to streams, fields, or urban areas. Preferred sites are hidden from above, with few branches below, and have ground cover of low reflectivity. This nocturnal species emerges from roosting sites one to two hours after dark (AGFD, 2003) and feeds over a variety of habitats, including grasslands, shrublands, open woodlands, forests, and croplands. Moths, beetles, crickets, and cicadas are the typical prey species. Western red bats are typically a solitary species, but they often feed with other bat species, may migrate in groups (AGFD, 2003), and may form nursery colonies. Mating occurs in the fall and sperm is stored over winter. Fertilization occurs in the spring and gestation is 80 to 90 days. One to five young are born in mid-May to early July; however, most litters have two or three. During the rearing period, females may move the young between roost sites. Young are capable of sustained flight at after approximately three to six weeks.

The western mastiff bat (*Eumops perotis californicus*) is a CDFW species of special concern. Mastiff bats occur across the southwestern United States to central Mexico (Western Bat Working Group, 2005). In California, this species is an uncommon resident in southeastern San Joaquin Valley and Coastal Ranges from Monterey County southward through southern California. This species occurs in many open, semi-arid to arid habitats, including conifer and deciduous woodlands, coastal scrub, annual and perennial grasslands, palm oases, chaparral, desert scrub, agricultural, and urban environments. Western mastiff bats are reliant on crevices in cliff faces, high buildings, trees, and tunnels for roosting. When roosting in rock crevices, this species requires a vertical face to drop off and take flight. Western mastiff bats roost alone or in small colonies, usually of less than 100 individuals. Although nursery roosts for many bat species contain only adult females and their young, some western mastiff bat colonies contain adult males and females at all times of year. Mating occurs most often in early spring and young may be born from early April through August or September as parturition dates for this species varies more than any other bat in the United States. The primary diet of western mastiff bat is moths, although beetles, crickets, and katydids are also taken (Western Bat Working Group, 2005). Prey are caught in flight, generally from ground to tree-level.

Western red bat and western mastiff bat could potentially utilize oak woodlands at the project site for both roosting and foraging and could also forage within grasslands, agriculture and scrub habitats. Western red bat and western mastiff bat were observed foraging over the adjacent Ridgemark property during 1997 and 1998 (Zander 2014).

Burrowing Owl

The burrowing owl (*Athene cunicularia*) is a CDFW species of special concern. Burrowing owls are a year round resident of open, dry grassland and desert habitats, and grass, forb and open shrub stages of pinyon-juniper and ponderosa pine habitats. In general, burrowing owls frequent open grasslands and shrublands with perches and burrows. Burrowing owls use rodent burrows (often California ground squirrel) for roosting and nesting cover. These burrows are lined with excrement, pellets, debris, grass, and feathers

(occasionally are unlined). Pipes, culverts, and nest boxes may be substituted for burrows in areas where burrows are not available. Breeding occurs from March through August, with the peak occurring in April and May. This species is semicolonial and is probably the most gregarious owl in North America. Burrowing owls eat mostly insects, but small mammals, reptiles, birds, and carrion are also taken. This species usually hunts from a perch and hovers, hawks, dives, and hops after prey on the ground. Conversion of grassland to agriculture, poisoning of ground squirrels, and other forms of habitat destruction have led to the reduction in their numbers in the recent decades.

Burrowing owl could potentially use agricultural fields or areas of the abandoned golf course adjacent to the site as burrow sites. There is also a potential for owls to use culverts. A burrowing owl was reportedly observed in 2008 in the vicinity of the Ridgemark site (Zander 2014), but the exact location is unknown.

San Joaquin Whipsnake

The San Joaquin whipsnake (*Masticophis flagellum ruddocki*) is a CDFW species of special concern. Whipsnakes seek cover in rodent burrows, bushes, trees, and rock pies. This species hibernates in soil or sand approximately 0.3 meter (1 foot) below the surface, sometimes at the bases of plants. Little is known about nest sites. In desert regions, whipsnakes may be attracted to water to drink or ambush prey. Open terrestrial habitats are preferred, but whipsnakes will occasionally climb trees and bushes to bask, seek prey, or take cover. Diet consists of rodents, lizards and their eggs, snakes (including rattlesnakes), birds and their eggs, young turtles, insects, and carrion. Whipsnakes search actively for prey, with their heads elevated. They pole their heads in burrows or climb trees, using both vision and olfaction to detect prey (Stebbins, 1985). Coachwhips are diurnal. Mating occurs in April and May, eggs are laid in June and July, and the first young appear in late August to early September.

San Joaquin whipsnake could potentially utilize dry open habitats at the site including areas of abandoned golf course or open habitats along the margins of woodland. The DEIR (Rincon 2017) indicates that the nearest occurrence is approximately 2.7 miles northeast of the Ridgemark property along the San Benito River.

California Red-Legged Frog

The CRLF was listed as a federally Threatened species on June 24, 1996 (61 FR 25813-25833) and is also a CDFW species of special concern. Critical Habitat was designated for CRLF on April 13, 2006 (71 FR 19244-19292) and went into effect on May 15, 2006.

The CRLF is the largest native frog in California (44-131 mm snout-vent length) and was historically widely distributed in the central and southern portions of the state (Jennings & Hayes, 1994). Adults generally inhabit aquatic habitats with riparian vegetation, overhanging banks, or plunge pools for cover, especially during the breeding season (Jennings and Hayes, 1988). They may take refuge in small mammal burrows, leaf litter, or other moist areas during periods of inactivity or to avoid desiccation (Rathbun, et al., 1993; Jennings and Hayes, 1994). Radiotelemetry data indicates that adults engage in straight-line breeding season movements irrespective of riparian corridors or topography and they may move up to two miles between non-breeding and breeding sites (Bulger et. al., 2003). During the non-breeding season, a wider variety of aquatic habitats are used including small pools in coastal streams, springs, water traps, and other ephemeral water bodies (USFWS, 1996). CRLF may also move up to 300 feet from aquatic habitats into surrounding uplands, especially following rains, where individuals may spend days or weeks (Bulger et al., 2003).

This species requires still or slow-moving water during the breeding season where it can deposit large egg masses, which are most often attached to submergent or emergent vegetation. Breeding typically occurs between December and April depending on annual environmental conditions and locality. Eggs require 6

to 12 days to hatch and metamorphosis generally occurs after 3.5 to 7 months, although larvae are also capable of over-wintering. Following metamorphosis, generally between July and September, juveniles are 25-35 mm in size. Juvenile CRLF appear to have different habitat needs than adults. Jennings and Hayes (1988) recorded juvenile frogs mostly from sites with shallow water and limited shoreline or emergent vegetation. Additionally, it was important that there be small one-meter breaks in the vegetation or clearings in the dense riparian cover to allow juveniles to sun themselves and forage, but to also have close escape cover from predators. Jennings and Hayes also noted that tadpoles have different habitat needs and that in addition to vegetation cover, tadpoles use mud. It is speculated that CRLF larvae are algae grazers, however, foraging larval ecology remains unknown (Jennings, et. al., 1993).

It has been shown that occurrences of CRLF are negatively correlated with presence of non-native bullfrogs (Moyle, 1973; Jennings and Hayes, 1986 and 1988), although both species are able to persist at certain locations, particularly in the coastal zone. It is estimated that CRLF has disappeared from approximately 75% of its former range and has been nearly extirpated from the Sierra Nevada, Central Valley, and much of southern California (USFWS, 1996).

CRLF has the potential to occur upstream of the earthen fill structure and golf cart path where seasonal ponding occurs and relatively dense vegetation provides leaf litter, woody debris and other refugia. CRLF have been documented at the Ridgemark golf course Northwest Pond approximately 0.75-mile (1.2 kilometers) northeast of the project site during surveys performed in 1993, 1995 and 2000.

California Tiger Salamander

The CTS was listed as a federally threatened species on August 4, 2004 (69 FR 47211-47248). Critical habitat was designated for CTS on August 23, 2005 (70 FR 49379-49458), and went into effect on September 22, 2005. Additionally, CTS was listed as a state threatened species on March 3, 2010.

The CTS is a large, stocky salamander most commonly found in annual grassland habitat, but also occurring in the grassy understory of valley-foothill hardwood and chaparral habitats, and uncommonly along stream courses in valley-foothill riparian habitats (Service, 2004). Adults spend most of their lives underground, typically in burrows of ground squirrels and other animals (Service, 2004). The California tiger salamander has been eliminated from an estimated 55 percent of its documented historic breeding sites. Currently, about 150 known populations of California tiger salamanders remain. The CTS persists in disjunct remnant vernal pool complexes in Sonoma County and Santa Barbara County, in vernal pool complexes and isolated stockponds scattered along a narrow strip of rangeland on the fringes of the Central Valley from southern Colusa County south to northern Kern County, and in sag ponds and human-maintained stockponds in the coast ranges from the San Francisco Bay Area south to the Temblor Range.

Above-ground migratory and breeding activity may occur under suitable environmental conditions from mid-October through May. Adults may travel long distances between upland and breeding sites; adults have been found more than two kilometers (1.24 miles) from breeding sites (Service, 2004). Breeding occurs from November to February, following relatively warm rains (Stebbins, 2003). The CTS breeds and lays eggs primarily in vernal pools and other temporary rainwater ponds. Permanent human-made ponds are sometimes utilized if predatory fishes are absent; streams are rarely used for reproduction. Eggs are laid singly or in clumps on both submerged and emergent vegetation and on submerged debris in shallow water (Stebbins, 1972; Jennings and Hayes, 1994). Males typically spend 6-8 weeks at breeding ponds, while females typically spend only 1-2 weeks (Loredo et al., 1996). Eggs hatch within 10-14 days (Service, 2004) and a minimum of 10 weeks is required to complete development through metamorphosis (Jennings and

Hayes, 1994), although the larval stage may last up to six months and some larvae in Contra Costa and Alameda Counties may remain in their breeding sites over the summer (Service, 2004).

CTS have been documented at the Ridgemark golf course Northwest Pond approximately 0.75-mile (1.2 kilometers) northeast of the project site during surveys performed in 1993, 1995 and 2000. Dip net and pitfall surveys performed at the pond in 2019 and 2020 did not detect CTS and the CNDDB notes that this occurrence may be extirpated. CTS has the potential to utilize the seasonal detention pond immediately upstream of the earthen fill structure or small mammal burrows in adjacent grassland or other open areas.

Western Spadefoot Toad

The western spadefoot toad (*Spea hammondii*) is a CDFW species of special concern. Western spadefoot toads are distributed throughout the Central Valley and adjacent foothills and are typically quite common where they occur. In the Coast Ranges, this species is found from Point Conception in Santa Barbara County, south to the Mexican border. Elevations of occurrence extend from near sea-level to 1,360 meters. Rarely found on the surface, spadefoot toads spend most of the year in underground burrows, which they may construct themselves or may improve (from small mammals). Breeding and egg laying occur almost exclusively in shallow, temporary pools formed by heavy winter rains. Egg masses are attached to plant material or the upper surfaces of submerged rocks. Tadpoles consume planktonic organisms and algae, but are also carnivorous and may consume dead aquatic larvae of amphibians (including cannibalism). Recently metamorphosed juveniles seek refuge in the immediate vicinities of breeding ponds.

Western spadefoot toad could potentially utilize the seasonal detention pond immediately upstream of the earthen fill structure, open grassy areas or woodlands. Adult Western spadefoot toads have been documented in the Ridgemark golf course Northwest Pond approximately 0.75-mile (1.2 kilometers) northeast of the project site during surveys performed in 1995 and 2005 for CTS.

Coast Range Newt

The coast range newt, a subspecies of the California newt (*Taricha torosa*), is a CDFW species of special concern within all portions of their range south of the Salinas River in Monterey County. This species was historically distributed in coastal drainages from the vicinity of Sherwoods (central Mendocino County) in the North Coast Ranges, south to Boulder Creek, in San Diego County (CDFW, 2008). Populations in southern California appear to be highly fragmented, even historically. This species has been depleted by large-scale historical commercial exploitation coupled with the loss and degradation of stream habitats, particularly in Los Angeles, Orange, Riverside, and San Diego Counties. The records of Slevin (1928) for Baja California are thought to be erroneous (Stebbins, 1951). The known elevation range of this species extends from near sea-level to 1830 meters (Stebbins, 1985). In central California, breeding appears to occur in two waves, the first in January or February and the second in March or April (Stebbins, 1951; Miller and Robbins, 1954), although coast range newts may enter ponds as early as December. Larvae take approximately three to six months to reach metamorphosis and subsist largely on aquatic invertebrates and also conspecifics. Adult coast range newts eat a wide variety of aquatic and terrestrial invertebrates (earthworms, insects, snails, beetles, stoneflies, etc.) as well as egg masses, larvae, and carrion.

Breeding and egg-laying occur in intermittent streams, rivers, permanent and semi-permanent ponds, lakes and large reservoirs. Eggs are laid in small clusters on the submerged portion of emergent vegetation, on submerged vegetation, and on the underside of rocks off the bottom. Coast range newt eggs contain toxic glands which repel many predators.

Coast range newt could potentially occur in seasonally ponded areas..

Nesting Raptors and Other Protected Avian Species

Raptors, their nests, and other nesting birds are protected under California Fish and Game Code. While the life histories of these species vary, overlapping nesting (approximately February through August) and foraging similarities allow for their concurrent discussion. Most raptors are breeding residents throughout most of the wooded portions of the state. Stands of live oak, riparian deciduous, or other forest habitats, as well as open grasslands, are used most frequently for nesting. Breeding occurs February through August, with peak activity May through July. Prey for these species includes small birds, small mammals, and some reptiles and amphibians. Many raptor species hunt in open woodland and habitat edges.

Raptors and other nesting birds could potentially utilize oaks and other trees in the blue oak woodland. Understory shrubs as well as ornamental trees along the former golf course could also provide nesting opportunities for a variety of birds. At the time of the October 21, 2021 survey, no active raptor or other bird nests were observed within the survey area. However, mitigation measures presented below include preconstruction clearance surveys if construction is to be conducted within the breeding season. This measure will ensure that no impacts will occur to nesting birds as a result of the project.

3.3.2 Special-Status Plant Species

None of the special status plant species listed by the CNDDB that are perennial were observed during the October 21, 2021 survey. Other special status plants listed by the CNDDB are unlikely to occur and are therefore not discussed further.

4.0 IMPACTS AND MITIGATION MEASURES

The project has the potential to impact several special-status wildlife species as well as nesting raptors and other avian species. Mitigation measures that reduce these potential impacts to a less-than-significant level in accordance with CEQA are provided below.

Potential Impact 1: *Construction of the project has the potential to impact special-status animal species including CTS, CRLF, Western spadefoot toad, Coast Range newt, San Joaquin whipsnake, burrowing owl, American badger, San Joaquin kit fox, Western red bat, and Western mastiff bat. Potential significant impacts would be reduced to a less than significant level with implementation of the species-specific mitigation measures recommended below.*

Mitigation 1A: California Tiger Salamander (CTS) Pre-construction Survey and Impact Avoidance.

- Not less than six months prior to the start of any construction activities (including, without limitation, staging and mobilization), a qualified biologist shall conduct pre-construction surveys within suitable habitat on-site. The surveys shall include mapping of all areas containing small mammal burrows.
- Not less than one month prior to the start of any construction activities (including, without limitation, staging and mobilization), a qualified biologist shall conduct another round of pre-construction surveys within suitable habitat on-site. The surveys shall confirm previously mapped areas containing small mammal burrows.
- Not less than 15 days prior to the start of any construction activities (including, without limitation, staging and mobilization), a qualified biologist shall also oversee installation of exclusion fencing where suitable aquatic habitat is adjacent to the site (i.e., along the northern boundary) to prevent CTS from entering active work areas.

- If any life stage of the CTS is identified within the work area, construction and grading in these areas shall be halted and the County, CDFW, and USFWS shall be contacted immediately. Additional avoidance strategies shall be approved by the County in consultation with CDFW and USFWS to achieve compliance with the State and federal Endangered Species Acts
- A pre-construction survey report shall be submitted to the County Resource Management Agency within 15 days of completion of the survey. The report shall include the dates, times, weather conditions, aquatic and terrestrial habitat conditions (including a map of small mammal burrow or burrow complex locations), agency consultation(s) if individuals are discovered, and personnel involved in the surveys.

Mitigation 1B: California red-legged frog (CRLF) Pre-construction Surveys and Impact Avoidance.

- Not less than one month prior to the start of any construction activities (including, without limitation, staging and mobilization), a qualified biologist shall conduct pre-construction surveys within suitable habitat on-site.
- Prior to ground disturbance within 200 feet of identified CRLF breeding and aquatic non-breeding habitats, temporary barriers shall be constructed between the identified habitat and the project ground disturbance area to prevent CRLF from entering the project site during construction. A solid temporary exclusion fence (such as silt fence) shall be buried into the ground to a depth of at least 6 inches below the soil surface and extend at least 3 feet above the ground to exclude CRLF from the work area. The ends of the barriers shall extend 50 feet beyond the 200-foot range of the identified habitats and hook away from the limits of ground disturbance. During any construction conducted between July 2 and April 30, the fence shall be inspected daily to ensure that it's functioning properly to exclude CRLF from the work area. The fence shall remain in place throughout construction.
- To minimize the potential for direct impacts to dispersing individuals, initial ground disturbing activities shall be completed during the period May 1 through July 1, to the extent feasible. The initiation of any subsequent ground disturbing activity or construction during July 2 through April 30, the period when CRLF are potentially dispersing or utilizing upland areas, shall be preceded by two night surveys of the work area. The purpose of these surveys is to determine whether any CRLF have bypassed the exclusion fencing into the work area. Surveys shall be conducted on two separate nights within 48 hours prior to the start of work activities.
- If any life stage of the CRLF is identified within the work area, construction and grading in these areas shall be halted and the County and USFWS shall be contacted immediately. Additional avoidance strategies shall be approved by the County in consultation with USFWS to achieve compliance with the FESA
- If CRLF are present they shall be moved out of the work area by an approved biologist following the methods described below, but only if "take" authorization is procured from the USFWS. The approved biologist would maintain detailed records of all translocated individuals (e.g., size, coloration, any distinguishing features, and photographs) to assist in determining whether translocated individuals return to the work site.
- Before any construction activities begin on the project, an approved biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include a

description of the CRLF and its habitat, the importance of the CRLF and its habitat, the specific measures that are being implemented to conserve the CRLF as they relate to the project, and the boundaries within which the project may be accomplished.

- During all initial ground disturbing activities, an approved biologist shall be on-site to recover any CRLF that may be found at that time, but only if "take" authorization is procured from the USFWS. If the animals are in good health, they shall be immediately relocated to the designated release area. If they are injured, the USFWS shall be consulted immediately. Any dead CRLF must be reported immediately to the USFWS and deposited in an approved museum.
- An approved biologist shall be present at the work site until such time as all removal of CRLF, instruction of workers, and initial ground disturbance have been completed. After this time, the County shall designate a person to monitor compliance of all mitigation measures. The approved biologist shall ensure that this individual receives training outlined above and is qualified to identify CRLF. The monitor and the approved biologist shall have the authority to halt any action that would otherwise involve a violation of applicable laws and regulations. If work is stopped for this reason, the County shall be notified immediately to determine the appropriate course of action in accordance with applicable laws and regulations.
- An approved biologist or trained monitor shall conduct daily surveys of any pits or trenches that are left open over night during the period from October 15 through March 15.
- During construction, all trash that may attract predators shall be properly contained, removed from the work site and disposed of regularly. Following construction, all trash and construction debris shall be removed from the work areas.

Mitigation 1C: Western Spadefoot Toad, San Joaquin Whipsnake (Coachwhip), and Coast Range Newt: Pre-construction Survey, Capture, and Relocation.

- Not less than 14 days prior to the start of any construction activities (including, without limitation, staging and mobilization), a qualified biologist shall conduct surveys for western spadefoot toad, San Joaquin whipsnake (coachwhip), and Coast Range newt within suitable habitat on the project site as feasible. The biologist shall also oversee installation of exclusion fencing where suitable habitat is present to prevent these species from entering active work areas. If any of these species are identified within the work area they shall be captured and relocated to County-approved suitable habitat within the same or nearest suitable habitat. The relocation site shall include suitable micro habitat and ecological features for each species.
- If either of these species are observed by construction personnel within or adjacent to the project site, all work within the vicinity of the observation shall be halted and the qualified biologist shall be notified immediately to evaluate the occurrence and relocate the animal as necessary. Only a qualified biologist shall capture and relocate wildlife.

Mitigation 1D: Burrowing Owl Pre-construction Surveys, Avoidance, and/or Exclusion

- A qualified biologist shall conduct a pre-construction clearance survey prior to ground disturbance activities within all suitable habitats to confirm the presence/absence of burrowing owls. The surveys shall be consistent with the recommended survey methodology provided by the Burrowing

Owl Consortium (1993). Clearance surveys shall be conducted within 14 days prior to any construction and ground disturbance activities. If no burrowing owls are observed, no further actions are required.

- If burrowing owls or active burrows are detected during the pre-construction clearance surveys, avoidance buffers shall be implemented in accordance with the Burrowing Owl Consortium (1993) minimization mitigation measures. If burrowing owls are detected, prior to ground disturbance, coordination with the CDFW by a qualified biologist shall occur to establish the appropriate avoidance buffer distances specific for the project's activities and level of expected disturbance. If avoidance of burrowing owls is not feasible, a Burrowing Owl Exclusion Plan and Mitigation and Monitoring Plan shall be developed by a qualified biologist in accordance with the Burrowing Owl Consortium (1993).

Mitigation 1D: American Badger Pre-construction Surveys and Impact Avoidance.

- A qualified biologist shall conduct pre-construction clearance surveys for American badger within the project site. Clearance surveys should be conducted for American badger within 14 days of the start of any ground-disturbing activity. Surveys need not be conducted for all areas of suitable habitat at one time; they may be phased so that surveys occur within 14 days of that portion of the site being disturbed. If no potential American badger individuals or dens are present, no further mitigation is necessary.
- If the qualified biologist determines that potential American badger dens are inactive, the biologist shall excavate these dens during the first clearance survey. The dens shall be excavated by hand with a shovel to prevent badgers from re-use during construction
- If the qualified biologist determines that potential dens maybe active, an on-site passive relocation program shall be implemented. This program shall consist of excluding badgers from occupied burrows by installation of one-way doors at burrow entrances, remote camera monitoring of the burrow for one week to confirm usage has been discontinued, and excavation and collapse of the burrow to prevent reoccupation. After the qualified biologist determines that badgers have stopped using active dens within the project boundary, the dens shall be hand-excavated with a shovel to prevent re-use during construction
- Construction activities shall not occur within 30 feet of active badger dens.
- A report of all pre-construction survey efforts shall be submitted to the County Resource Management Agency, Planning and Land Use Division within 30 days of completion of the survey effort to document compliance.

Mitigation 1E: San Joaquin Kit Fox Pre-construction Surveys and Impact Avoidance.

- A qualified biologist shall conduct a pre-construction clearance survey for San Joaquin kit fox within the project site no more than 30 days and no less than 14 days before the start of any ground-disturbing activity. All known and potential San Joaquin kit fox dens (i.e., suitably sized dens in suitable habitat) shall be mapped and an exclusion zone shall be established around each den in accordance with the USFWS San Joaquin Kit Fox Survey Protocol for the Northern Range (USFWS 1999). Occupied dens shall be protected by the buffer distance described below to prevent entrance from all construction equipment and personnel who are not approved biologists. In the

exclusion zones, only essential vehicle and foot traffic may be permitted. No activity may occur within the exclusion zone that may harm a San Joaquin kit fox. All exclusion zone fencing and flagging shall be kept in good working order for the duration of nearby construction activities or until the den is determined by the approved biologist to be unoccupied. The USFWS and CDFW shall be notified if a reduction of exclusion zone buffer distance or additional activities within the exclusion zone are requested. San Joaquin kit fox buffer distances for occupied dens shall be 500 feet for occupied natal/pupping dens, 100 feet for known occupied dens, and 50 feet for occupied atypical dens.

- The project shall adhere of the recommendations and best management practices described in the USFWS Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011).

Mitigation 1E: Western red bat and western mastiff bat Pre-Construction Surveys and Impact Avoidance

- A qualified biologist shall conduct a western red bat and western mastiff bat roost-habitat assessment and conduct presence/absence surveys for special status western red bats where suitable maternity roosting habitat is present (e.g., orchards, mature trees during the breeding season (approximately August 1 to October 1). Surveys shall be conducted by searching tree cavities, crevices, and other areas where western red bats may roost. Surveys shall be conducted not more than 30 days prior to initiation of construction activities during the western red bat breeding season.
- Areas where bat maternity roosts are located shall be avoided where feasible. If a maternity colony has become established, all construction activities shall be postponed within a 300-foot buffer around the maternity colony until it is determined by a qualified biologist that the young have dispersed. Bat roosts shall be removed under the supervision of the qualified biologist after the breeding season has ended but before the onset of winter when temperatures are too cold for bat movement.
- A report of survey efforts shall be submitted to the County Resource Management Agency, Planning and Land Use Division within 30 days of completion of the surveys to document compliance.

Potential Impact 2: *Nesting raptors and other avian species have the potential to occur within or adjacent to the project site. Construction activities may result in direct mortality of individuals, disturbance of nests, and loss of habitat. This is a potentially significant impact that can be reduced to a less-than-significant level with implementation of the mitigation measures recommended below.*

Mitigation 2: To avoid and reduce impacts to nesting raptors and other nesting avian species, construction activities can be timed to avoid the nesting season period. Specifically, tree and vegetation removal can be scheduled after September 1 and before January 31 to avoid impacts to these species. Alternatively, if avoidance of the nesting period is not feasible, a qualified biologist shall be retained to conduct pre-construction surveys for nesting raptors and other protected avian species within 300 feet of proposed construction activities if construction occurs between February 1 and August 31. Pre-construction surveys will be conducted no more than 14 days prior to the start of construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August).

Because some bird species nest early in spring and others nest later in summer, some breed multiple times in a season, surveys for nesting birds may be required to continue during construction to address new arrivals. The necessity and timing of these continued surveys will be determined by the qualified biologist based on review of the final construction plans.

If raptors or other protected avian species nests are identified during the pre-construction surveys, the qualified biologist will notify the project applicant and an appropriate no-disturbance buffer will be imposed within which no construction activities or disturbance should take place as determined by the qualified biologist to ensure avoidance of impacts to the individuals. The buffer will remain in place until the young of the year have fledged and are no longer reliant upon the nest or parental care for survival, as determined by a qualified biologist.

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