



## **Denise Duffy & Associates, Inc.**

PLANNING AND ENVIRONMENTAL CONSULTING

# Scope of Work –Phase 7 Pure Water Monterey Groundwater Replenishment Project Environmental Monitoring and Permitting Compliance Services Product Water Conveyance Facilities (RUWAP) Updated from April 11, 2017 Submittal

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## **Introduction**

DD&A is currently under Phase 7 of a contract with the Monterey Regional Water Pollution Control Agency (MRWPCA) to provide environmental, monitoring, and permitting services for the Pure Water Monterey/Groundwater Replenishment Project (PWM/GWR Project). This document provides a scope of work and budget for the continuation of environmental compliance and mitigation monitoring services under Phase 7 for Fiscal Year 2017/2018.

DD&A previously submitted a scope of work dated April 11, 2017, for proposed DD&A services and budget for all project components as well as by individual scope and costs for each project component. This scope of work updates the April 11, 2017 scope and budget submittal specifically for the PWM GWR Pipeline Conveyances to be implemented by Marina Coast Water District (MCWD) in association with the MRWPCA. Where appropriate, this scope identifies the various project deliverables that will be completed during this phase. This scope includes development and compliance with the Mitigation Monitoring and Reporting Program (MMRP) approved by the MRWPCA Board of Directors on October 8<sup>th</sup>, 2015, as well as the preparation of environmental compliance plans and compliance monitoring in connection with other permit conditions and individual MMRPs adopted by federal, state and local regulatory agencies and jurisdictions. This scope covers the tasks required to ensure compliance with the MMRP and permit conditions. A description of the tasks and assumptions used to develop the Phase 7 budget estimate is provided below. This scope and corresponding budget provide funding for services in fiscal year 2017/2018 (July 1, 2017 through June 30, 2018). Additional funding will be warranted for services beyond June 30, 2018, including funding for those components which will not be initiated or completed by that date.

*Note: It is anticipated that funding will be shared between MCWD and MRWPCA while Project management will be under MCWD. The tasks presented below are consistent with the scopes and deliverables for the other PWM/GWR Project components as presented in the April 11, 2017 submittal and subsequent scoping documents provided to MRWPCA.*

*DD&A has presented a budget for the full set of tasks and it is understood that contractual obligations and funding will come from the two agencies (per existing and pending agreements).*

## Summary of Scope of Work -Phase 7 Fiscal Year 2017/2018

### Environmental Monitoring and Permitting Compliance Services Product Water Conveyance Facilities

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*Note: Task numbers below are consistent with other PWM/GWR Project Contract Task numbers and are included for consistency among contract and scoping documents.*

#### **Phase 7 - Mitigation Monitoring and Environmental Compliance**

The tasks described below are delineated according to project phases including pre-construction, construction, and post construction. The tasks are related to ensuring all permit conditions and MMRP requirements are fully integrated into construction plans or final specifications to ensure compliance with the MMRP, as well as ensuring environmental compliance associated with the permit conditions and individual MMRPs from other permits applicable to the individual project components.

#### **TASK 25: Pre-Construction Phase**

As part of this task, DD&A would be responsible for developing a program to document compliance with the various mitigation measures and to assist MCWD with condition compliance.<sup>1</sup> Additionally, DD&A would be responsible for providing the format, process, and templates for compliance verification, as well as templates for specific technical reports to be prepared by others (i.e., Contractor), as detailed below. DD&A proposes to provide pre-construction biological surveys, construction contractor education training, and construction monitoring services. This scope of work assumes that DD&A's Natural Resources Division will be responsible for providing the biological services necessary to ensure compliance with MMRP. In addition, DD&A's Natural Resource Division would also be responsible for providing technical guidance and ensuring that the applicable protocols are followed. Please note that if the final permit conditions include additional requirements that differ from the MMRP then a budget amendment may then be required.

##### **25.1 Project Initiation/Environmental Compliance Plan**

As part of this initial task, DD&A will meet with MCWD to refine the scope, confirm roles, and discuss initial agency and consultant coordination regarding mitigation monitoring and condition compliance. As part of this task, DD&A will compile the necessary permit conditions, mitigation measures, and other covenants and supporting documentation to create a comprehensive Mitigation Matrix. This matrix will be used for the purposes of monitoring and documenting compliance with the mitigation measures identified in the MMRP and applicable permit conditions. The matrix will also identify mitigation measures and permit conditions according to their temporal (e.g., pre-construction, on-going, etc.) and spatial requirements.

DD&A will organize and facilitate a preliminary coordination meeting with all the participants for each component, including the assigned agency staff. DD&A will also conduct an initial pre-construction site visit with each of the local jurisdictions, the Contractor, and other technical sub-consultants to confirm project assumptions and work plan, as well as to identify applicable MMRP requirements (in mapping format and

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<sup>1</sup> Please note that limited funding was provided for this task as part of the January 2017 interim authorization. Additional funding is warranted to ensure the completion of this task.

tabular format). DD&A will provide one point of contact for on-going regulatory and responsible agency communication. On-going coordination is a critical component of ensuring that the applicable mitigation measures have been satisfied in accordance with the requirements of the MMRP.

- 25.1.1 Project Initiation - This task includes initial coordination with MCWD to ensure that the applicable mitigation measures are incorporated into construction documents and contractor plans. This would occur prior to and during contractor bidding and selection process. DD&A will also attend pre-bidding meetings and be available to assist in review of documents, as deemed necessary by MCWD. It is anticipated that once the contractor is selected DD&A will also participate in the kick-off meeting. As part of this task, the obligations of each party (i.e., MCWD, DD&A, and Contractor) will be identified. In addition, this task includes identifying the specific mitigation measures that apply to each discrete project component. This information would be utilized for the purposes of including as part of the construction bidding documents or other information supplied to the Contractor, as well as, an outline of which plans are required by either DD&A or the Contractor.
- 25.1.2 Environmental Compliance Plan (ECP) Overview - DD&A will prepare an overview document for the Product Water Conveyance Facilities project component that will include a summary of required environmental compliance activities and plan submittals, a summary of the approach to management of environmental compliance activities and reporting, and will also include the matrix of all MMRP requirements and Conditions (the Mitigation Matrix described above) specific to the Product Water Conveyance Facilities and bid package. The Product Water Conveyance Facilities ECP, which will also be developed as part of this task, will be comprehensive in nature and will identify applicable requirements for the Product Water Conveyance Facilities project component. Where necessary, the ECP will be updated to include additional project-specific information, including any new permit conditions that may be applicable to the project. Important contact information for the Product Water Conveyance Facilities project component will also be included in this document. The ECP will accompany the Mitigation Matrix and will provide guidance for MCWD, Contractors and Agency staff as well as information on agency and project contacts, and status of on-going permits. After review by MCWD, DD&A will update the ECP (and will also update as permits and conditions are provided).

Deliverables: Mitigation Matrix, Environmental Compliance Plans, Meeting Attendance

## **25.2 Employee Education Program**

DD&A will implement an Employee Education Program. Prior to mobilization and other ground disturbing activities, DD&A will conduct an Employee Education Program to educate personnel involved in the project about the biological resources that occur or potentially occur on the site. The education program will include: 1) the appropriate access route(s) in and out of the construction area and the review of project boundaries; 2) how a biological monitor will examine the area and agree upon a method which would ensure the safety of the monitor during such activities; 3) the special-status species that may be present; 4) the specific mitigation measures that will be incorporated into the construction effort; 5) the general provisions and protections afforded by the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW); and 6) the proper procedures if a special-status species is encountered within the site. The Employee Education Program will identify specific biological requirements applicable to each individual project component. A project pamphlet or fact sheet conveying this information will be prepared for distribution. This task assumes that DD&A will be responsible for conducting the Employee Education Program as part of initiation activities for each component prior to the start of construction-related activities.

Deliverables: Draft Employee Education Program; Presentation

**25.3 Pre-Construction Biological Surveys**

Pre-construction clearance surveys shall be conducted by a qualified biologist for component-specific species and habitats as directed by the MMRP and all relevant permitting documents. Survey methodology will be consistent with the requirements of the environmental documentation. Pre-construction survey reports describing the results of the surveys shall be provided to the project proponents prior to any ground disturbing activities. The report shall include, but is not limited to: 1) a description of the species observed, if any; 2) map of the location, if observed; and 3) recommended avoidance and minimization measures, if applicable. The sub-tasks below provide a description of the necessary biological surveys.

- 25.3.6 Product Water Conveyance Facilities
  - 25.3.6a Pre-construction special-status bat surveys (Mitigation Measure BT-1g)
  - 25.3.6b Pre-construction Monterey dusky-footed woodrat surveys (Mitigation Measure BT-1i)
  - 25.3.6c Pre-construction American Badger Surveys (Mitigation Measure BT-1j)
  - 25.3.6d Pre-construction avian species surveys (Mitigation Measure BT-1k).
  - 25.3.6e Pre-construction Burrowing Owl Survey (Mitigation Measure BT-1l)

Deliverables: Pre-construction survey reports

**25.4 Preparation and Review of MMRP Compliance Plans**

DD&A will be responsible for preparing technical documentation in compliance with the MMRP, as well as reviewing supporting documentation prepared by the Contractor on behalf of MCWD. Documentation prepared by others will be reviewed by DD&A and compliance memoranda will be issued to document compliance. Pursuant to the requirements of the MMRP, a number of technical reports/plans must be prepared and submitted to MCWD for review and approval.

The sub-tasks below provide a description of responsibilities for completing the technical reports/plans required by the approved MMRP:

- 25.4.1 Pre-Construction Preparation of Plans by DD&A Biologists – This task includes the preparation of biological resource documents and plans as required by the MMRP, Table 1 outlines these documents. Tasks identified include the required biological and resource plans to be prepared by DD&A Natural Resource Division and assumes one round of review.

**Table 1. MMRP Compliance Plans to be Prepared by DD&A For Product Water Conveyance Facilities**

Plan Requirement	Mitigation Number
Legless Lizard Management Plan	BT-1d
Rare Plant Restoration Plan (does not apply to HMP species within the former Fort Ord)*	BT-1e
Salvage Plan (only applies within the former Fort Ord)	BT-4

\*The Rare Plant Restoration Plan will address the following species: Sandmat Manzanita, Monterey Ceanothus, Monterey Spineflower, Monterey gilia, Eastwood’s Goldenbush, Coast Wallflower, and Kellogg’s Horkelia. In addition, this plan will also address any other special-status plants identified during project implementation.

- 25.4.2 Pre-Construction Review of Plans by DD&A Planners – Table 2 outlines the technical reports and compliance plans to be prepared by MCWD and its Contractors and reviewed by DD&A. As part of this task, DD&A will be responsible for reviewing all plans prepared by the Contractor and/or MCWD to

confirm compliance with the MMRP and/or applicable conditions of approval. Applicable plans are identified in Table 2 for each project component. As part of this task, DD&A will provide basic templates for use by the Contractor and/or MCWD, if requested.

**Table 2. MMRP Compliance Plans to be Prepared by MCWD and its Contractors\*  
For Product Water Conveyance Facilities**

<b>Plan Requirement*</b>	<b>Mitigation Number</b>
Fugitive Dust Control Plan	AQ-1
Dewatering/Diversion Plan	BF-1c
On-site spill plan	BT-1a
Frac-Out Plan	BT-2c
Equipment Efficiency Plan	EN-1
Health and Safety Plan	HH-2b
Well Construction Noise Control Plan	NV-1a
Construction Waste Reduction and Recycling Plan	PS-3
Traffic Control and Safety Assurance Plan(s)	TR-2

\*Although DD&A will not directly be preparing the above plans, DD&A will review the plans and provide input as needed to ensure consistency with the approved MMRP. This scope of work assumes that an Environmental Site Assessment will not be required (see Mitigation Measure HH-2a).

Deliverables: Draft Reports, Final Reports, Draft Comments etc.

**25.5 Condition Compliance Documentation (Pre-Construction)**

DD&A will continue to update the ECPs after preparation and submittal. DD&A will also maintain and update project software (i.e., Procore) used for the purposes of tracking project status. DD&A will update the ECP to document any changes to the management of environmental compliance that result from permit changes during design and construction, or that are negotiated with the governmental agencies during the work.

DD&A will also generate compliance memoranda to document compliance with the MMRP and the requirements of applicable regulatory permit conditions. It should be noted that as of April 2017, the re-authorized Army Corps Section 404 Permit, the final Water Quality Certification (assuming minor changes to the version issued on March 30, 2017), and the CDFW Streambed Alternation Agreement have not been obtained; therefore not all permit conditions are known. In addition, DD&A will maintain and update the mitigation matrix developed in **Task 25.1**. This will entail compiling monitoring logs and weekly reporting data, as well as documenting material submitted on behalf of MCWD. Documentation will be compiled according to project component. This information will be entered into the matrix and consolidated to enable consistent and reliable external reporting. DD&A will review, update, and manage the compliance matrix as needed to assess the compliance status of individual mitigation measure/conditions and identify action items and responsibility on a daily basis.

Deliverables: Compliance Memoranda, Updated Individual ECPs, etc.

**TASK 26: Construction Phase**

This task would entail construction monitoring as well as on-going documentation of the status of MMRP requirements and permit conditions using the mitigation matrix. Each sub-task is individually discussed below.

### **26.1 Construction Phase Biological Monitoring**

As part of this task, a DD&A biologist will be responsible for on-going monitoring during construction activities near sensitive habitats, including habitats for special-status species, to ensure implementation of mitigation measures and construction best management practices. The DD&A biologist will survey the work area prior to construction activities to identify if any sensitive biological resources are present before equipment mobilizes. Determination of appropriate species-specific pre-construction clearance surveys (California red-legged frog, black legless lizard, nesting migratory bird species, etc.) will be dependent on the location, objective and duration of the construction activities. DD&A will consult with all applicable environmental and regulatory documentation prior to the initiation of construction activities to determine the necessary measures (fencing installation, clearance surveys, flagging, nest deconstruction, establishment of avoidance buffers, etc.). During initial ground disturbance, the DD&A biologist will be contacted if special-status species are located in the project area by construction personnel. If construction personnel observe special-status species in the work area, work in the immediate area shall cease and personnel will contact the DD&A biologist or quickly relay the information through approved channels (e.g., through the construction foreman). The DD&A biologist will have authority to stop construction activities and develop alternative work practices, in consultation with construction personnel and resource agencies, if construction activities are likely to impact special-status species or other sensitive biological resources.

### **26.2 Construction Phase Monitoring for Non-Biological Requirements**

DD&A will facilitate periodic on-site management of compliance efforts. These site visits are anticipated to occur on a weekly basis. DD&A will coordinate the different monitoring efforts and determine in real time if all requirements are being met. DD&A will assess monitoring needs and requirements, and ensure staff is available to perform the required work. On-going on-site monitoring is a critical component of ensuring that the applicable mitigation measures have been satisfied in accordance with the requirements of the MMRP. DD&A assumes that the need for on-site staff will vary depending on the phase of the project and specific work activities. It is assumed that during construction a minimum weekly presence would be required to document compliance.

### **26.3 Condition Compliance Documentation (Construction Phase)**

Throughout the construction phase, DD&A will generate Compliance Memoranda to document that each MMRP requirement and the requirements of the applicable regulatory permits have been met. It should be noted that as of April 2017, the re-authorized Army Corps Section 404 Permit, the final Water Quality Certification (assuming minor changes to version issued on March 30, 2017), and the CDFW Streambed Alteration Agreement have not been obtained; therefore not all permit conditions are known. In addition, DD&A will maintain and update the condition and mitigation matrix developed in **Task 25.1** during construction. This will entail compiling monitoring logs and weekly reporting data, as well as documenting material submitted on behalf of MCWD. This information will be entered into the matrix and consolidated to enable consistent and reliable external reporting. DD&A will review, update, and manage the compliance plan matrix as needed to assess the compliance status of individual requirements and identify action items and responsibility on a daily basis. All compliance documentation will be compiled according to project-component as part of the individual sub-tasks listed below.

Deliverables: Updated Mitigation Matrix, Compliance Memoranda

## **TASK 28: Meetings, Project Management, and On-going Planning Support for Phase 7**

This task includes DD&A's management of the contract, scope, budget, subconsultant work, and schedule with MCWD staff for all of the work completed within Phase 7 the Product Water Conveyance Facility project-component. This also includes overall coordination with larger interagency and community teams, specifically,

those not involved in mitigation monitoring and environmental compliance directly. DD&A will prepare regular progress status reports throughout the duration of Phase 7. This task also includes consultation time for DD&A with the engineering team for final detailed construction and design documents.

### **28.1 Meetings for Phase 7**

All of the tasks and sub-tasks identified within the scope will involve periodic coordination and strategy calls with the MCWD and project partners to coordinate information exchange, discuss/refine project submittal information, and work with the internal team to address project needs. For the purpose of this scope of work, it is assumed that regularly scheduled bi-monthly conference calls/meetings would occur during project initiation and construction mobilization phase. After initial construction start-up, meetings would be scheduled on a monthly basis to provide regular status updates. When necessary, additional meetings will be scheduled on an as-needed basis to discuss key issues and other project-related items.

### **28.2 Project Management for Phase 7**

DD&A will provide project management services throughout this phase of the project. DD&A will routinely coordinate with the internal project team and provide monthly progress reports as part of this task. DD&A will attend to all aspects of managing the project, including scheduling resources, handling team communication (both internally and externally), scheduling, responding to requests for information, and preparation of monthly progress reports and conference calls. As part of this task, DD&A will also update project status using Procore software. DD&A's Project Manager and Financial Manager will also be responsible for administering contracts, reviewing invoices, and monitoring the project budget.

### **28.3 On-going Planning Support for Phase 7**

As part of this task, DD&A will be available to provide on-going planning and environmental support services in connection with the PWM/GWR Project. This task is primarily associated with addressing technical issues that may arise during project implementation that may warrant additional environmental services beyond those enumerated above. More specifically, this task includes additional DD&A services to respond to various requests for information, confirmation of project area and mitigation, and miscellaneous request for project-related services beyond the scope of services described above.

In addition to the task identified above, DD&A has identified the following additional services are necessary due to recent requests for DD&A services, including, but not limited to, on-going communication and coordination with regulatory agencies, preparation of additional documentation, and permitting assistance.

## **29.0 NEW Task 29: Federal and State Permit Coordination, Compliance Verification, & Sharefile Management**

- Coordination with Federal and State agencies including SWRCB staff for MMRP and Condition Compliance verification to address requirements and request for SRF
- Development of a searchable mitigation/condition matrix for continued updating compliance
- Creation of multiple file sharing sites for the transmission of condition compliance documentation to SWRCB staff and SRF compliance personnel, as well as other regulatory agencies.
- Provide periodic reporting submittals to MRWPCA and SWRCB and other agencies. Respond to periodic questions and requests for assistance from agencies
- Preparation of permit application material and related communication/coordination with regulatory agency personnel.

## Key Assumptions for Continuation of Phase 7

The following assumptions were used in preparing this scope of work, budget, and schedule:

- Any additional changes to the PWM/GWR Project beyond those identified during Phase 6, are not included.
- The areas of impact/affect and project descriptions including pipeline alignments will not change such as that new or revised analysis including biological or cultural resources investigations would be required.
- This scope and proposed schedule assume timely review by the MCWD, MRWPCA as well as the CEQA Team and project engineers; and submittal of needed information. DD&A assumes that we will have timely receipt of review comments within a one to 14 day period of request for review of document, depending upon the length of the document. Timely responses to information requests are assumed to be within three to four working days or to be within requested timeframes in order to meet critical construction schedule.
- Technical analyses and responses assumed to be prepared by consultants or agency staff members that are not under contract to DD&A or specifically identified in this scope of work for DD&A review are assumed adequate.
- Post Construction-related activities for the Product Water Conveyance Facility are not anticipated to occur within Fiscal Year 2017/2018. This scope assumes avoidance of listed plant species during this construction period, eliminating the need to provide revegetation of disturbed areas, monitoring salvaged and restored HMP plants, rare plant restoration efforts per the Rare Plant Restoration Plan, and producing biological monitoring reports to document environmental compliance. Future efforts may require this work; therefore, post construction phase monitoring for these components would occur in connection with future project authorizations.
- DD&A reserves the right to reallocate labor and/or direct expenditures between tasks and phases to ensure the successful completion of the scope of work.
- The following scope of services covers work from July 1, 2017 through June 30, 2018 as identified in the attached budget, **Attachment A**.

## Budget

The services associated with this scope of work in Fiscal Year 2017-2018 are described above. **Attachment A** provides the cost estimate to provide interim planning and environmental services through June 30, 2018.

# **Attachment A**

## **Budget**