RESOLUTION NO. 23

A RESOLUTION OF THE GOVERNING BOARD OF THE LAS VIRGENES-TRIUNFO JOINT POWERS AUTHORITY CERTIFYING THE FINAL PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT, APPROVING THE PURE WATER PROJECT LAS VIRGENES-TRIUNFO, AND ADOPTING THE ENVIRONMENTAL FINDINGS, MITIGATION MEASURES, STATEMENT OF OVERRIDING CONSIDERATIONS, AND MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, a Programmatic Environmental Impact Report was prepared to assess the environmental impacts of the Pure Water Project Las Virgenes-Triunfo (Pure Water Project) and two site alternatives and multiple conveyance alternatives were identified therein; and

WHEREAS, the Las Virgenes-Triunfo Joint Powers Authority (JPA) is the Lead Agency for the Pure Water Project pursuant to the provisions of the California Environmental Quality Act (CEQA) and is responsible for complying with CEQA; and

WHEREAS, a Notice of Preparation (NOP) of a Draft Programmatic Environmental Impact Report (DPEIR) was issued on September 9, 2021 and comments were received from potentially affected parties; and

WHEREAS, a DPEIR was prepared for the Project, and a Notice of Completion filed with the State Office of Planning and Research and circulated for public comment during a 45-day review period that closed on October 7, 2022; and

WHEREAS, a Public Notice of Availability of the DPEIR was prepared and filed with the Ventura and Los Angeles County Clerks and duly published in the Las Virgenes/Calabasas Enterprise, Ventura County Star, The Acorn, and the Los Angeles Daily News in accordance with law; and

WHEREAS, a public hearing regarding the DPEIR was held by the JPA, pursuant to notices of public hearing, on September 8, 2022 for the receipt of additional public comment; and

WHEREAS, a Final Programmatic Environmental Impact Report (FPEIR) for the Project, was prepared responding to the written and oral comments received during the public review period and presented to the JPA Board of Directors (Board) in advance of its December 13, 2022 meeting, and made available to the public for at least 10 calendar days pursuant to the provisions of the CEQA; and

WHEREAS, the JPA will be considering approval of the Pure Water Project and the FPEIR.

NOW, THEREFORE, THE JPA HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:

1. The JPA has reviewed the FPEIR (SCH# 2021090157) dated November 2022 (a copy of which is on file at the Las Virgenes Municipal Water District's headquarters and incorporated herein by reference) and found that the Final PEIR meets all provisions of CEQA and that the FPEIR reflects the independent judgment of the JPA.

2. The FPEIR adequately identifies all the environmental impacts of the Pure Water Project. Potentially significant impacts have been identified and mitigation measures have been incorporated that will reduce impacts to a level which will not cause a significant impact on the environment, with the exception of those significant impacts included in the Statement of Overriding Considerations as described in section 5 below.

3. Mitigation measures, which mitigate or avoid most of the significant environmental impacts of the Pure Water Project are identified in the FPEIR. The findings to support this conclusion are attached as Exhibit A and are hereby incorporated by reference.

4. Pursuant to section 21081.6 of the Public Resources Code, a Mitigation Monitoring and Reporting Program (MMRP) has been included to mitigate or avoid potential significant impacts on the environment. The MMRP for the Program is attached as Exhibit B and is hereby incorporated by reference. The JPA approves and adopts the MMRP.

5. Unmitigated significant impacts are identified in the FPEIR, and a Statement of Overriding Considerations is adopted. There are economic, legal, social, technological, or other benefits of the Pure Water Project that outweigh the Program's unavoidable significant environmental impacts. A description of these impacts, the Pure Water Project's benefits and the findings for a Statement of Overriding Consideration as required by the CEQA are attached as Exhibit A and are hereby incorporated by reference. The JPA approves and adopts the Statement of Overriding Considerations and all other findings and elements of Exhibit A

6. The JPA certifies the FPEIR referred to in section 2 above.

7. The JPA hereby directs staff to file with the County Clerks and the Office of Planning and Research in Sacramento a Notice of Determination commencing a 30-day statute of limitations for any legal challenge to the same based on alleged non-compliance with CEQA.

8. The JPA approves the Pure Water Project Las Virgenes-Triunfo and selects 30800 Agoura Road in the City of Agoura Hills as the preferred site for development of the Advanced Water Purification Facility.

The foregoing Resolution was adopted, signed, and approved at a special meeting of the Governing Board of the Las Virgenes-Triunfo Joint Powers Authority held on December 13, 2022, by the following vote:

AYES: Burns, Coradeschi, Caspary, Lewitt, Nye, Orkney, Polan, Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: None

Jay Lewitt, Chair

ATTEST:

Leon E. Shapiro, Vice Chair

APPROVED AS TO FORM:

W. Keith Lemieux, JPA Counsel

EXHIBIT A

FINDINGS AND STATEMENTS REQUIRED UNDER THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT

For

FINAL PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT

PURE WATER PROJECT – LAS VIRGENES TRIUNFO

STATE CLEARINGHOUSE NUMBER: 2021090157

Prepared Pursuant to
Sections 15091 and 15093 of the State CEQA Guidelines and Section 21081 of the Public Resources Code

by the

LAS VIRGENES-TRIUNFO JOINT POWERS AUTHORITY

NOVEMBER 2022

1. Introduction

1.1 Overview and Organization

The Las Virgenes-Triunfo Joint Powers Authority (JPA) has prepared a Final Programmatic Environmental Impact Report (Final Program EIR) for the Pure Water Project Las Virgenes-Triunfo (Pure Water Project). The Final Program EIR analyzes the anticipated environmental impacts of two site alternatives for the Advanced Water Purification Facility (AWPF) and multiple alignment alternatives for four conveyance pipelines. To support its certification of the Final Program EIR, recommendation of the AWPF site alternative, and approval of the Pure Water Project, the JPA makes the following findings of fact and statements of overriding considerations (collectively, Findings). These Findings contain the JPA's written analysis and conclusions regarding the Pure Water Project's environmental effects, mitigation measures, alternatives, and the overriding considerations which the JPA views justify the approval of the Pure Water Project despite its potential environmental effects. These Findings are based upon the entire record of proceedings for the Final Program EIR, as described below.

The Pure Water Project would address three major challenges facing the JPA:

1. Compliance with more stringent regulatory requirements for discharge to Malibu Creek
2. Balance seasonal variation in recycled water demand
3. Create a valuable resource to supplement the region's water supplies, supported by California's reservoir water augmentation regulations

The fundamental plan is to build an Advanced Water Purification Facility (AWPF) to treat tertiary effluent from the Tapia Water Reclamation Facility (WRF) for indirect potable reuse, and convey the purified water to the Las Virgenes Reservoir, where it will be blended with Metropolitan Water District of Southern California supply. Overall project objectives and intended use of the Final Program EIR are described in Chapter 1 of the Final Program EIR. Pure Water Project features are briefly summarized below and are described in more detail in Chapter 2 of the Final Program EIR.

- Tapia Water Reclamation Facility and Malibu Creek Discharges. The Pure Water Project does not include substantial changes at the Tapia WRF, and its capacity is not expected to increase. To operate the project efficiently, some minor upgrades to existing facilities would be required within the existing plant footprint, such as changes to optimize disinfection practices. The primary change is operational – all treated effluent would be sent to the recycled water system and the new AWPF.
- Alternative 1 Agoura Road Advanced Water Purification Facility. Under Alternative 1 Agoura Road AWPF, Tapia WRF effluent would be conveyed by the recycled water system to the new purification facility located along Agoura Road in Agoura Hills. The facility would have a capacity of 7.5 MGD.
- Alternative 2 Reservoir Advanced Water Purification Facility. Under Alternative 2 Reservoir AWPF, Tapia WRF effluent discharged into the recycled water system would be sent to a new treatment facility located next to Las Virgenes Reservoir in Westlake Village. Like Alternative 1 Agoura Road AWPF, the facility would have a capacity of 7.5 MGD.
- Las Virgenes Reservoir and Westlake Filtration Plant. Under both Alternative 1 Agoura Road AWPF and Alternative 2 Reservoir AWPF, a new discharge pipeline would be installed in Las Virgenes Reservoir.
- Source Water Augmentation. Full utilization of the AWPF would require an additional source water supply to supplement the Tapia WRF recycled water supply. The Pure Water Project may retrofit an existing groundwater well located at the Los Robles Greens golf course by installing new piping and valves, a flow meter, and a blow-off system; and a perimeter fence would be placed around the well.

- Pipelines. The Pure Water Project would require a series of interrelated pipelines. For most of these pipelines, several alignment options are under consideration and are analyzed in the Final Program EIR.

- Other Ancillary Facilities. The project also includes upgrades to the existing recycled water pump station (west).

The content and format of the Findings are designed to meet the requirements of the California Environmental Quality Act (CEQA).[1,2] The Final Program EIR identifies significant environmental effects that would result from implementation of the Pure Water Project. For each significant effect identified in the Final Program EIR, the JPA is adopting one or more of the findings as provided in CEQA and specified in Section 15091 of the CEQA Guidelines. For most significant effects, the JPA finds that the mitigation measures identified in the Final Program EIR and adopted by the JPA will avoid or substantially lessen the significant effects to a less-than-significant level. As provided in Section 15093 of the CEQA Guidelines, the JPA is balancing the economic, legal, social, technological, or other benefits of the Pure Water Project against the unavoidable environmental effects. With regard to those unavoidable effects, the JPA is adopting a Statement of Overriding Considerations. The JPA also adopts a Mitigation Monitoring and Reporting Plan (MMRP). The JPA finds that the MMRP, which is incorporated by reference and made a part of these Findings, meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects. The MMRP is provided under separate cover and is incorporated by reference.

1.2 Statutory Requirements

CEQA and the CEQA Guidelines require that:

No public agency shall approve or carry out a project for which an EIR has been certified that identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (Referred to herein as "Finding 1")

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (Referred to herein as "Finding 2")

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (Referred to herein as "Finding 3")

For those significant effects that the agency determines are not feasible to mitigate to a less-than-significant level, the public agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment (see, Public Resource Code Section 21081(b)). The Guidelines state in Section 15093 that if the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable.

1.3 Records of Proceedings and Custodian of Record

For purposes of CEQA and these Findings, the record of proceedings for the JPA's decisions on the Pure Water Project consist of: (a) matters of common knowledge to the JPA, including, but not limited to,

[1] California Environmental Quality Act (CEQA), Public Resources Code (PRC), §§ 21000 et seq.

[2] CEQA Guidelines, CCR, Title 14, Division 6, Chapter 3, §15000 et seq. (CEQA Guidelines).

federal, state and local laws and regulations and policies, (b) the following documents, which are in custody of Las Virgenes Municipal Water District, 4232 Las Virgenes Road, Calabasas:

- Notice of Preparation and other public notices issued by the JPA in conjunction with the Pure Water Project
- Draft Programmatic Environmental Impact Report, dated August 2022
- All testimony, documentary evidence, and correspondence submitted in response to the Draft Program EIR by agencies or members of the public during the public comment period on the Draft Program EIR and responses to those comments
- Final Programmatic Environmental Impact Report, dated November 2022, including all documents incorporated therein by reference
- Mitigation Monitoring and Reporting Plan, dated November 2022
- All findings, statements of overriding consideration, and resolutions adopted by the JPA in connection with the Pure Water Project, and all documents cited or referred to therein
- All final technical reports and addenda, studies, memoranda, maps, correspondence, and all planning documents prepared by the JPA or the JPA's consultants relating to the Pure Water Project
- All documents submitted to the JPA by agencies or members of the public in connection with development of the Pure Water Project
- All actions of the JPA with respect to the Pure Water Project
- All references included in the Final Program EIR
- Applicable local general plans and related environmental analyses
- Meeting agenda, minutes, and staff reports of the JPA
- Other documents regarding coordination and consultation with the public and public agencies and other documents designated by the JPA

1.4 Preparation and Consideration of the Final PEIR and Independent Judgment Findings

Pursuant to Public Resources Code Section 21082.1(c)(3), the JPA finds, with respect to the JPA's preparation, review and consideration of the Final Program EIR, that:

- The JPA retained the independent firm Jacobs Engineering Group Inc. (Jacobs) to prepare the Final Program EIR, and Jacobs prepared the Final Program EIR under the supervision and at the direction of the JPA.
- The JPA circulated the Draft Program EIR for review by responsible agencies and the public from August 22, 2022, to October 7, 2022, for a total public review period of over 45 days and submitted it to the State Clearinghouse for review and comment by State agencies.
- A public hearing regarding the Draft Program EIR was held by the JPA, pursuant to notices of public hearing, on September 8, 2022, for the receipt of additional public comment.
- The Final Program EIR was prepared responding to the comments received during the public review period and presented to the JPA Board of Directors (Board) in advance of its December 13, 2022 meeting, and made available to the public for at least 10 calendar days pursuant to the provisions of CEQA.
- The Final Program EIR has been completed in compliance with CEQA.

- The Pure Water Project will have significant, unavoidable impacts as described and discussed in the Final Program EIR.
- The Final Program EIR is adequate under CEQA to address the potential environmental impacts of the Program.
- The Final Program EIR has been presented to the JPA and the JPA has independently reviewed and considered information contained in the Final Program EIR.

By these Findings, the JPA ratifies, adopts, and incorporates the analyses, explanations, findings, responses to comments, and conclusions of the Final Program EIR, except as specifically described in these Findings.

2. Findings Regarding Less-Than-Significant Impacts; Mitigation Incorporated

The JPA finds that, as discussed below, the following potentially significant impacts would be reduced to less than significant with implementation of the corresponding mitigation measures of the Program.

2.1 Aesthetics

2.1.1 Impacts

- **Impact 3-3:** Implementation of the Pure Water Project would have a potentially significant impact from lighting during both construction and operation.

2.1.2 Findings

The JPA adopts Finding 1. The JPA adopts the following mitigation measure to reduce potentially significant impacts related to aesthetics to less-than-significant levels.

- **Mitigation Measure 3-1:** Design lighting to minimize impacts on adjacent areas.

  Construction Lighting. Prior to site mobilization, the construction manager will confirm that construction lighting is used in a manner that minimizes potential night lighting impacts, as follows:

  - All lighting will be of minimum necessary brightness consistent with worker safety.
  - All fixed-position lighting will be shielded, hooded, and directed downward to minimize backscatter to the night sky and prevent light trespass (direct lighting extending outside the boundaries of the construction area).
  - Where feasible and safe, lighting will be turned off when not in use, and motion detectors will be used.
  - A lighting complaint resolution form will be maintained by construction management to record all lighting complaints received and to document resolutions.
  - All construction-related lighting will be completely shielded or screened so it is not visible to adjacent residents with direct views of the construction site.
  - Maintain all construction-related lighting to be shielded or screened to minimize any inadvertent lighting spillover onto the open-space area south of the construction site.

  Project Operation Lighting. New permanent lighting will be designed and installed such that light bulbs are not visible from public viewing areas and illumination of the night sky is minimized. To meet these requirements, the JPA will:

  - Design lighting so exterior light fixtures are hooded, with lights directed downward or toward the area to be illuminated and so that backscatter to the nighttime sky is minimized. Lighting will be designed such that the luminescence or light source is shielded to prevent light trespass outside the facility boundary.

- All lighting will be of minimum necessary brightness consistent with worker safety.
- Where feasible and safe, lighting will be turned off when not in use.
- A lighting complaint resolution form will be used by AWPF staff to record all lighting complaints received and document resolutions.
- Maintain all lighting to be shielded or screened to minimize any inadvertent lighting spillover onto the open-space area south of the AWPF site.

2.1.3 Facts in Support of Findings

Facts in support of the findings are described in the Final Program EIR Chapter 3 (Aesthetics) and in Appendix F (Response to Comments).

2.2 Biological Resources

2.2.1 Impacts

- **Impact 5-1 (Wildlife):** Implementation of the Pure Water Project could result in a significant impact on special-status wildlife species.
- **Impact 5-3:** Implementation of the Pure Water Project could result in a significant impact on federally protected wetlands.
- **Impact 5-5:** Implementation of the Pure Water Project could result in a significant impact to oak trees that may occur at the Alternative 1 Agoura Road AWPF site or the Alternative 2 Reservoir AWPF site, and along the pipeline corridors.

2.2.2 Findings

The JPA adopts Finding 1. The JPA adopts the following mitigation measure to reduce potentially significant impacts related to biological resources to less-than-significant levels.

- **Mitigation Measure 5-2:** Perform preconstruction surveys and construction monitoring for special-status wildlife species.

  The JPA will retain qualified biologists with appropriate handling permits or will obtain appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with project construction and activities.

  A qualified biologist will prepare a Worker Environmental Awareness Training. The biologist will communicate to workers that, upon encounter with a special-status species, work must stop, the biologist must be notified, and work may only resume once a qualified biologist has determined it is safe to do so.

  A qualified biologist will prepare a Wildlife Relocation and Avoidance Plan. The plan will describe the special-status species that could occur within the project site and proper avoidance, handling, and relocation protocols. The plan will include species-specific avoidance buffers and suitable relocation areas at least 200 feet outside of the project site. The biologist will submit a copy of the Wildlife Relocation and Avoidance Plan to CDFW for approval prior to any clearing, grading, or excavation work on the project site.

  To avoid direct injury and mortality of special-status wildlife, a qualified biologist will be onsite to move out of harm's way wildlife of low mobility that would be injured or killed. Wildlife will be protected, allowed to move away on its own (non-invasive, passive relocation), or relocated to suitable habitat adjacent to the project site. In areas where a special-status species is found, work may only occur in these areas after a qualified biologist has determined it is safe to do so. Even so, a qualified biologist will advise workers to proceed with caution. A qualified biologist will be onsite daily during initial ground and habitat-disturbing activities as well as vegetation removal. Then,

the biologist will be onsite weekly or every other week for the remainder of the activity until the cessation of all ground- and habitat-disturbing activities, as well as vegetation removal, so that no wildlife is harmed.

If any special-status wildlife is harmed during relocation or a dead or injured animal is found, work in the immediate vicinity will stop immediately, the qualified biologist notified, and the dead or injured animal documented immediately. A formal report will be sent to the appropriate agency within 3 days of the incident or finding. The report will include the date, time of the finding or incident (if known), location of the carcass or injured animal, and circumstances of its death or injury (if known). Work in the immediate vicinity may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death.

A qualified biologist will conduct species-specific and season-appropriate surveys for the following species where suitable habitat occurs in the project site. Positive detections of special-status species and suitable habitat at the detection location will be mapped. If species are detected, the biologist will use visible flagging to mark the detection location.

- Least Bell's Vireo: Perform protocol surveys within the Conejo Canyons Open Space and where there is habitat for least Bell's vireo in the project area. Surveys will adhere to the USFWS Least Bell's Vireo Survey Guidelines (USFWS 2001). A final survey report (including negative findings) will be provided to USFWS and CDFW within 45 days following completion of the survey effort. A final survey report will be submitted to USFWS and CDFW prior to any project-related ground-disturbing activities and vegetation removal.

  If least Bell's vireo is present in the project area, the JPA will fully avoid impacts. A final Least Bell's Vireo Avoidance Plan will be developed prior to implementing project-related ground-disturbing activities and vegetation removal.

  To fully avoid impacts to least Bell's vireo, no ground-disturbing activities, including staging, or disturbances to native and non-native vegetation, will occur during the least Bell's vireo breeding season from March 15 through September 15 to avoid take of least Bell's vireo birds, nestlings, or eggs. If construction activities occur within this time, nesting bird surveys will be conducted. Active least Bell's vireo nests will be avoided with a 500-foot buffer delineated by high-visibility flagging. Construction activities will not continue within the buffer until the young have fledged or the nest is no longer active.

  If impacts to least Bell's vireo cannot be avoided, the JPA will consult with the USFWS and CDFW to obtain take authorization. Appropriate take authorization will be obtained prior to any ground-disturbing activities and vegetation removal.

- Coastal California Gnatcatcher: Protocol presence or absence surveys for coastal California gnatcatcher will be performed by a qualified biologist with a USFWS Section 10(a)(1)(A) permit. If coastal California gnatcatcher are present, the Pure Water Project and its contractors will avoid impacting occupied habitat by maintaining a 500-foot buffer. In addition, no construction activities will occur within 500 feet of an active nest. Buffers will be maintained until young have fledged (left the nest on their own), as determined by the biologist, or the nest is no longer active. Buffers will be delineated by high-visibility fencing. If these avoidance techniques are not feasible, USFWS and CDFW will be contacted regarding alternative avoidance measures for the species.

  If coastal California gnatcatcher is present, the JPA will consult with the USFWS to determine whether the project would result in take. Consultation with the USFWS to comply with the ESA is advised well in advance of any ground-disturbing activities or vegetation removal that may impact the gnatcatcher. If a take permit from the USFWS is needed, the JPA will comply with the mitigation measures detailed in the permit.

  If the project would result in permanent loss of gnatcatcher habitat, the JPA will provide replacement habitat at no less than 2:1 for the total acreage of affected habitat.

Assurances for long-term protection of replacement habitat will be provided by the JPA prior to any ground-disturbing activities or vegetation removal that may impact gnatcatcher.

- California Legless Lizard and Coastal Whiptail: Surveys will be scheduled during the summer months (June and July) when these animals are most likely to be encountered. Surveys will be conducted with parallel transects at approximately 20 feet apart and walked onsite in appropriate habitat for each species. Suitable habitat consists of areas of sandy, loose, and moist soils, typically under sparse vegetation of scrub, chapparal, and within the duff of oak woodlands.

- Western Pond Turtle: Surveys will be conducted during the time of greatest pond turtle activity, typically during the breeding season (May through July) and when pond turtles have not left the water to aestivate or overwinter in the uplands. Surveys and potential habitats will follow the USGS Western Pond Turtle (Emys marmorata) Visual Survey Protocol for the Southcoast Ecoregion (USGS 2006).

- Nesting Birds: Preconstruction nesting bird surveys will be performed by a qualified biologist within 500 feet of the construction area no more than 7 days prior to construction when work activities in that area begin (or resume after 2 or more weeks of inactivity) between February 1 and August 31. If the construction area and within 500 feet of the construction area has nesting habitat for raptors, surveys for nesting raptors will begin January 1 to avoid take of birds, raptors, or their eggs.

  Should an active nest be observed, a qualified biologist will implement a minimum buffer of 300 feet around the migratory bird species nests and 500 feet around active raptor nests. The qualified biologist will notify CDFW of buffers established around any active nests of protected species. Buffers will be maintained until young have fledged (left the nest on their own), as determined by a qualified biologist, or the nest is no longer active.

  The biologist will monitor active nests daily when construction is occurring and assess the effect on the nesting birds. If the biologist determines that particular activities pose a high risk of disturbing an active nest, the biologist will increase the minimum buffer and recommend additional, feasible measures to minimize the risk of nest disturbance. If work cannot proceed without disturbing the nesting birds, or signs of disturbance are observed by a monitor, work will be stopped or redirected to other areas until the nesting and fledging is completed or the nest has otherwise become inactive.

- Bats: Prior to construction, a qualified biologist will complete a habitat assessment for special-status bats to identify potential maternity roost sites or substantial day roost sites. If special-status bat roost sites are identified, then a qualified biologist will complete acoustical monitoring surveys and visual surveys at dusk to identify roost locations and types, the species composition, and number of occupants.

  If a maternity roost is present, the biologist will determine the extent of the construction buffer around the active roost. The buffer will be maintained from April 1 until the young are flying, typically after August 31. If a roost is present in a bridge or tree in or adjacent to the construction area, the biologist will determine the likelihood of disturbance. The impact of roost eviction rather than roost protection will be evaluated, and roost eviction will occur only when necessary. Any necessary roost eviction will occur at night, between September 1 and March 31 outside the maternity season unless the roost is determined to be a non-maternity roost occupied only by males.

- Arroyo Chub and Western Pond Turtle: The JPA will fully avoid all impacts to arroyo chub and western pond turtle along Arroyo Conejo. No work will occur on the stream banks adjacent to Arroyo Conejo during the winter rainy season, typically between December 1 and March 31. Additionally, no work will occur during the combined rainy season and breeding season for arroyo chub (February 1 through August 31) and western pond turtle (March 1 through July 15).

For work occurring near Arroyo Conejo, the JPA will monitor construction noise to confirm noise does not affect wildlife in the adjacent river habitat. Construction equipment will use noise-reduction features (such as mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer. Stationary noise sources, such as generators and pumps, at staging areas within 1,400 feet of sensitive receptors should be shielded at the source by an enclosure, temporary sound walls, or acoustic blankets. Where feasible, sound walls or acoustic blankets should have a height of no less than 8 feet, a Sound Transmission Class of 27 or greater, and a surface with a solid face from top to bottom without any openings or cutouts. Unnecessary construction vehicle use and idling time should be minimized to the extent feasible, such that if a vehicle is not required for use immediately or continuously for safe construction activities, the engine should be shut off.

- **Mitigation Measure 5-3:** Avoid and minimize impacts to jurisdictional waters, including wetlands. The Pure Water Project may affect some watercourses identified in undeveloped areas, with an unavoidable wetland impact along Agoura Road (Alternative 1 Agoura Road AWPF only) and at the Las Virgenes Reservoir site (Alternative 2 Reservoir AWPF only). For all impacts to jurisdictional waters, including wetlands, that cannot be avoided, permits must be obtained from the appropriate state and federal agencies. The JPA will notify the appropriate agencies – expected to be the USACE, Regional Board, and CDFW – prior to any ground-disturbing activities and vegetation removal, including staging, near streams. Notifications will be consistent with the permit application submittal requirements in effect at the time of submittal. For these impacts, the Pure Water Project will evaluate all construction footprints in undeveloped areas to avoid and minimize impacts to jurisdictional waters. Avoidance and minimization measures may include:

    - Maintain a construction buffer from the jurisdictional limits by installing construction fencing to prevent encroachment. If possible, the fencing will be installed at least 10 feet from the jurisdictional limits.

    - Locate construction staging, including equipment and materials storage, away from the jurisdictional limits, preferably at least 50 feet away.

    - Implement erosion control measures as prescribed by a Stormwater Pollution Prevention Plan (SWPPP) or Erosion Control Plan. Chapter 8, Geology and Soils (including Mitigation Measure 8-2) and Chapter 11, Hydrology and Water Quality, provide further discussion.

  For impacts to wetlands that cannot be avoided, compensatory mitigation will be provided. The JPA will provide compensatory mitigation by purchasing credits at an approved mitigation bank within the region or by paying in-lieu fees. Credits or in-lieu fees will be provided at an appropriate ratio subject to the specific requirements of each agency at no less than 1:1.

- **Mitigation Measure 5-4:** Prepare and implement a mitigation plan for oak trees and oak tree natural communities. The Pure Water Project is expected to result in impacts to oak trees and oak tree natural communities, including potential tree removal, in several areas based on a tree survey conducted in 2022. In preparation for construction, a program will be developed that describes:

    - Appropriate avoidance and minimization measures

    - Identification of oak tree mitigation areas

    - Success criteria

    - Monitoring and reporting processes

  The program will be developed and implemented in coordination with CDFW and affected local agencies with responsibility for oak tree protection. Specifically, the program will include the following:

    - Additional surveys by a qualified arborist of all oak trees and oak tree communities to be affected by construction-related disturbance, including both tree removal and encroachment within 5 feet of the driplines of oak trees that will be preserved. In addition to the physical characteristics already recorded, the surveys will include a horticultural

evaluation, including physical evidence of disease, identification of pests, and an evaluation of the trees' vigor.

- Oak trees that can be avoided will include protection measures to minimize the potential for accidental disturbance. Temporary construction fencing will be installed around the protected zones of all oak trees to be preserved adjacent to the disturbance areas. Fencing will be maintained during construction, and construction crews informed about the need to avoid these areas.

- All trees identified for removal will be inspected for contagious tree diseases, such as thousand canker fungus (Geosmithia morbida), polyphagous shot-hole borer (Euwallacea spp.), and goldspotted oak borer (Agrilus auroguttatus). To avoid the spread of infectious tree diseases, diseased trees will not be transported from the site without first being treated using best available management practices relevant to each tree disease observed.

- The project will include an oak tree planting plan that includes information on the location of mitigation plantings. Preference is for onsite mitigation within or adjacent to the disturbed areas and areas subject to permanent fuel modification, including as part of site landscaping plans. In addition to oak tree planting, the planting plan will include provisions to maintain the restoration areas in a manner suitable as a natural community. The planting plan will include:

    - Restoration of functioning and self-sustaining woodlands of similar composition, structure, and function as the affected woodlands.

    - Restoration of structurally diverse understory vegetation species (grasses, forbs, shrub, subshrub, and vine) occurring in the affected woodlands; acorns and seedlings will originate from plants and trees of the same species as the affected species

    - Standards for new plantings, such as hole size and depth, soil amendments, irrigation, and protection (for example, tree fences or cages)

    - Planting schedule

    - Measures to control exotic vegetation and protection from herbivory

    - A requirement that four trees will be planted for every oak tree removed that is wider than 4 inches in diameter

    - Measurable goals and success criteria for establishment of self-sustaining populations based on site and habitat conditions prior to impact and using functional local native oak shrublands and woodlands as reference sites, adaptive management techniques, and contingency measures if success criteria are not met

    - Annual monitoring criteria and requirements for a minimum of 5 years

- If mitigation cannot be achieved through oak tree planting or if there is a lack of success during the monitoring period, then payment of in lieu fees to a local agency or conservation organization or purchase of suitable offsite properties (including conservation easements) may be used to fulfill these obligations.

2.2.3 Facts in Support of Findings

Facts in support of the findings are described in the Final Program EIR Chapter 5 (Biological Resources) and Appendix F (Response to Comments).

2.3 Cultural and Paleontological Resources

2.3.1 Impacts

- **Impact 6-1:** Implementation of the Pure Water Project could cause a substantial change in the significance of an archaeological resource pursuant to CEQA § 45064.5.
- **Impact 6-3:** Implementation of the Pure Water Project could cause a substantial adverse change in the significance of paleontological resources.

2.3.2 Findings

The JPA adopts Finding 1. The JPA adopts the following mitigation measures to reduce potentially significant impacts related to cultural resources to less-than-significant levels.

- **Mitigation Measure 6-1a:** Perform archaeological survey prior to construction in high and medium archaeological sensitivity zones.

  Prior to construction, the JPA will determine whether the project is located within a high or medium archaeological sensitivity zone. If the project site is determined to be in a high or medium archaeological sensitivity zone, a qualified archaeologist will perform an archaeological investigation at the site if it has not been surveyed. Subsurface testing, including hand-augured borings and excavated test pits, may be recommended by the archaeologist. The archaeologist will analyze gathered data in relation to the detailed project construction plans. The findings of the investigation will be submitted for JPA review and approval. This report will include an evaluation of the "uniqueness" of all finds, anticipated project-related impacts, and recommendations for mitigating impacts.

- **Mitigation Measure 6-1b:** Halt construction if archaeological resources are discovered.

  In the event archaeological resources are discovered, the construction contractor will be responsible for halting construction activities, notifying the JPA, and retaining a qualified archaeologist. The archaeologist will evaluate the uniqueness of the find, contact local Native American and historical organizations, and recommend a course of action. The construction contractor will receive training regarding the identification of cultural resources by a qualified archaeologist prior to the start of construction activities.

- **Mitigation Measure 6-3a:** Prepare a PRMMP.

  Prior to construction, a PRMMP will be developed to reduce potential impacts to paleontological resources. The PRMMP will be prepared by a professional paleontologist and will meet SVP criteria (2010). The PRMMP will:

  - Identify construction impact areas where significant paleontological resources may be encountered and the depths at which those resources are likely to be discovered
  - Stipulate the location and frequency of monitoring and other appropriate procedures
  - Describe the significance criteria to be used to determine which resources will be recovered for their data potential, as well as the coordination strategy to conduct adequate monitoring
  - Describe methods of recovery
  - Provide procedures for post-excavation preparation and analysis of specimens
  - Document the final curation of specimens at an accredited facility
  - Describe data analysis methods
  - Describe reporting requirements

The PRMMP will specify that all paleontological work will be conducted by qualified professionals meeting the SVP criteria (2010) so that encountered resources will be quickly and professionally recovered while not impeding project construction. At the end of the monitoring effort, a Paleontological Monitoring Report will be prepared by the professional paleontologist to document the results of monitoring.

- **Mitigation Measure 6-3b:** Halt construction if paleontological resources are discovered.

  Should any paleontological resources (for example, fossils) be encountered during construction activities when a paleontological monitor is not present, work will be halted immediately within 50 feet of the discovery. The project paleontologist will determine the significance of the discovery, evaluate the uniqueness of the find, and prepare a written report documenting the find and recommending further courses of action. Depending on the significance of the discovery, the actions may include avoidance, excavation, documentation, recovery, or other measures determined by the paleontologist. Because proper excavation and removal of paleontological resources do not lessen the scientific value of the resources, recovery is the recommended method of reducing impacts to scientifically important paleontological resources resulting from project-related excavations and would reduce impacts to less than significant.

- **Mitigation Measure 6-3c:** Prepare a Paleontological Resources WEAT Program.

  Because ground disturbance is associated with some risk of encountering previously undiscovered paleontological resources, prior to the initiation of construction or ground-disturbing activities, a WEAT module for paleontological resources will be prepared by a qualified professional paleontologist, as defined by the SVP (2010). Construction personnel will be trained via the WEAT module regarding the following activities:

  - Recognition of possible buried paleontological resources
  - Protection of paleontological resources during construction
  - Coordination between construction staff and paleontological staff
  - Construction and paleontological staff roles and responsibilities in implementing the PRMMP
  - Procedures to be followed if paleontological resources are encountered

  Personnel will be instructed that unauthorized collection or disturbance of fossils is unlawful. Training materials and formats may include in-person training, prerecorded videos, posters, and informational brochures. Upon completion of WEAT training, the contractor would require workers to sign a form stating that they attended the training and understand and will comply with the information presented.

2.3.3 Facts in Support of Findings

Facts in support of the findings are described in Final Program EIR Chapter 6 (Cultural Resources) and Appendix F (Response to Comments).

2.4 Geology and Soils

2.4.1 Impacts

- **Impact 8-1:** Implementation of the Pure Water Project could have a potentially significant impact related to seismic risks, as the project area is located within a seismically active area and is susceptible to strong ground shaking during major earthquakes because of the proximity to earthquake sources.
- **Impact 8-2:** Implementation of the Pure Water Project could result in substantial soil erosion or loss of topsoil.

- **Impact 8-3**: Projects construction under the Pure Water Project may be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, potentially resulting in onsite or offsite landslides, lateral spreading, subsidence, liquefaction, or collapse.
- **Impact 8-4:** Implementation of the Pure Water Project could have a potentially significant impact related to expansive soils, as project features may be underlain by soils that exhibit shrink-swell characteristics of expansive soils.

2.4.2 Findings

The JPA adopts Finding 1. The JPA adopts the following mitigation measures to reduce potentially significant impacts related to geology and soils to less-than-significant levels.

- **Mitigation Measure 8-1:** Review regulation requirements, perform site-specific geotechnical and engineering studies, and implement recommendations.

  The project and its design engineers will perform site-specific geotechnical and engineering studies as required by local policies to meet the goals and objectives listed in Tables 8-1 through 8-4. The review will verify compliance with federal, state, and local regulations related to reducing earthquake and soils hazards. Approval will be granted for projects in areas of potential geologic hazards only where it can be demonstrated that the project will not be endangered by, or contribute to, the hazardous condition on the site or on adjacent properties.

  The studies will include identification of site-specific geotechnical and engineering measures. Typical geotechnical or engineering report measures to reduce impacts related to liquefaction, settlement, or other ground failure could include earthwork and foundation remediation, which will comply with applicable provisions of the CBC.

- **Mitigation Measure 8-2:** Comply with regulations and policies for erosion control.

  Prior to start of construction, the project's technical engineering team will review local policies (Tables 8-1 through 8-4 in the Final Program EIR) and work with construction contractors to develop and implement a project-specific SWPPP for construction projects with a land disturbance area equal to or greater than 1 acre. For projects with disturbance area less than 1 acre, a site-specific Erosion and Sediment Control Plan will be prepared. For projects with any land disturbance, construction will comply with local site development codes and incorporate an effective combination of erosion and sediment control measures identified in the California Stormwater Quality Association (CASQA) Stormwater Best Management Practice Handbook (CASQA 2003).

  Construction erosion and sediment control BMPs typically include the following measures:

  - Scheduling site grading during the dry season (April 15 to October 15), when possible
  - Segregating topsoil during rough grading
  - Temporarily stabilizing soil during site grading and active construction
  - Permanently stabilizing site soil after construction
  - Implementing erosion and sediment controls during construction dewatering activities
  - Controlling site runon and runoff to isolate the work area and prevent onsite or offsite erosion and sediment transport during construction
  - Implementing dust suppression measures
  - Managing stockpiles; in accordance with local standard construction practices, materials will be stockpiled at central locations instead of within work areas, where feasible

2.4.3 Facts in Support of Findings

Facts in support of the findings are described in Final Program EIR Chapter 8 (Geology and Soils) and Appendix F (Response to Comments).

2.5 Hazards and Hazardous Materials

2.5.1 Impacts

- **Impact 10-2:** Construction and operation of the Pure Water Project could expose the public or the environment to hazardous materials through routine use, transport, or disposal of hazardous materials or reasonably foreseeable upset and accident conditions involving the release of hazardous materials.
- **Impact 10-4:** Implementation of the Pure Water Project could potentially result in exposure of contaminated soils or groundwater to workers, the environment, and the public.

2.5.2 Findings

The JPA adopts Finding 1. The JPA adopts the following mitigation measures to reduce potentially significant impacts related to hazards and hazardous materials to less-than-significant levels.

- **Mitigation Measure 10-1:** Perform a Phase I investigation as needed prior to construction; and remediate, control, or dispose of contaminated materials as appropriate.

  New facility locations will be reviewed for inclusion in the lists of hazardous materials compiled pursuant to Government Code Section 65962.5. Where contamination is suspected, a Phase I site assessment of the proposed work area will be performed prior to start of construction activities, including excavation and other soil-disturbing activities, such as tunneling. The Phase I site assessment will comply with the applicable ASTM International (ASTM) standard for site assessments (currently E-1527-21, Standard Practice For Environmental Site Assessments: Phase I Environmental Site Assessment Process) and will include recommendations for reducing or eliminating the source or mechanisms of contamination, if contamination is found. Recommendations may include removing the contaminated soil and disposing of it at a licensed facility in accordance with regulations.

- **Mitigation Measure 10-2:** Los Robles Well Monitoring Program.

  Monitoring will specifically look at groundwater level changes and migration of the groundwater plume. The monitoring system will assess changes in hydraulic control of the TFX Aviation groundwater plume. The monitoring will be performed quarterly after resuming pumping from the Los Robles well as part of the Pure Water Project. The JPA will submit a sampling plan to DTSC that includes this quarterly sampling from the existing TFX Aviation monitoring well sites (or replacement monitoring wells) prior to operating the well for the Pure Water Project. The quarterly sampling will start after the well starts operating and may be reduced to semiannually or annually if there is no destabilization of the groundwater plume (with time frame provided in the sampling plan). Should monitoring indicate that hydraulic control of the groundwater plume is being affected, the JPA will reassess the project impact on plume migration in the next quarter subject to review and approval by DTSC.

2.5.3 Facts in Support of Findings

Facts in support of the findings are described in Final Program EIR Chapter 10 (Hazards and Hazardous Materials) and Appendix F (Response to Comments).

2.6 Noise

2.6.1 Impacts

- **Impact 13-1:** Construction of the Pure Water Project could result in generation of noise and vibration levels in excess of standards.

2.6.2 Findings

The JPA adopts Finding 1. The JPA adopts the following mitigation measures to reduce potentially significant impacts related to noise to less-than-significant levels.

- **Mitigation Measure 13-1:** Noise Control Plan.

  The contractor will be required to develop a Noise Control Plan identifying how noise would be minimized during construction, and as required, apply for a temporary construction noise variance. Noise-reducing methods that may be implemented include the following:

  - Follow local noise control requirements as much as possible, with exceptions only as needed (e.g., nighttime construction to minimize traffic disruptions) in collaboration with local jurisdictions.
  - Minimize the use of impact devices, such as jackhammers, pavement breakers, and hoe rams. Where possible, use concrete crushers or pavement saws rather than hoe rams for tasks such as concrete or asphalt demolition and removal.
  - Verify that pneumatic impact tools and equipment used at the construction site have intake and exhaust mufflers recommended by the manufacturers to meet relevant noise limitations.
  - Provide impact noise-producing equipment, such as jackhammers and pavement breakers, with noise-attenuating shields, shrouds, or portable barriers or enclosures to reduce operating noise.
  - Line or cover hoppers, conveyor transfer points, storage bins, and chutes with sound-deadening material (for example, apply wood or rubber liners to metal bin impact surfaces).
  - Avoid blasting and impact-type pile driving to the extent reasonable and feasible. Coordinate these highly intrusive construction activities with the local jurisdictions and provide advance notice to nearby residents and other sensitive receptors.
  - Use alternative procedures of construction, and select a combination of techniques that generate the least overall noise and vibration. Such alternative procedures could use electric welders powered by remote generators and mix concrete at nonsensitive offsite locations, instead of onsite.
  - Turn off idling equipment when not in use of periods longer than 30 minutes.
  - Where building foundation systems are needed, use drilling or alternate foundations systems instead of driven piles where reasonable and feasible.
  - Operate equipment so as to minimize banging, clattering, buzzing, and other annoying types of noises, especially near residential and other noise-sensitive areas during the evening and nighttime hours.
  - To the extent feasible, configure the construction site in a manner that keeps noisier equipment and activities as far as possible from noise-sensitive locations and nearby buildings.

- Consider the use of broadband or white noise backup alarms as allowed by Cal/OSHA during evening and nighttime hours.
- Maximize physical separation, as far as practicable, between noise generators and noise receptors. Separation includes providing enclosures for stationary items of equipment and noise barriers around particularly noisy areas at the project site, and locating stationary equipment to minimize noise and vibration impacts on the community.
- Minimize noise-intrusive impacts during most noise-sensitive hours. Plan noisier operations during times of highest ambient noise levels.

2.6.3 Facts in Support of Findings

Facts in support of the findings are described in Final Program EIR Chapter 13 (Noise) and Appendix F (Response to Comments).

2.7 Transportation and Traffic

2.7.1 Impacts

- **Impact 15-1:** Project construction activities and operations effects on transportation would not have substantive conflicts with programs, plans, ordinances, and policies of the affected jurisdictions; however, implementation of Mitigation Measure 15-1, Transportation Management Plan, would mean impacts would be less than significant.
- **Impact 15-4:** Construction of all project features has the potential to result in inadequate emergency access due to road and lane closures.

2.7.2 Findings

The JPA adopts Finding 1. The JPA adopts the following mitigation measures to reduce potentially significant impacts related to transportation and traffic to less-than-significant levels.

- **Mitigation Measure 15-1:** Transportation Management Plan: A TMP will be prepared to address construction impacts on transportation facilities. Pipeline construction will be planned and scheduled to minimize traffic impacts to the extent feasible, and the TMP will further reduce impacts by addressing the following:
  - Potential impacts from construction activities on vehicular, transit, pedestrian, and bicycle access
  - Potential impacts from construction activities on mobility, including:
    - Temporary lane and roadway, sidewalk, bicycle facility, and freeway ramp closures
    - Detours
    - Increases in traffic volumes, including:
      - Regular traffic and construction traffic
      - Construction equipment
      - Materials delivery vehicles
      - Waste and haul vehicles
      - Employee commutes
    - Construction parking
    - Emergency services (such as fire, police, ambulances)

Development of the TMP will be coordinated with the affected local jurisdictions and other potentially affected parties (such as school bus and transit operators and police, fire, and emergency services providers). The TMP will identify:

- Specific TMP strategies
- The parties responsible for implementing those strategies
- The agencies and parties the TMP strategies will be coordinated with
- Implementation timing

Specific activities in the TMP may include:

- Install traffic control devices, as specified in Caltrans' California Manual on Uniform Traffic Control Devices (Caltrans 2021), where needed to maintain safe driving conditions, including:
  - Use of signage to alert motorists and bicyclists of construction activities, potential hazards, and travel detours
  - Flaggers when appropriate
- Coordinate with the applicable jurisdictions, including local agencies and transit providers.
- Provide construction notification procedures for:
  - Police, public works, fire departments, and other public service providers
  - Cycling organizations, bike shops, schools, and homeowner associations
- Inform contractors and subcontractors of work hours, modes and locations of transportation, and parking for construction workers.
- Describe the procedures for construction area evacuation in case of an emergency declared by the city, county, or other local authorities.
- Identify emergency routes available and open for public emergency personnel.
- Designate areas where nighttime construction will occur, if needed.
- Provide information to the public for contact in case of emergency or complaint. Publicize and display contact information on signs in proximity to construction areas..

2.7.3 Facts in Support of Findings

Facts in support of the findings are described in Final Program EIR Chapter 15 (Transportation and Traffic) and Appendix F (Response to Comments).

2.8 Tribal Cultural Resources

2.8.1 Impacts

- **Impact 16-1:** Implementation of the Pure Water Project could cause a significant change to a tribal cultural resource.

2.8.2 Findings

The JPA adopts Finding 1. The JPA adopts the following mitigation measures to reduce potentially significant impacts related to tribal cultural resources to less-than-significant levels.

- **Mitigation Measure 6-1b:** Halt construction if archaeological resources are discovered.

  In the event archaeological resources are discovered, the construction contractor will be responsible for halting construction activities, notifying the JPA, and retaining a qualified archaeologist. The archaeologist will evaluate the uniqueness of the find, contact local Native American and historical organizations, and recommend a course of action. The construction contractor will receive training regarding the identification of cultural resources by a qualified archaeologist prior to the start of construction activities.

2.8.3 Facts in Support of Findings

Facts in support of the findings are described in Final Program EIR Chapter 16 (Tribal Cultural Resources) and Appendix F (Response to Comments).

3. Significant and Unavoidable Environmental Effects

The Final Program EIR identifies the following significant or potentially significant impacts as remaining significant and unavoidable because the impacts cannot be mitigated to a less-than-significant level. As stated in CEQA Guidelines Section 15091, the JPA finds that "specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives" identified in the Final Program EIR. The JPA further finds that the Pure Water Project has been designed in a manner that reduces impacts to the extent feasible, while achieving the specific economic, legal, social and technological benefits of the project. With regard to each significant effect that is not avoided or that is not substantially lessened, the JPA is adopting a Statement of Overriding Considerations in accordance with CEQA Guidelines Section 15093.

3.1 Biological Resources

3.1.1 Impacts

- **Impact 5-1 (Plants):** Implementation of the Pure Water Project would have a potentially significant impact, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species.

  Under Alternative 1, project grading and development would result in the loss of 11 subpopulations, containing approximately 500 individual *Ojai navarretia* plants that may serve as a seed bank for this species. In addition, the site contains 0.11 acre of sensitive natural communities (excluding oak trees, which are discussed under Impact 5-5). The Pure Water Project will implement Mitigation Measure 5-1, Prepare and Implement a Mitigation Plan for Special-status Plants and Plant Communities, but project impacts would remain significant and unavoidable.

  Under Alternative 2, an undetermined number of special-status plant subpopulations and native plant communities along the access road that would be removed during grading and road construction. The Pure Water Project will implement Mitigation Measure 5-1, Prepare and Implement a Mitigation Plan for Special-status Plants and Plant Communities. However, until the number and species of the special-status plants to be removed are determined, project impacts to these special-status plants and plant communities are potentially significant and unavoidable.

  Pipeline installation may result in the loss of special-status species plant species and natural communities and would remove an unknown number of individuals. The Pure Water Project will implement Mitigation Measure 5-1, Prepare and Implement a Mitigation Plan for Special-status Plants and Plant Communities. However, until the number and species of the special-status plants and plant communities to be removed are determined, project impacts would be potentially significant and unavoidable.

3.1.2 Findings

The JPA adopts Findings 1 and 3. The JPA adopts the following mitigation measures to reduce potentially significant impacts related to biological resources.

- **Mitigation Measure 5-1:** Prepare and implement a mitigation plan for special-status plants and plant communities.

  Special-status plants are likely to be encountered during construction in most natural areas, based on surveys conducted in 2022. Given the Pure Water Project construction timeline and potential for changed conditions, disturbance areas (depending on the selected alternative) should continue to be monitored for special-status plant subpopulations and sensitive natural communities. Prior to initiation of any construction activities that would affect special-status plants, a program will be developed that describes:

  - Appropriate avoidance and minimization measures
  - Plant salvage and seed collection procedures
  - Offsite propagation
  - Identification of mitigation areas
  - Site preparation and planting of mitigation areas
  - Success criteria
  - Monitoring and reporting processes

  The program will be developed and implemented in coordination with relevant state and federal agencies with responsibilities for special-status plant species protection. Specifically, the program will include the following:

  - Preconstruction surveys of the disturbance areas will be performed by a qualified botanist during the appropriate season for detection. Surveys will follow standard survey protocols for rare plants, primarily the Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants (USFWS 2000) and Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018).
    - If suitable relocation areas occur on or near the affected sites, surveys will also include these potential relocation areas to provide background data for determining transplant success.
  - The project will avoid impacts on rare, endangered, and threatened plants to the maximum extent possible. For impacts on CESA-listed or ESA-listed species, the JPA will consult with CDFW or the USFWS to obtain appropriate take authorization prior to any ground-disturbing activities and vegetation removal.
  - Special-status plants and plant communities that can be avoided will include protection measures to minimize the potential for accidental disturbance. Temporary construction fencing will be installed around protected zones adjacent to the disturbance areas. Fencing will be maintained during construction, and construction crews will be informed about the need to avoid these areas.
  - An avoidance and relocation plan will be developed and implemented to address special-status plants that cannot be avoided. The plan will be submitted to CDFW for review, and the JPA will resolve CDFW concerns and comments. No ground-disturbing activities or vegetation removal will occur until the plan is implemented. The plan will address and describe methods for:

- Topsoil salvage to preserve the seed bank
- Seed collection, storage, nursery propagation, and planting
- Salvage and planting of other plant propagules
- Location of relocation areas on- and offsite
- A land protection plan for relocation areas
- Methods for monitoring and reporting, including success criteria and adaptive management measures and contingency plans for achieving success; monitoring will occur for a minimum of 5 years

o For impacts on special-status species, the JPA will provide compensatory mitigation at an appropriate ratio to be determined based on site conditions and in consultation with CDFW and, if necessary, USFWS. Compensatory mitigation will be provided for the total number of plants and total acreage of habitat supporting those plants impacted.

o For impacts on natural community alliances or associations, the JPA will provide compensatory mitigation at an appropriate ratio to be determined based on site conditions and in consultation with CDFW. Mitigation will replace the natural community alliance or association that was affected. Areas that may be affected by permanent fuel modification will be included as part of the total acreage requiring compensation.

o If relocation is not possible or if there is a lack of success during the monitoring period, then purchase of mitigation credits or suitable offsite properties (including conservation easements) may be used to fulfill these obligations. The JPA will purchase credits prior to any ground-disturbing activities or vegetation removal.

3.1.3 Facts in Support of Findings

Facts in support of the findings are described in the Final Program EIR Chapter 5 (Biological Resources), Appendix F (Response to Comments), and these Findings, which includes the Statement of Overriding Considerations.

3.2 Recreation

3.2.1 Impacts

- **Impact 14-1:** Implementation of the Pure Water Project would have a potentially significant impact on recreation access and opportunities.

  Conveyance pipeline construction would follow the Westlake Vista Trail within Triunfo Creek Park, resulting in a substantial change to existing recreation use of the trail and its shared trailhead with the Pentachaeta Trail along Triunfo Canyon Road. Under Alternative 2, the impact would be larger because of the access road, additional pipelines, and electrical supply. During construction, disruption of the trailhead and closure of Westlake Vista Trail may occur over 4 to 6 months, assuming pipeline construction progress of 50 feet per day. Following the completion of construction activities, the trailhead would be repaired, and recreation access to the Pentachaeta Trail and Westlake Vista Trail would be restored. The disruption of recreation access for 4 to 6 months at the Triunfo Creek Park trailhead and the temporary closure of Westlake Vista Trail is a potentially significant impact. Even with Mitigation Measure 14-1 that would reduce the impact, there would be significant and unavoidable impacts.

  Pipeline construction would result in the loss of recreation access for 4 to 6 months in both the Triunfo Creek Park and Conejo Canyons areas is a potentially significant impact. Mitigation Measure 14-1 would reduce the impact, but not to a less than significant level.

3.2.2 Findings

The JPA adopts Findings 1 and 3. The JPA adopts the following mitigation measures to reduce potentially significant impacts related to recreation.

- **Mitigation Measure 14-1:** Prepare Trail Closure and Restoration Plan.

  The JPA will prepare trail closure and restoration plans for the Westlake Vista Trail and Conejo Canyon Open Space Trail in collaboration with MRCA, the City of Westlake Village, COSCA, and the City of Thousand Oaks. The plans will contain the following information:

  - Notification procedures so that trail users are aware of the closures. Notification will consist of posting information at trailheads, newspaper notices, website updates, and other similar measures. The notifications will describe the closure start dates and expected closure durations, and will redirect trail users to other trails in the area.
  - Provisions to maintain access to the Pentachaeta Trail as much as possible during construction, including the ability to park at the trailhead and safely access the trail while construction is occurring along the Westlake Vista Trail.
  - Restoration of the trailhead area, including replacing demolished or damaged fencing, trailhead signage, and wayfinding features.
  - Trench backfill and surface restoration plans appropriate for restoration use. Grades along the restored pipeline corridor will match the existing grades to the extent possible. The top layer of backfill material will consist of decomposed granite or similar material using best practices for trail construction.
  - If Alternative 2 Reservoir AWPF is selected as the preferred alternative, additional collaboration with MRCA will be required to determine whether use of the access road for recreation is feasible.

  Because of the duration of the closure and the changed character of the trail surface following restoration, and because of the permanent changes under Alternative 2 Reservoir AWPF, the impact cannot be reduced to a less than significant level. The impact would remain significant and unavoidable.

3.2.3 Facts in Support of Findings

Facts in support of the findings are described in the Final Program EIR Chapter 14 (Recreation), Appendix F (Response to Comments), and these Findings, which includes the Statement of Overriding Considerations.

4. Findings Regarding Project Alternatives

4.1 Introduction

The Final Program EIR analyzed the following alternatives that meet the project objectives, in addition to a No Project: two AWPF alternatives (Agoura Road and Las Virgenes Reservoir), Tapia WRF Upgrade Project, and the Encino Reservoir Project. In addition, the Final Program EIR analyzed alternative conveyance routes in addition to the options considered in the evaluation. Descriptions of the alternatives are included in final Program EIR Chapter 19 (Alternatives). These alternatives were determined to be an adequate range of reasonable alternatives as required under CEQA Guidelines Section 15126.6. The environmental impacts of each of these alternatives are identified and compared on Table 19-2 of the Final Program EIR and the environmentally superior alternative is identified in Section 19.6 of the Final Program EIR.

4.2 Alternatives Analysis

The JPA finds that the range of alternatives studied in the final Program EIR along with recognition of the project objectives reflects a reasonable attempt to identify and evaluate various alternatives that would

potentially be capable of reducing the project's environmental impacts, while accomplishing most of the project objectives. The JPA is required to determine whether any alternative identified in the Final EIR is environmentally superior. The following summarizes the project alternatives analyzed in the Final EIR.

4.2.1 No Project Alternative

Under the No Project alternative, no new facilities would be constructed; therefore, the adverse effects of the Pure Water Project facilities, including construction impacts, would be avoided. However, none of the project objectives would be met. The No Project alternative does not include any features needed to comply with the Malibu Creek water quality requirements for nitrogen and phosphorus removal and may still require some discharges into the creek when otherwise prohibited by the discharge permit. For this reason, the No Project alternative is not feasible.

4.2.2 Project Alternatives

Both the Tapia WRF Upgrade Project and the Encino Reservoir Project would avoid some of the environmental impacts of the Pure Water Project, including impacts to sensitive plants and some recreation uses. The Tapia WRF Upgrade Project would have new impacts to sensitive plants and recreation uses from new site development outside of the current WRF boundary, thereby transferring the impacts to a new site rather than avoiding them altogether. In addition, the Tapia WRF Upgrade Project would not meet the objective of increasing water supply reliability and would only partially meet the objective of balancing recycled water system demands.

Similarly, the Encino Reservoir Project would avoid some of the environmental impacts of the Pure Water Project but would result in new impacts elsewhere. This is primarily from new pipeline construction but may also include substantial construction activities (including access through residential areas) for seismic upgrades and other improvements to the reservoir. In addition, the Encino Reservoir Project would not meet the objective of increasing water supply reliability.

4.2.3 Environmentally Superior Alternative

CEQA requires that an environmentally superior alternative to the proposed project be specified, if one is identified. In general, the environmentally superior alternative is supposed to minimize adverse impacts to the environment while achieving most of the basic objectives of the project.

Only Alternative 1 Agoura Road AWPF and Alternative 2 Reservoir AWPF would meet all Pure Water Project objectives. In addition, other alternatives could result in the same or greater impacts. As described in the final Program EIR, the two AWPF alternatives would have similar impacts in type, scale, and location; but the overall scale of the anticipated environmental impacts under Alternative 2 Reservoir AWPF would be greater. Therefore, Alternative 1 Agoura Road AWPF is the environmentally superior alternative.

5. Statement of Overriding Considerations

CEQA requires the JPA Board of Directors as the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of the project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of the project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable. (CEQA Guidelines, § 15093(a).) CEQA requires the JPA to support, in writing, the specific reasons for considering the project acceptable when significant effects are not avoided or substantially lessened, based on substantial evidence in the Final Program EIR or administrative record. (CEQA Guidelines, § 15093(b).)

The JPA finds that the mitigation measures identified in the Final Program EIR and the Mitigation Monitoring and Reporting Program, when implemented, avoid or substantially lessen virtually all of the significant effects identified in the Final Program EIR. However, certain significant impacts remain unavoidable. Despite the ultimate occurrence of these expected effects, the JPA, in accordance with Public Resources Code Section 21081(b) and CEQA Guidelines Section 15093, has balanced the benefits of the project against the following unavoidable adverse impacts associated with the project and has adopted all feasible mitigation measures. The JPA has also (i) independently reviewed the information in the Final

Program EIR and the record of proceedings; (ii) made a good faith effort to eliminate or substantially lessen the impacts resulting from the project to the extent feasible by adopting the mitigation measures as identified in the Final Program EIR; and (iii) balanced the project's benefits against its significant unavoidable impacts. The JPA has also examined alternatives to the project and has determined that adoption and implementation of the project is the most desirable, feasible, and appropriate action. The JPA has chosen to approve the Final Program EIR because in its judgment, it finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh its significant effects on the environment. Substantial evidence supports the various benefits and can be found at a minimum in the preceding CEQA findings, which are incorporated by reference into this Statement, the Final Program EIR, and the documents which make up the record of proceedings.

5.1 Significant and Unavoidable Impacts

Based on the information and analysis set forth in the Final Program EIR and the record of proceedings, construction of the project would result in the following significant unavoidable impacts even with the implementation of all feasible mitigation measures:

- Impact 5-1. Special-Status Species (Plants)
- Impact 14-1. Recreation Access and Opportunities

5.2 Overriding Considerations

The following benefits and considerations, taken together or individually, outweigh such significant and unavoidable adverse environmental impacts, and the JPA determines that the evidence in the record constitutes substantial evidence to support this determination, that the facts stated in this document and in the CEQA Findings are supported by substantial evidence in the record, including testimony received at the public hearings, in staff presentations, staff reports, and all materials in the project files. Each of these benefits and considerations is a separate and independent basis that justifies approval of the project, so that if a court were to set aside the determination that any particular benefit or consideration will occur and justifies project approval, the JPA determines that it would stand by its determination that the remaining benefits or considerations are sufficient to warrant project approval.

- The project will provide a new use for treated effluent that is currently discharged to Malibu Creek, which is necessary for the JPA to meet the more stringent regulatory requirements of NPDES Permit No. CA0056014 and Order R4-2017-0124.
- The project will help the JPA balance the seasonal variation of recycled water demand by increasing annual reuse.
- The project will provide a valuable, drought-resistant resource to supplement the region's water supplies, therefore reducing dependence on State Water Project supplies delivered by the Metropolitan Water District of Southern California.
- The project helps achieve regional objectives for local water supply reliability, including the objectives identified by the Metropolitan Water District of Southern California.
- The project helps achieve State of California objectives for recycled water as a critical water supply for California and an important resource for diversifying local supplies and improving the State's long-term water resilience.

These considerations identify why, in the JPA's judgement, the Pure Water Project and its benefits to the community outweigh its unavoidable significant environmental impacts. The substantial evidence supporting these various considerations is found in the Final Program EIR and the contents of the records of proceedings for the project.

Jacobs

Mitigation Monitoring and Reporting Program

Pure Water Project - Las Virgenes-Triunfo

Exhibit B

Prepared for
Las Virgenes-Triunfo Joint Powers Authority

November 2022

Contents

Tables

Acronyms and Abbreviations

CEQA	California Environmental Quality Act
Project	Pure Water Project – Las Virgenes-Triunfo
JPA	Las Virgenes-Triunfo Joint Powers Authority
MMRP	Mitigation Monitoring and Reporting Program
PEIR	Programmatic Environmental Impact Report

1. Introduction

The Las Virgenes-Triunfo Joint Powers Authority (JPA) published a Programmatic Environmental Impact Report (PEIR) (JPA 2022) for the Pure Water Project – Las Virgenes-Triunfo (project) in accordance with the requirements of the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq. The PEIR evaluates the potentially significant environmental impacts that may result from implementing the project and concludes that implementation of the project could result in significant environmental impacts. Impacts related to loss of special-status plants and native plant habitat and recreation access and opportunities would be significant and unavoidable. All other impacts potentially resulting from construction and operation of the project would be mitigated to a less than significant level through feasible mitigation measures identified in the PEIR.

Public Resources Code Section 21081.1 requires a lead agency to adopt a mitigation monitoring and reporting program (MMRP) when it approves a project for which measures to mitigate or avoid significant effects on the environment are required. The purpose of the MMRP is to ensure compliance with the mitigation measures during project implementation. JPA has developed a series of mitigation measures to minimize potential environmental impacts during project construction, which are incorporated into this MMRP and are summarized in Table 1.

This MMRP will be used by JPA to ensure that all mitigation measures adopted as a condition for project approval are implemented. This MMRP meets the requirements of Section 15074(d) of the CEQA Guidelines, which mandates the preparation of monitoring provisions for the implementation of mitigation assigned as part of project approval or adoption.

2. Mitigation Implementation and Monitoring

JPA is responsible for implementing and monitoring mitigation measures to mitigate impacts associated with the project. However, others have been assigned the responsibility of actually implementing certain measures. JPA will designate certain personnel who will be responsible for monitoring the implementation of the mitigation measures. The designated personnel will submit required documentation and reports to JPA in a timely manner to demonstrate compliance with mitigation requirements. JPA will ensure that the designated personnel have authority to require implementation of mitigation measures and to terminate activities, such as project construction, that are inconsistent with mitigation objectives or project approval conditions.

JPA will be responsible for ensuring that construction personnel understand their responsibilities regarding the performance requirements of the mitigation plan, as well as other contractual requirements related to implementation of the mitigation measures during project construction. JPA will also be responsible for demonstrating compliance with other agency permit conditions to the appropriate regulatory agency.

In the following pages, Table 1 provides this information:

- **Mitigation Measure Number:** Mitigation measures are listed by number as designated in the PEIR, by resource category.
- **Mitigation Measure:** The text of each mitigation measure is provided as adopted by JPA and incorporated into the project.
- **Implemented By:** JPA is responsible for making sure that all mitigation measures identified in the PEIR are fully enforceable by adopting and incorporating them into the project. During project implementation, JPA may assign others the responsibility of actually implementing the measure.
- **When Implemented:** All mitigation measures identified in the PEIR have been adopted and incorporated into the project. JPA will ensure that the timing and duration of implementation of

the mitigation measures occur in accordance with the appropriate activity or permit requirement, as necessary.

- **Monitoring or Reporting Action:** If a mitigation measure requires monitoring or reporting actions, often as the result of a permit condition, JPA will ensure those actions are performed in accordance with the mitigation or permit.

3. References

Las Virgenes-Triunfo Joint Powers Authority. 2023. *Final Programmatic Environmental Impact Report, Pure Water Project – Las Virgenes-Triunfo*. Prepared by Jacobs Engineering Group Inc..

Table 1. Mitigation Monitoring and Reporting Plan

Pure Water Project – Las Virgenes-Triunfo

Mitigation Measure Number	Mitigation Measure	Implemented By	When Implemented	Monitoring or Reporting Action (if applicable)
Chapter 3. Aesthetics				
3-1	**Design lighting to minimize impacts on adjacent areas.** **Construction Lighting.** Prior to site mobilization, the construction manager will confirm that construction lighting is used in a manner that minimizes potential night lighting impacts, as follows: • All lighting will be of minimum necessary brightness consistent with worker safety. • All fixed-position lighting will be shielded, hooded, and directed downward to minimize backscatter to the night sky and prevent light trespass (direct lighting extending outside the boundaries of the construction area). • Where feasible and safe, lighting will be turned off when not in use, and motion detectors will be used. • A lighting complaint resolution form will be maintained by construction management to record all lighting complaints received and to document resolutions. • All construction-related lighting will be completely shielded or screened so it is not visible to adjacent residents with direct views of the construction site. • Maintain all construction-related lighting to be shielded or screened to minimize any inadvertent lighting spillover onto the open-space area south of the construction site. **Project Operation Lighting.** New permanent lighting will be designed and installed such that light bulbs are not visible from public viewing areas and illumination of the night sky is minimized. To meet these requirements, the JPA will: • Design lighting so exterior light fixtures are hooded, with lights directed downward or toward the area to be illuminated and so that backscatter to the nighttime sky is minimized. Lighting will be designed such that the luminescence or light source is shielded to prevent light trespass outside the facility boundary. • All lighting will be of minimum necessary brightness consistent with worker safety. • Where feasible and safe, lighting will be turned off when not in use. • A lighting complaint resolution form will be used by AWPF staff to record all lighting complaints received and document resolutions.	Construction Manager and JPA.	During design During construction.	None

Mitigation Measure Number	Mitigation Measure	Implemented By	When Implemented	Monitoring or Reporting Action (if applicable)
	• Maintain all lighting to be shielded or screened to minimize any inadvertent lighting spillover onto the open-space area south of the AWPF site.			
Chapter 5. Biological Resources				
5-1	**Prepare and implement a mitigation plan for special-status plants and plant communities.** Special-status plants are likely to be encountered during construction in most natural areas, based on surveys conducted in 2022. Given the Pure Water Project construction timeline and potential for changed conditions, disturbance areas (depending on the selected alternative) should continue to be monitored for special-status plant subpopulations and sensitive natural communities. Prior to initiation of any construction activities that would affect special-status plants, a program will be developed that describes: • Appropriate avoidance and minimization measures • Plant salvage and seed collection procedures • Offsite propagation • Identification of mitigation areas • Site preparation and planting of mitigation areas • Success criteria • Monitoring and reporting processes The program will be developed and implemented in coordination with relevant state and federal agencies with responsibilities for special-status plant species protection. Specifically, the program will include the following: • Preconstruction surveys of the disturbance areas will be performed by a qualified botanist during the appropriate season for detection. Surveys will follow standard survey protocols for rare plants, primarily the Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants (USFWS 2000) and Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018). o If suitable relocation areas occur on or near the affected sites, surveys will also include these potential relocation areas to provide background data for determining transplant success. • The project will avoid impacts on rare, endangered, and threatened plants to the maximum extent possible. For impacts on CESA-listed or ESA-listed species, the JPA will consult with CDFW or the USFWS to obtain appropriate take authorization prior to any ground-disturbing activities and vegetation removal.	JPA.	Pre-construction phase, ideally Design/Permitting Phase.	Availability of mitigation plan prior to construction and on construction site

Mitigation Measure Number	Mitigation Measure	Implemented By	When Implemented	Monitoring or Reporting Action (if applicable)
	• Special-status plants and plant communities that can be avoided will include protection measures to minimize the potential for accidental disturbance. Temporary construction fencing will be installed around protected zones adjacent to the disturbance areas. Fencing will be maintained during construction, and construction crews will be informed about the need to avoid these areas. • An avoidance and relocation plan will be developed and implemented to address special-status plants that cannot be avoided. The plan will be submitted to CDFW for review, and the JPA will resolve CDFW concerns and comments. No ground-disturbing activities or vegetation removal will occur until the plan is implemented. The plan will address and describe methods for: o Topsoil salvage to preserve the seed bank o Seed collection, storage, nursery propagation, and planting o Salvage and planting of other plant propagules o Location of relocation areas on- and offsite o A land protection plan for relocation areas o Methods for monitoring and reporting, including success criteria and adaptive management measures and contingency plans for achieving success; monitoring will occur for a minimum of 5 years • For impacts on special-status species, the JPA will provide compensatory mitigation at an appropriate ratio to be determined based on site conditions and in consultation with CDFW and, if necessary, USFWS. Compensatory mitigation will be provided for the total number of plants and total acreage of habitat supporting those plants impacted. • For impacts on natural community alliances or associations, the JPA will provide compensatory mitigation at an appropriate ratio to be determined based on site conditions and in consultation with CDFW. Mitigation will replace the natural community alliance or association that was affected. Areas that may be affected by permanent fuel modification will be included as part of the total acreage requiring compensation. • If relocation is not possible or if there is a lack of success during the monitoring period, then purchase of mitigation credits or suitable offsite properties (including conservation easements) may be used to fulfill these obligations. The JPA will purchase credits prior to any ground-disturbing activities or vegetation removal.			

Mitigation Measure Number	Mitigation Measure	Implemented By	When Implemented	Monitoring or Reporting Action (if applicable)
5-2	**Perform preconstruction surveys and construction monitoring for special-status wildlife species.** The JPA will retain qualified biologists with appropriate handling permits or will obtain appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with project construction and activities. A qualified biologist will prepare a Worker Environmental Awareness Training. The biologist will communicate to workers that, upon encounter with a special-status species, work must stop, the biologist must be notified, and work may only resume once a qualified biologist has determined it is safe to do so. A qualified biologist will prepare a Wildlife Relocation and Avoidance Plan. The plan will describe the special-status species that could occur within the project site and proper avoidance, handling, and relocation protocols. The plan will include species-specific avoidance buffers and suitable relocation areas at least 200 feet outside of the project site. The biologist will submit a copy of the Wildlife Relocation and Avoidance Plan to CDFW for approval prior to any clearing, grading, or excavation work on the project site. To avoid direct injury and mortality of special-status wildlife, a qualified biologist will be onsite to move out of harm's way wildlife of low mobility that would be injured or killed. Wildlife will be protected, allowed to move away on its own (non-invasive, passive relocation), or relocated to suitable habitat adjacent to the project site. In areas where a special-status species is found, work may only occur in these areas after a qualified biologist has determined it is safe to do so. Even so, a qualified biologist will advise workers to proceed with caution. A qualified biologist will be onsite daily during initial ground and habitat-disturbing activities as well as vegetation removal. Then, the biologist will be onsite weekly or every other week for the remainder of the activity until the cessation of all ground- and habitat-disturbing activities, as well as vegetation removal, so that no wildlife is harmed. If any special-status wildlife is harmed during relocation or a dead or injured animal is found, work in the immediate vicinity will stop immediately, the qualified biologist notified, and the dead or injured animal documented immediately. A formal report will be sent to the appropriate agency within 3 days of the incident or finding. The report will include the date, time of the finding or incident (if known), location of the carcass or injured animal, and circumstances of its death or injury (if known). Work in the immediate vicinity may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death. A qualified biologist will conduct species-specific and season-appropriate surveys for the following species where suitable habitat occurs in the project site. Positive detections of	Program Biologist	Pre-construction During construction	Report to regulatory agencies, as needed

Mitigation Measure Number	Mitigation Measure	Implemented By	When Implemented	Monitoring or Reporting Action (if applicable)
	special-status species and suitable habitat at the detection location will be mapped. If species are detected, the biologist will use visible flagging to mark the detection location. • Least Bell's Vireo: Perform protocol surveys within the Conejo Canyons Open Space and where there is habitat for least Bell's vireo in the project area. Surveys will adhere to the USFWS Least Bell's Vireo Survey Guidelines (USFWS 2001). A final survey report (including negative findings) will be provided to USFWS and CDFW within 45 days following completion of the survey effort. A final survey report will be submitted to USFWS and CDFW prior to any project-related ground-disturbing activities and vegetation removal. If least Bell's vireo is present in the project area, the JPA will fully avoid impacts. A final Least Bell's Vireo Avoidance Plan will be developed prior to implementing project-related ground-disturbing activities and vegetation removal. To fully avoid impacts to least Bell's vireo, no ground-disturbing activities, including staging, or disturbances to native and non-native vegetation, will occur during the least Bell's vireo breeding season from March 15 through September 15 to avoid take of least Bell's vireo birds, nestlings, or eggs. If construction activities occur within this time, nesting bird surveys will be conducted. Active least Bell's vireo nests will be avoided with a 500-foot buffer delineated by high-visibility flagging. Construction activities will not continue within the buffer until the young have fledged or the nest is no longer active. If impacts to least Bell's vireo cannot be avoided, the JPA will consult with the USFWS and CDFW to obtain take authorization. Appropriate take authorization will be obtained prior to any ground-disturbing activities and vegetation removal. • Coastal California Gnatcatcher: Protocol presence or absence surveys for coastal California gnatcatcher will be performed by a qualified biologist with a USFWS Section 10(a)(1)(A) permit. If coastal California gnatcatcher are present, the Pure Water Project and its contractors will avoid impacting occupied habitat by maintaining a 500-foot buffer. In addition, no construction activities will occur within 500 feet of an active nest. Buffers will be maintained until young have fledged (left the nest on their own), as determined by the biologist, or the nest is no longer active. Buffers will be delineated by high-visibility fencing. If these avoidance techniques are not feasible, USFWS and CDFW will be contacted regarding alternative avoidance measures for the species. If coastal California gnatcatcher is present, the JPA will consult with the USFWS to determine whether the project would result in take. Consultation with the USFWS to			

Mitigation Measure Number	Mitigation Measure	Implemented By	When Implemented	Monitoring or Reporting Action (if applicable)
	comply with the ESA is advised well in advance of any ground-disturbing activities or vegetation removal that may impact the gnatcatcher. If a take permit from the USFWS is needed, the JPA will comply with the mitigation measures detailed in the permit. If the project would result in permanent loss of gnatcatcher habitat, the JPA will provide replacement habitat at no less than 2:1 for the total acreage of affected habitat. Assurances for long-term protection of replacement habitat will be provided by the JPA prior to any ground-disturbing activities or vegetation removal that may impact gnatcatcher. • California Legless Lizard and Coastal Whiptail: Surveys will be scheduled during the summer months (June and July) when these animals are most likely to be encountered. Surveys will be conducted with parallel transects at approximately 20 feet apart and walked onsite in appropriate habitat for each species. Suitable habitat consists of areas of sandy, loose, and moist soils, typically under sparse vegetation of scrub, chapparal, and within the duff of oak woodlands. • Western Pond Turtle: Surveys will be conducted during the time of greatest pond turtle activity, typically during the breeding season (May through July) and when pond turtles have not left the water to aestivate or overwinter in the uplands. Surveys and potential habitats will follow the USGS Western Pond Turtle (Emys marmorata) Visual Survey Protocol for the Southcoast Ecoregion (USGS 2006). • Nesting Birds: Preconstruction nesting bird surveys will be performed by a qualified biologist within 500 feet of the construction area no more than 7 days prior to construction when work activities in that area begin (or resume after 2 or more weeks of inactivity) between February 1 and August 31. If the construction area and within 500 feet of the construction area has nesting habitat for raptors, surveys for nesting raptors will begin January 1 to avoid take of birds, raptors, or their eggs. Should an active nest be observed, a qualified biologist will implement a minimum buffer of 300 feet around the migratory bird species nests and 500 feet around active raptor nests. The qualified biologist will notify CDFW of buffers established around any active nests of protected species. Buffers will be maintained until young have fledged (left the nest on their own), as determined by a qualified biologist, or the nest is no longer active. The biologist will monitor active nests daily when construction is occurring and assess the effect on the nesting birds. If the biologist determines that particular activities pose a high risk of disturbing an active nest, the biologist will increase the			

Mitigation Measure Number	Mitigation Measure	Implemented By	When Implemented	Monitoring or Reporting Action (if applicable)
	minimum buffer and recommend additional, feasible measures to minimize the risk of nest disturbance. If work cannot proceed without disturbing the nesting birds, or signs of disturbance are observed by a monitor, work will be stopped or redirected to other areas until the nesting and fledging is completed or the nest has otherwise become inactive. • Bats: Prior to construction, a qualified biologist will complete a habitat assessment for special-status bats to identify potential maternity roost sites or substantial day roost sites. If special-status bat roost sites are identified, then a qualified biologist will complete acoustical monitoring surveys and visual surveys at dusk to identify roost locations and types, the species composition, and number of occupants. If a maternity roost is present, the biologist will determine the extent of the construction buffer around the active roost. The buffer will be maintained from April 1 until the young are flying, typically after August 31. If a roost is present in a bridge or tree in or adjacent to the construction area, the biologist will determine the likelihood of disturbance. The impact of roost eviction rather than roost protection will be evaluated, and roost eviction will occur only when necessary. Any necessary roost eviction will occur at night, between September 1 and March 31 outside the maternity season unless the roost is determined to be a non-maternity roost occupied only by males. • Arroyo Chub and Western Pond Turtle: The JPA will fully avoid all impacts to arroyo chub and western pond turtle along Arroyo Conejo. No work will occur on the stream banks adjacent to Arroyo Conejo during the winter rainy season, typically between December 1 and March 31. Additionally, no work will occur during the combined rainy season and breeding season for arroyo chub (February 1 through August 31) and western pond turtle (March 1 through July 15). For work occurring near Arroyo Conejo, the JPA will monitor construction noise to confirm noise does not affect wildlife in the adjacent river habitat. Construction equipment will use noise-reduction features (such as mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer. Stationary noise sources, such as generators and pumps, at staging areas within 1,400 feet of sensitive receptors should be shielded at the source by an enclosure, temporary sound walls, or acoustic blankets. Where feasible, sound walls or acoustic blankets should have a height of no less than 8 feet, a Sound Transmission Class of 27 or greater, and a surface with a solid face from top to bottom without any openings or cutouts. Unnecessary construction vehicle use and idling time should be minimized to the extent feasible, such that if a vehicle is not required for use immediately or continuously for safe construction activities, the engine should be shut off.			

Mitigation Measure Number	Mitigation Measure	Implemented By	When Implemented	Monitoring or Reporting Action (if applicable)
5-3	**Avoid and minimize impacts to jurisdictional waters, including wetlands.** The Pure Water Project may affect some watercourses identified in undeveloped areas, with an unavoidable wetland impact along Agoura Road (Alternative 1 Agoura Road AWPF only) and at the Las Virgenes Reservoir site (Alternative 2 Reservoir AWPF only). For all impacts to jurisdictional waters, including wetlands, that cannot be avoided, permits must be obtained from the appropriate state and federal agencies. The JPA will notify the appropriate agencies – expected to be the USACE, Regional Board, and CDFW – prior to any ground-disturbing activities and vegetation removal, including staging, near streams. Notifications will be consistent with the permit application submittal requirements in effect at the time of submittal. For these impacts, the Pure Water Project will evaluate all construction footprints in undeveloped areas to avoid and minimize impacts to jurisdictional waters. Avoidance and minimization measures may include: • Maintain a construction buffer from the jurisdictional limits by installing construction fencing to prevent encroachment. If possible, the fencing will be installed at least 10 feet from the jurisdictional limits. • Locate construction staging, including equipment and materials storage, away from the jurisdictional limits, preferably at least 50 feet away. • Implement erosion control measures as prescribed by a Stormwater Pollution Prevention Plan (SWPPP) or Erosion Control Plan. Chapter 8, Geology and Soils (including Mitigation Measure 8-2) and Chapter 11, Hydrology and Water Quality, provide further discussion. For impacts to wetlands that cannot be avoided, compensatory mitigation will be provided. The JPA will provide compensatory mitigation by purchasing credits at an approved mitigation bank within the region or by paying in-lieu fees. Credits or in-lieu fees will be provided at an appropriate ratio subject to the specific requirements of each agency at no less than 1:1.	JPA	Design/Permitting Phase	As required by applicable permits
5-4	**Prepare and implement a mitigation plan for oak trees and oak tree natural communities.** The Pure Water Project is expected to result in impacts to oak trees and oak tree natural communities, including potential tree removal, in several areas based on a tree survey conducted in 2022. In preparation for construction, a program will be developed that describes: • Appropriate avoidance and minimization measures • Identification of oak tree mitigation areas • Success criteria	Program Biologist	Pre-construction	Availability of mitigation plan prior to construction and on construction site

Mitigation Measure Number	Mitigation Measure	Implemented By	When Implemented	Monitoring or Reporting Action (if applicable)
	• Monitoring and reporting processes The program will be developed and implemented in coordination with CDFW and affected local agencies with responsibility for oak tree protection. Specifically, the program will include the following: • Additional surveys by a qualified arborist of all oak trees and oak tree communities to be affected by construction-related disturbance, including both tree removal and encroachment within 5 feet of the driplines of oak trees that will be preserved. In addition to the physical characteristics already recorded, the surveys will include a horticultural evaluation, including physical evidence of disease, identification of pests, and an evaluation of the trees' vigor. • Oak trees that can be avoided will include protection measures to minimize the potential for accidental disturbance. Temporary construction fencing will be installed around the protected zones of all oak trees to be preserved adjacent to the disturbance areas. Fencing will be maintained during construction, and construction crews informed about the need to avoid these areas. • All trees identified for removal will be inspected for contagious tree diseases, such as thousand canker fungus (*Geosmithia morbida*), polyphagous shot-hole borer (*Euwallacea* spp.), and goldspotted oak borer (*Agrilus auroguttatus*). To avoid the spread of infectious tree diseases, diseased trees will not be transported from the site without first being treated using best available management practices relevant to each tree disease observed. • The project will include an oak tree planting plan that includes information on the location of mitigation plantings. Preference is for onsite mitigation within or adjacent to the disturbed areas and areas subject to permanent fuel modification, including as part of site landscaping plans. In addition to oak tree planting, the planting plan will include provisions to maintain the restoration areas in a manner suitable as a natural community. The planting plan will include: o Restoration of functioning and self-sustaining woodlands of similar composition, structure, and function as the affected woodlands. o Restoration of structurally diverse understory vegetation species (grasses, forbs, shrub, subshrub, and vine) occurring in the affected woodlands; acorns and seedlings will originate from plants and trees of the same species as the affected species			

Mitigation Measure Number	Mitigation Measure	Implemented By	When Implemented	Monitoring or Reporting Action (if applicable)
	○ Standards for new plantings, such as hole size and depth, soil amendments, irrigation, and protection (for example, tree fences or cages) ○ Planting schedule ○ Measures to control exotic vegetation and protection from herbivory ○ A requirement that four trees will be planted for every oak tree removed that is wider than 4 inches in diameter ○ Measurable goals and success criteria for establishment of self-sustaining populations based on site and habitat conditions prior to impact and using functional local native oak shrublands and woodlands as reference sites, adaptive management techniques, and contingency measures if success criteria are not met ○ Annual monitoring criteria and requirements for a minimum of 5 years • If mitigation cannot be achieved through oak tree planting or if there is a lack of success during the monitoring period, then payment of in lieu fees to a local agency or conservation organization or purchase of suitable offsite properties (including conservation easements) may be used to fulfill these obligations.			
Chapter 6. Cultural and Paleontological Resources				
6-1a	**Perform archaeological survey prior to construction in high and medium archaeological sensitivity zones.** Prior to construction, the JPA will determine whether the project is located within a high or medium archaeological sensitivity zone. If the project site is determined to be in a high or medium archaeological sensitivity zone, a qualified archaeologist will perform an archaeological investigation at the site if it has not been surveyed. Subsurface testing, including hand-augured borings and excavated test pits, may be recommended by the archaeologist. The archaeologist will analyze gathered data in relation to the detailed project construction plans. The findings of the investigation will be submitted for JPA review and approval. This report will include an evaluation of the "uniqueness" of all finds, anticipated project-related impacts, and recommendations for mitigating impacts.	Program Archaeologist	Pre-construction	Submit findings of the investigation to the JPA for review.
6-1b	**Halt construction if archaeological resources are discovered.** In the event archaeological resources are discovered, the construction contractor will be responsible for halting construction activities, notifying the JPA, and retaining a qualified archaeologist. The archaeologist will evaluate the uniqueness of the find, contact local Native American and historical organizations, and recommend a course of action. The construction contractor will	Construction Contractor	Construction phase	Contact local Native American and historical organizations.

Mitigation Measure Number	Mitigation Measure	Implemented By	When Implemented	Monitoring or Reporting Action (if applicable)
	receive training regarding the identification of cultural resources by a qualified archaeologist prior to the start of construction activities.			
6-3a	**Prepare a PRMMP.** Prior to construction, a PRMMP will be developed to reduce potential impacts to paleontological resources. The PRMMP will be prepared by a professional paleontologist and will meet SVP criteria (2010). The PRMMP will: • Identify construction impact areas where significant paleontological resources may be encountered and the depths at which those resources are likely to be discovered • Stipulate the location and frequency of monitoring and other appropriate procedures • Describe the significance criteria to be used to determine which resources will be recovered for their data potential, as well as the coordination strategy to conduct adequate monitoring • Describe methods of recovery • Provide procedures for postexcavation preparation and analysis of specimens • Document the final curation of specimens at an accredited facility • Describe data analysis methods • Describe reporting requirements The PRMMP will specify that all paleontological work will be conducted by qualified professionals meeting the SVP criteria (2010) so that encountered resources will be quickly and professionally recovered while not impeding project construction. At the end of the monitoring effort, a Paleontological Monitoring Report will be prepared by the professional paleontologist to document the results of monitoring.	Program Paleontologist	Pre-construction	Prepare the PRMMP prior to the start of construction and prepare the Paleontological Monitoring Report following construction.
6-3b	**Halt construction if paleontological resources are discovered.** Should any paleontological resources (for example, fossils) be encountered during construction activities when a paleontological monitor is not present, work will be halted immediately within 50 feet of the discovery. The project paleontologist will determine the significance of the discovery, evaluate the uniqueness of the find, and prepare a written report documenting the find and recommending further courses of action. Depending on the significance of the discovery, the actions may include avoidance, excavation, documentation, recovery, or other measures determined by the paleontologist. Because proper excavation and removal of paleontological resources do not lessen the scientific value of the resources, recovery is the recommended method of reducing impacts to scientifically important paleontological resources resulting from project-related excavations and would reduce impacts to less than significant.	Program Paleontologist	Construction	If a discovery is made, prepare a written report documenting the find and recommending further actions, if necessary.

Mitigation Measure Number	Mitigation Measure	Implemented By	When Implemented	Monitoring or Reporting Action (if applicable)
6-3c	**Prepare a Paleontological Resources WEAT Program.** Because ground disturbance is associated with some risk of encountering previously undiscovered paleontological resources, prior to the initiation of construction or ground-disturbing activities, a WEAT module for paleontological resources will be prepared by a qualified professional paleontologist, as defined by the SVP (2010). Construction personnel will be trained via the WEAT module regarding the following activities: • Recognition of possible buried paleontological resources • Protection of paleontological resources during construction • Coordination between construction staff and paleontological staff • Construction and paleontological staff roles and responsibilities in implementing the PRMMP • Procedures to be followed if paleontological resources are encountered Personnel will be instructed that unauthorized collection or disturbance of fossils is unlawful. Training materials and formats may include in-person training, prerecorded videos, posters, and informational brochures. Upon completion of WEAT training, the contractor would require workers to sign a form stating that they attended the training and understand and will comply with the information presented.	Program Paleontologist and Contractor	Prior to initiation of construction or ground-disturbing activities	Prepare a WEAT module, train construction personnel, and collect completion forms from workers.
Chapter 8. Geology and Soils				
8-1	**Review regulation requirements, perform site-specific geotechnical and engineering studies, and implement recommendations.** The project and its design engineers will perform site-specific geotechnical and engineering studies as required by local policies to meet the goals and objectives listed in Tables 8-1 through 8-4. The review will verify compliance with federal, state, and local regulations related to reducing earthquake and soils hazards. Approval will be granted for projects in areas of potential geologic hazards only where it can be demonstrated that the project will not be endangered by, or contribute to, the hazardous condition on the site or on adjacent properties. The studies will include identification of site-specific geotechnical and engineering measures. Typical geotechnical or engineering report measures to reduce impacts related to liquefaction, settlement, or other ground failure could include earthwork and foundation remediation, which will comply with applicable provisions of the CBC.	Project Engineers	During design	None
8-2	**Comply with regulations and policies for erosion control.** Prior to start of construction, the project's technical engineering team will review local policies (Tables 8-1 through 8-4) and work with construction contractors to develop and implement a project-specific SWPPP for	Project Engineers and Contractor	Pre-construction, construction, and post-construction	None

Mitigation Measure Number	Mitigation Measure	Implemented By	When Implemented	Monitoring or Reporting Action (if applicable)
	construction projects with a land disturbance area equal to or greater than 1 acre. For projects with disturbance area less than 1 acre, a site-specific Erosion and Sediment Control Plan will be prepared. For projects with any land disturbance, construction will comply with local site development codes and incorporate an effective combination of erosion and sediment control measures identified in the California Stormwater Quality Association (CASQA) Stormwater Best Management Practice Handbook (CASQA 2003). Construction erosion and sediment control BMPs typically include the following measures: • Scheduling site grading during the dry season (April 15 to October 15), when possible • Segregating topsoil during rough grading • Temporarily stabilizing soil during site grading and active construction • Permanently stabilizing site soil after construction • Implementing erosion and sediment controls during construction dewatering activities • Controlling site runon and runoff to isolate the work area and prevent onsite or offsite erosion and sediment transport during construction • Implementing dust suppression measures • Managing stockpiles; in accordance with local standard construction practices, materials will be stockpiled at central locations instead of within work areas, where feasible			
Chapter 10. Hazards and Hazardous Materials				
10-1	**Perform a Phase I investigation as needed prior to construction; and remediate, control, or dispose of contaminated materials as appropriate.** New facility locations will be reviewed for inclusion in the lists of hazardous materials compiled pursuant to Government Code Section 65962.5. Where contamination is suspected, a Phase I site assessment of the proposed work area will be performed prior to start of construction activities, including excavation and other soil-disturbing activities, such as tunneling. The Phase I site assessment will comply with the applicable ASTM International (ASTM) standard for site assessments (currently E-1527-21, Standard Practice For Environmental Site Assessments: Phase I Environmental Site Assessment Process) and will include recommendations for reducing or eliminating the source or mechanisms of contamination, if contamination is found. Recommendations may include removing the contaminated soil and disposing of it at a licensed facility in accordance with regulations.	JPA	Pre-construction	None

Mitigation Measure Number	Mitigation Measure	Implemented By	When Implemented	Monitoring or Reporting Action (if applicable)
10-2	**Los Robles Well Monitoring Program.** Monitoring will specifically look at groundwater level changes and migration of the groundwater plume. The monitoring system will assess changes in hydraulic control of the TFX Aviation groundwater plume. The monitoring will be performed quarterly after resuming pumping from the Los Robles well as part of the Pure Water Project. The JPA will submit a sampling plan to DTSC that includes this quarterly sampling from the existing TFX Aviation monitoring well sites (or replacement monitoring wells) prior to operating the well for the Pure Water Project. The quarterly sampling will start after the well starts operating and may be reduced to semiannually or annually if there is no destabilization of the groundwater plume (with time frame provided in the sampling plan). Should monitoring indicate that hydraulic control of the groundwater plume is being affected, the JPA will reassess the project impact on plume migration in the next quarter subject to review and approval by DTSC.	JPA	Operational phase	Submit sampling plan to DTSC for review and approval.
Chapter 13. Noise				
13-1	**Noise Control Plan.** The contractor will be required to develop a Noise Control Plan identifying how noise would be minimized during construction, and as required, apply for a temporary construction noise variance. Noise-reducing methods that may be implemented include the following: • Follow local noise control requirements as much as possible, with exceptions only as needed (e.g., nighttime construction to minimize traffic disruptions) in collaboration with local jurisdictions. • Minimize the use of impact devices, such as jackhammers, pavement breakers, and hoe rams. Where possible, use concrete crushers or pavement saws rather than hoe rams for tasks such as concrete or asphalt demolition and removal. • Verify that pneumatic impact tools and equipment used at the construction site have intake and exhaust mufflers recommended by the manufacturers to meet relevant noise limitations. • Provide impact noise-producing equipment, such as jackhammers and pavement breakers, with noise-attenuating shields, shrouds, or portable barriers or enclosures to reduce operating noise. • Line or cover hoppers, conveyor transfer points, storage bins, and chutes with sound-deadening material (for example, apply wood or rubber liners to metal bin impact surfaces).	Contractor	Construction phase	Coordination with applicable jurisdictions

Mitigation Measure Number	Mitigation Measure	Implemented By	When Implemented	Monitoring or Reporting Action (if applicable)
	• Avoid blasting and impact-type pile driving to the extent reasonable and feasible. Coordinate these highly intrusive construction activities with the local jurisdictions and provide advance notice to nearby residents and other sensitive receptors. • Use alternative procedures of construction, and select a combination of techniques that generate the least overall noise and vibration. Such alternative procedures could use electric welders powered by remote generators and mix concrete at nonsensitive offsite locations, instead of onsite. • Turn off idling equipment when not in use of periods longer than 30 minutes. • Where building foundation systems are needed, use drilling or alternate foundations systems instead of driven piles where reasonable and feasible. • Operate equipment so as to minimize banging, clattering, buzzing, and other annoying types of noises, especially near residential and other noise-sensitive areas during the evening and nighttime hours. • To the extent feasible, configure the construction site in a manner that keeps noisier equipment and activities as far as possible from noise-sensitive locations and nearby buildings. • Consider the use of broadband or white noise backup alarms as allowed by Cal/OSHA during evening and nighttime hours. • Maximize physical separation, as far as practicable, between noise generators and noise receptors. Separation includes providing enclosures for stationary items of equipment and noise barriers around particularly noisy areas at the project site, and locating stationary equipment to minimize noise and vibration impacts on the community. • Minimize noise-intrusive impacts during most noise-sensitive hours. Plan noisier operations during times of highest ambient noise levels.			
Chapter 14. Recreation				
14-1	**Prepare Trail Closure and Restoration Plan.** The JPA will prepare trail closure and restoration plans for the Westlake Vista Trail and Conejo Canyon Open Space Trail in collaboration with MRCA, the City of Westlake Village, COSCA, and the City of Thousand Oaks. The plans will contain the following information: • Notification procedures so that trail users are aware of the closures. Notification will consist of posting information at trailheads, newspaper notices, website updates,	JPA	Pre-construction	Prepare trail closure and restoration plans in collaboration with MRCA, the City of Westlake Village, COSCA, and the City of Thousand Oaks.

Mitigation Measure Number	Mitigation Measure	Implemented By	When Implemented	Monitoring or Reporting Action (if applicable)
	and other similar measures. The notifications will describe the closure start dates and expected closure durations, and will redirect trail users to other trails in the area. • Provisions to maintain access to the Pentachaeta Trail as much as possible during construction, including the ability to park at the trailhead and safely access the trail while construction is occurring along the Westlake Vista Trail. • Restoration of the trailhead area, including replacing demolished or damaged fencing, trailhead signage, and wayfinding features. • Trench backfill and surface restoration plans appropriate for restoration use. Grades along the restored pipeline corridor will match the existing grades to the extent possible. The top layer of backfill material will consist of decomposed granite or similar material using best practices for trail construction. • If Alternative 2 Reservoir AWPF is selected as the preferred alternative, additional collaboration with MRCA will be required to determine whether use of the access road for recreation is feasible. Because of the duration of the closure and the changed character of the trail surface following restoration, and because of the permanent changes under Alternative 2 Reservoir AWPF, the impact cannot be reduced to a less than significant level. The impact would remain significant and unavoidable.			
Chapter 15. Transportation and Traffic				
15-1	**Transportation Management Plan:** A TMP will be prepared to address construction impacts on transportation facilities. Pipeline construction will be planned and scheduled to minimize traffic impacts to the extent feasible, and the TMP will further reduce impacts by addressing the following: • Potential impacts from construction activities on vehicular, transit, pedestrian, and bicycle access • Potential impacts from construction activities on mobility, including: o Temporary lane and roadway, sidewalk, bicycle facility, and freeway ramp closures o Detours o Increases in traffic volumes, including: ▪ Regular traffic and construction traffic ▪ Construction equipment	Contractor	Pre-construction	Coordination with applicable jurisdictions

Mitigation Measure Number	Mitigation Measure	Implemented By	When Implemented	Monitoring or Reporting Action (if applicable)
	▪ Materials delivery vehicles ▪ Waste and haul vehicles ▪ Employee commutes o Construction parking o Emergency services (such as fire, police, ambulances) Development of the TMP will be coordinated with the affected local jurisdictions and other potentially affected parties (such as school bus and transit operators and police, fire, and emergency services providers). The TMP will identify: • Specific TMP strategies • The parties responsible for implementing those strategies • The agencies and parties the TMP strategies will be coordinated with • Implementation timing Specific activities in the TMP may include: • Install traffic control devices, as specified in Caltrans' California Manual on Uniform Traffic Control Devices (Caltrans 2021), where needed to maintain safe driving conditions, including: o Use of signage to alert motorists and bicyclists of construction activities, potential hazards, and travel detours o Flaggers when appropriate • Coordinate with the applicable jurisdictions, including local agencies and transit providers. • Provide construction notification procedures for: o Police, public works, fire departments, and other public service providers o Cycling organizations, bike shops, schools, and homeowner associations • Inform contractors and subcontractors of work hours, modes and locations of transportation, and parking for construction workers. • Describe the procedures for construction area evacuation in case of an emergency declared by the city, county, or other local authorities. • Identify emergency routes available and open for public emergency personnel. • Designate areas where nighttime construction will occur, if needed.			

Mitigation Measure Number	Mitigation Measure	Implemented By	When Implemented	Monitoring or Reporting Action (if applicable)
	• Provide information to the public for contact in case of emergency or complaint. Publicize and display contact information on signs in proximity to construction areas.			
Chapter 16. Tribal Cultural Resources				
6-1b	**Halt construction if archaeological resources are discovered.** In the event of the discovery of archaeological resources, the construction contractor will be responsible for halting construction activities, notifying the lead agency, and retaining a qualified archaeologist. The archaeologist will be required to evaluate the uniqueness of the find, contact local Native American Tribes and historical organizations, and recommend a course of action. The construction contractor will receive training regarding the identification of cultural resources by a qualified archaeologist prior to the start of the construction activities.	Construction Contractor	Construction phase	Contact local Native American and historical organizations.