Montecito Sanitary District
1042 Monte Cristo Lane
Santa Barbara, CA 93108
A Public Service Agency
Phone: (805) 969-4200
www.montsan.org

BOARD PACKET

For the Regular Board Meeting of

Thursday, March 14, 2024

Montecito Sanitary District
1042 Monte Cristo Lane
Santa Barbara, CA 93108
A Public Service Agency
Phone: (805) 969-4200
www.montsan.org

AGENDA

For the Regular Meeting of the Board on:

March 14, 2024

The regular meeting of the Governing Board will begin at **12:00 p.m. on March 14, 2024** in the District's Board Room at 1042 Monte Cristo Lane, Santa Barbara, CA 93108.

Additionally, Director Ohlmann will be attending the meeting at 1633 North Harvest Dance Road, Jackson, WY 83001.

The public may attend the meeting in person or participate remotely via Zoom using the following virtual meeting details:

By visiting: **https://us02web.zoom.us/j/86118975917**
Or by calling: 1-669-900-6833
Meeting ID**:** 861 1897 5917

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1. CALL TO ORDER

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. PRESIDENT'S REPORT

D. AGENDA CHANGES/DELETIONS

2. PUBLIC COMMENT

Public comment on items not on the agenda is **limited to 3 minutes** and is at the discretion of the Board President. For further instructions, please see Instructions for Public Comment on the District's website.

3. COMMITTEE REPORTS

It is recommended that the Board receive and file a report provided by the following committee(s):

A. The Montecito Sanitary District Strategic Planning Committee (Directors Hogan and Barrett) will report on their March 12, 2024 meeting with the Summerland Sanitary District.

4. CONSENT CALENDAR

A. Payables from February 1, 2024 through February 29, 2024
B. Board Meeting Minutes of the February 22, 2024 Regular Board Meeting

5. DISTRICT BUSINESS ITEMS

A. ORDINANCE NO. 23 – EASEMENT ENCROACHMENT

It is recommended that the Board consider:
i) Adopting Ordinance No. 23 – Easement Encroachment; and
ii) Take any such additional, related action that may be desirable.

B. COASTAL HAZARDS MONITORING PLAN

It is recommended that the Board consider:
i) Authorizing the General Manager to execute a contract with Environmental Science Associates to prepare a Coastal Hazards Monitoring Plan for the District in the amount of $57,007; and
ii) Authorizing the General Manager to approve expenditures of up to $5,701 (10%) as a change order allowance for any necessary changes in scope of work.

C. DISCUSSION ON FREQUENCY OF REGULAR BOARD MEETINGS

It is recommended that the Board:
i) Discuss the frequency of regularly held Board Meetings; and
ii) Take any such additional, related action that may be desirable.

D. DISCUSSION ON GRANTS

It is recommended that the Board:
i) Discuss and consider the various avenues to secure District grants; and
ii) Take any such additional, related action that may be desirable.

E. DISCUSSION ON SEWER MAIN EXTENSIONS AND FINANCING

It is recommended that the Board:
i) Discuss its strategy regarding sewer main extension projects and financing options; and
ii) Take any such additional, related action that may be desirable.

F. DISCUSSION ON DISTRICT AUDITS

It is recommended that the Board:
i) Receive a presentation on the District financial audit process; and
ii) Take any such additional, related action that may be desirable.

G. DISCUSSION ON DISTRICT INVESTMENT POLICY

It is recommended that the Board:
i) Receive a presentation on the District Investment Policy; and
ii) Take any such additional, related action that may be desirable.

6. GENERAL MANAGER'S REPORT

General Manager John Weigold will provide informational, nonactionable updates regarding matters before the District.

7. ITEMS FOR FUTURE AGENDAS

The next regularly scheduled Board meeting will be held on March 28, 2024 at 12:00 pm.

8. ADJOURNMENT

This agenda was posted on the District website, and at the Montecito Sanitary District Bulletin Board in accordance with the requirements of the Brown Act. Attested by:

Stephen Williams

Stephen Williams
District Administrator/Clerk of the Board

ADA – The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied the benefits of, the District's programs, services or activities because of any disability. If you need special assistance to participate in this meeting, please contact the District Office at 969-4200. Notification at least twenty-four (24) hours prior to the meeting will enable the District to make appropriate arrangements.

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BOARD LIST OF PAYABLES – FEBRUARY 2024

CHECK DATE	SUMMARY & TYPE	BATCH TOTAL
02/02/2024	ACCOUNTS PAYABLE	77,938.44
02/16/2024	ACCOUNTS PAYABLE	167,949.70
	Subtotal	**$ 245,888.14**
02/02/2024	CAPITAL IMPROVEMENT PROJECTS	105,427.45
02/16/2024	CAPITAL IMPROVEMENT PROJECTS	531,450.90
	Subtotal	**$ 636,878.35**
02/04/2024	PAYROLL	99,280.60
02/18/2024	PAYROLL	93,613.53
	Subtotal	**$ 192,893.84**
	TOTAL	**$ 1,075,660.33**

*All Invoices were reviewed and approved by Department Managers
**All Invoices and Payments were reviewed and approved and checks signed by the General Manager
***Board Treasurer, Edwin Martin, approved all payables by email prior to check mailing

Check History Report
Sorted By Check Number
Activity From: 2/1/2024 to 2/29/2024
MONTECITO SANITARY DISTRICT (MSD)

Bank Code: B OPERATING CASH (MBT)

Check Number	Check Date	Name	Check Amount	Description
0000029035	2/2/2024	ACWA/JPIA	28,502.79	Medical/Dental/Life Insurance Premium-January
0000029036	2/2/2024	AT&T MOBILITY	176.88	Office Data Port, Lift Station 4 Data Port, Standby Cell
0000029037	2/2/2024	AUTOZONE, INC	64.00	Vehicle Supplies
0000029038	2/2/2024	COMPUVISION COMMUNICATIONS	2,652.25	IT Services-December
0000029039	2/2/2024	CORT	44.00	Deed Report-December
0000029040	2/2/2024	COX BUSINESS	160.39	Wireless Internet Services-January
0000029041	2/2/2024	D&H WATER SYSTEMS	1,749.97	Analyzer Parts
0000029042	2/2/2024	DLT SOLUTIONS, LLC	1,281.90	Annual Autodesk Single User Renewal
0000029043	2/2/2024	FRONTIER	637.86	Phone Service for WWTP & Lift Station 1, 2, 4-January
0000029044	2/2/2024	GLS COMPANIES	750.00	Landscape Services-January
0000029045	2/2/2024	GOLD COAST ENVIRONMENTAL	1,680.00	Calibration of Gas Sensors & Multi-Gas Detectors
0000029046	2/2/2024	GRAINGER	180.00	Drill Driven Pump Kit, Liquid Compound, Vacuum Breaker
0000029047	2/2/2024	HADRONEX, INC	304.94	Lift Station 5 Smartcover Supplies
0000029048	2/2/2024	HASA	8,377.35	Sodium Hypochlorite
0000029049	2/2/2024	IN GETTY WE TRUST	2,300.00	Deposit Refund - 1143 Hill Road
0000029050	2/2/2024	JERRY THE PLUMBER	2,875.00	Cancellation of Permit - 285 Middle Road
0000029051	2/2/2024	KIMBALL MIDWEST	111.79	Plant Maintenance Materials
0000029052	2/2/2024	KINGSTON OAK TRUST	2,300.00	Deposit Refund - 2690 Sycamore Canyon Road
0000029053	2/2/2024	MCCORMIX CORP	656.98	Vehicle Fuel 01/01-01/15/2024
0000029054	2/2/2024	MCMASTER-CARR SUPPLY COMPANY	121.89	Telephone & Telephone Cord for Lift Station
0000029055	2/2/2024	MONTECITO WATER DISTRICT	749.77	Water Service-December
0000029056	2/2/2024	O'CONNOR PEST CONTROL WEST	150.00	Rats, Mice Traps @ WWTP
0000029057	2/2/2024	OILFIELD ENVIRONMENTAL &	994.69	Annual NPDES Required Sampling, Monthly lab Analyses
0000029058	2/2/2024	JOSHUA PEREZ	98.00	Collection System Maintenance Tech Renewal
0000029059	2/2/2024	PITNEY BOWES GLOBAL FINANCIAL	143.84	Quarterly Postage Meter Lease Payment
0000029060	2/2/2024	PLANETBIDS, INC.	4,110.99	Annual Vendor & Bid Management Services
0000029061	2/2/2024	PLUMBERS DEPOT, INC	3,951.90	Repair CCTV Camera
0000029062	2/2/2024	PITNEY BOWES BANK INC PURCHASE	12.21	Postage Meter Cleaning Kit
0000029063	2/2/2024	PURETEC INDUSTRIAL WATER	78.40	Water Softener Sodium Tank Exchange
0000029064	2/2/2024	RINGCENTRAL, INC.	708.02	Phone Service-January
0000029065	2/2/2024	SANTA BARBARA COUNTY CLERK-	113.00	Agreement Recording Fees
0000029066	2/2/2024	SANTA BARBARA LOCKSMITHS, INC	299.12	Lift Station Door Locks
0000029067	2/2/2024	CLIFF SCHOLLE	2,300.00	Deposit Refund - 427 Pimiento Lane
0000029068	2/2/2024	TRI-CO REPROGRAPHICS	24.03	Collection System Sewer Mainline Map
0000029069	2/2/2024	UNIVAR SOLUTIONS	5,337.72	Sodium Bisulfite
0000029070	2/2/2024	VERIZON BUSINESS	3,938.76	Tablets for Collections/Field Staff
0000029071	2/16/2024	ACWA/JPIA	28,502.79	Medical/Dental/Life Insurance Premium-February
0000029072	2/16/2024	AMAZON CAPITAL SERVICES	995.99	Stylus & USB Cables for iPads, White Board, Surge
0000029073	2/16/2024	AQUA-FLO SUPPLY	18.94	Plant Maintenance Materials
0000029074	2/16/2024	BIG GREEN CLEANING COMPANY	2,603.00	Janitorial Services-February
0000029075	2/16/2024	CANON FINANCIAL SERVICES INC	272.61	Canon Copier Lease Payment-February
0000029076	2/16/2024	CHAZ SPORTSWEAR	5,484.93	Shirts, Jackets, Caps, Beanies, Totes w/ MSD Logo
0000029077	2/16/2024	CINTAS CORPORATION #684	2,070.53	Uniforms, Towels, Floor Mats-Cleaning/Rental-January
0000029078	2/16/2024	COLANTUONO, HIGHSMTIH & WHATLEY	3,075.00	Legal Counsel Services-January
0000029080	2/16/2024	CORT	44.00	Deed Report-January
0000029082	2/16/2024	ENGEL & GRAY, INC	8,636.89	Biosolids Hauling, Bin Rental-January

0000029083	2/16/2024	FAMCON PIPE & SUPPLY, INC	4,863.30	Valve, Hand Wheel for Lift Station 1
0000029084	2/16/2024	FIRST FINANCIAL ASSET MANAGEMENT	2,576.34	Vehicle Damage Claims Payment
0000029085	2/16/2024	FISHER SCIENTIFIC	805.00	Lab Testing Supplies
0000029086	2/16/2024	GEOGRAPHIC DATA & MANAGEMENT	550.00	Updates to District GIS
0000029087	2/16/2024	GRAINGER	695.71	Broom, Green Marking Paint
0000029088	2/16/2024	HASA	14,718.48	Sodium Hypochlorite
0000029089	2/16/2024	HAYWARD SANTA BARBARA	92.34	Orange Safety Fencing, Bit & Screw Holder
0000029090	2/16/2024	IDEXX DISTRIBUTION, INC	1,145.21	Lab Testing Supplies
0000029091	2/16/2024	KIMBALL MIDWEST	360.93	Brass Fittings & Washers Restock
0000029092	2/16/2024	MARBORG INDUSTRIES	1,755.89	Refuse Disposal/Recycling-Dec/Jan, Portable Restroom
0000029093	2/16/2024	MONTECITO BANK & TRUST	7,028.94	December/January Credit Card Statements: Staff/Board
0000029094	2/16/2024	MCCORMIX CORP	2,208.43	Veh Fuel 01/15-01/31/24, WWTP Diesel Tank Replen.
0000029095	2/16/2024	MOUNTAIN SPRING WATER	119.60	Bottled Drinking Water, Cooler Rental-January
0000029096	2/16/2024	MONTECITO WATER DISTRICT	853.36	Water Service-January
0000029097	2/16/2024	MY SAFEDOMAIN	295.00	Annual Montsan.org domain fees
0000029098	2/16/2024	OILFIELD ENVIRONMENTAL &	157.50	Outside Lab Analyses 02/07/24
0000029099	2/16/2024	NOEE ORTIZ	222.00	Collection System Maint 3 Test Fee Reimbursement
0000029100	2/16/2024	PAYCHEX OF NEW YORK, LLC	619.20	Payroll & W-2 Services-January
0000029101	2/16/2024	PERRY FORD MAZDA	246.81	Oil & Filters for Unit #7
0000029102	2/16/2024	PHOENIX CIVIL ENGINEERING	1,170.00	Engineering Services for Proposal Support
0000029103	2/16/2024	PITNEY BOWES GLOBAL FINANCIAL	35.00	Late Fee for Postage Meter Lease Payment
0000029104	2/16/2024	PLUMBERS DEPOT, INC	40.95	CCTV Loaner Tractor Shipping
0000029105	2/16/2024	PURETEC INDUSTRIAL WATER	308.87	Quarterly Water Softener Tank Rental
0000029106	2/16/2024	ROBERT D. NIEHAUS, INC	3,875.00	Rate Study Services-January
0000029107	2/16/2024	RED WING BUSINESS ADVANTAGE	450.00	Boot Allowance for Ortiz & Martinez
0000029108	2/16/2024	ROLLINS, CAROLE	787.76	Travel Expense Reimbursement
0000029109	2/16/2024	ROYAL ADHESIVES & SEALANTS, LLC	475.24	Epoxy for Collections
0000029110	2/16/2024	SANTA BARBARA COUNTY-APCD	2,682.40	Annual Generator Emissions Permitting for Lift Stations
0000029111	2/16/2024	SANTA BARBARA FASTENERS, INC	11.81	Bolt for Vac-Con
0000029112	2/16/2024	S B HOME IMPROVEMENT CENTER	58.45	Mechanic Tools, Property Maintenance Materials
0000029113	2/16/2024	SANTA BARBARA & VENTURA COUNTY	6,275.00	Furnish/Install Metal Door at Lift Station 4, Troubleshoot
0000029114	2/16/2024	SB TREE CARE INC.	18,850.00	Remove Eucalyptus Trees on railroad tracts behind
0000029115	2/16/2024	SOUTHERN CALIFORNIA EDISON CO	17,923.67	Electric Service 12/22/23 - 01/23/24
0000029116	2/16/2024	SEIU LOCAL 620	759.68	Union Dues for Payroll's 01/21/24 & 02/04/24
0000029117	2/16/2024	SEWER EQUIPMENT COMPANY	1,081.03	Parts for Small Jetter Truck
0000029118	2/16/2024	SOCAL GAS	759.14	Gas Service-January
0000029119	2/16/2024	STANDARD INSURANCE COMPANY	3,220.36	Short/Long Term Disability-January/February
0000029120	2/16/2024	STAPLES BUSINESS CREDIT	46.84	Office Supplies
0000029121	2/16/2024	STREAMLINE	375.00	Website Managements Services-February
0000029122	2/16/2024	SWRCB-ELAP FEES	4,615.00	Annual ELAP Accreditation Program Fees
0000029123	2/16/2024	TRI-CO REPROGRAPHICS	24.03	Collections Wall Map
0000029124	2/16/2024	UNIVAR SOLUTIONS	6,353.16	Sodium Bisulfite
0000029125	2/16/2024	UNDERGROUND SERVICE ALERT	162.25	87 New Dig Alert Tickets-January
0000029126	2/16/2024	VENTURA AIR CONDITIONING CO.	370.00	Troubleshoot Lab HVAC System
0000029127	2/16/2024	MIGUEL VILLAFANA	182.10	Boot Allowance Reimbursement
0000029128	2/16/2024	ZWORLD GIS	2,280.00	GIS Development & Support Services-February
		Bank B Total:	245,888.14	

Bank Code: G CAPITAL IMPROVEMENT CASH (MBT)

Check Number	Check Date	Name	Check Amount	Description
0000001438	2/2/2024	BEST CONTRACTING SERVICES, INC.	88,537.53	CIP No. F001; Admin/Ops Roof Replacement
0000001439	2/2/2024	SANTA BARBARA COUNTY PUBLIC	566.57	CIP No. C002; Posilipo Force Main Relocation County
0000001440	2/2/2024	STANTEC CONSULTING SERVICES INC.	16,323.35	CIP No. C010; FEMA-Facilities Rehabilitation Design
0000001441	2/16/2024	ASPECT ENGINEERING GROUP	1,107.06	CIP No. T003; SCADA Implementation Services
0000001442	2/16/2024	FILIPPIN ENGINEERING	15,070.00	CIP No. C002; Hwy 101 Sewer Main Protect-In-Place /
0000001443	2/16/2024	RINCON CONSULTANTS, INC	2,472.75	CIP No. C002; Hwy 101 Sewer Main Protect-In-Place /
0000001444	2/16/2024	ROBOTIC SEWER SOLUTIONS, INC	32,700.00	CIP No. CIP C002; Sewer Mainline Spot Repairs at
0000001445	2/16/2024	STANTEC CONSULTING SERVICES INC.	7,179.94	CIP No. C010; Engineering Services for MSD Facilities
0000001446	2/16/2024	TIERRA CONTRACTING INC	464,281.15	CIP No. C002; Hwy 101 Sewer Main Protect-In-Place
0000001447	2/16/2024	TIERRA CONTRACTING INC	8,640.00	CIP No. C003; Carryover - Olive Mill/San Ysidro
		Bank G Total:	636,878.35	

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MINUTES

For the Regular Meeting of the Board on:
February 22, 2024

1. CALL TO ORDER

The Governing Board of the Montecito Sanitary District convened a regular meeting at 12:03 pm on Thursday, February 22, 2024. The meeting was also broadcast using Zoom teleconferencing.

ATTENDANCE

Board Members Present:
Directors Hogan, Johnson, Martin, Ohlmann, and Ellwood T. Barrett II

Board Members Absent:
None

Also Present and Participating:
John Weigold, MSD General Manager
Stephen Williams, MSD Clerk of the Board & District Administrator
Ricardo Larroude, MSD Collections & Maintenance Superintendent
Marco Felix, MSD Chief Plant Operator/Treatment Superintendent
Bryce Swetek, MSD Engineering Manager
Noah Boland, Carollo Engineers
Ali Ahmadi, Carollo Engineers
Sarah Clark, Carollo Engineers
Andy Salveson, Carollo Engineers
Mike Roberts, Member of the Public
Kenan Siegel, Member of the Public

2. PUBLIC COMMENT

Kenan Siegl and Mike Roberts commented to the Board regarding the District's sewer main extension process.

3. COMMITTEE REPORTS

Directors Barrett and Hogan gave a summary of the January 9, 2024 Strategic Planning Committee Meeting.

A. Directors Hogan and Barrett reported on their January 18, 2024 Strategic Planning Committee meeting.
B. Directors Ohlmann and Hogan reported on their February 13, 2024 Administrative and Operations Committee meeting.
C. Directors Johnson and Martin reported on their January 29, 2024 and February 15, 2024 Finance Committee meetings.

4. CONSENT CALENDAR

ON MOTION by Director Ohlmann, Seconded by Director Hogan, the Board voted to approve the following Consent Calendar items:

A. Payables from January 1, 2024 through January 31, 2024
B. Board Meeting Minutes of the January 11, 2024 Regular Board Meeting
C. Resolution 2024-973 – Authorizing Investment of Monies in LAIF
D. Fiscal Year 2022-23 Unaudited Quarterly Financial Reports – June 30, 2023
E. Fiscal Year 2023-24 Unaudited Quarterly Financial Reports – September 30, 2023

AYES:	Directors Hogan, Johnson, Martin, Ohlmann, and Barrett
NAYS:	None
ABSTAIN:	None
ABSENT:	None

5. DISTRICT BUSINESS ITEMS

A. ENHANCED RECYCLED WATER FEASIBILITY STUDY

The Board received a presentation from Carollo Engineers on its Enhanced Recycled Water Feasibility Analysis with an emphasis on maintenance matters concerning the District's Wastewater Treatment Plant. No actions were taken.

B. DISTRICT STANDING COMMITTEE ROLES AND RESPONSIBILITIES

The Board discussed the roles and responsibilities of the Districts' standing committees. No actions were taken.

6. GENERAL MANAGER'S REPORT

The Board received an information, nonactionable update from the General Manager John Weigold on relevant matters currently facing the District.

7. ITEMS FOR THE NEXT AGENDA

The next Board meeting will be a General Meeting of the Board on March 14, 2024. The following topics were brought up as potential agenda items:

- Discussion on grants
- Discussion on the audit process
- Discussion on sewer main extensions
- Continue discussion on standing committee roles and responsibilities

8. ADJOURNMENT

The meeting adjourned at 4:37 pm ON MOTION by Director Johnson, Seconded by Director Hogan.

These minutes were presented for approval at the Regular Board Meeting on March 14, 2024.

_____
Ellwood T. Barrett II, President

Minutes taken and prepared by:

_____
Stephen Williams
District Administrator/Clerk of the Board

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MONTECITO SANITARY DISTRICT

STAFF REPORT – 5A

DATE: March 14, 2024

TO: BOARD OF DIRECTORS

FROM: John Weigold, General Manager
Aleks R. Giragosian, General Counsel

SUBJECT: Ordinance No. 23 – Easement Encroachment

RECOMMENDATION:

It is recommended the Board consider:

i) Adopting Ordinance No. 23 – Easement Encroachment.

DISCUSSION:

The Board discussed and adopted Ordinance No. 22 – Easement Encroachment Ordinance at its July 13, 2023 Regular Meeting. Since the adoption of this ordinance, staff has struggled to execute the policy as the Board outlined due to various issues with several properties in the District. Staff recommends that the Boards consider adopting Ordinance 23 incorporating the redline changes in Attachment A.

ATTACHMENTS: **Attachment A** - Ordinance No. 23 - Easement Encroachment – Redline Version
Attachment B – Ordinance No. 23 – Easement Encroachment – Clean Version

ORDINANCE NO. 23

ORDINANCE OF THE BOARD OF DIRECTORS OF THE MONTECITO SANITARY DISTRICT ESTABLISHING POLICIES AND STANDARDS FOR DISTRICT EASEMENTS AND REGULATING EASEMENT ENCROACHMENTS

"WHEREAS, the Montecito Sanitary District ("District") is a sanitary district duly organized and existing pursuant to the Sanitary District Act of 1923 codified in Health and Safety Code section 6400 et seq;

WHEREAS, under Health and Safety Code section 6514, the District may acquire "such real and personal property and rights of way, either within or without the limits of the district, as in the judgment of the board are necessary or proper to the exercise of its powers, and particularly for the purpose of permitting ingress to and egress from such real or personal property, … ";

WHEREAS, Health and Safety Code sections 6521 and 6491.3 authorize the Board of the District to make and enforce all necessary and proper regulations and ordinances for all other sanitary purposes not in conflict with the laws of the state of California; and

WHEREAS, on July 13, 2023, the Board adopted Ordinance No. 22, establishing policies and standards for District easements and regulating easement encroachments; and

WHEREAS, the Board desires to rescind and replace Ordinance No. 23 with this Ordinance to establish a refined set of policies and standards.",

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MONTECITO SANITARY DISTRICT DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. Definitions. For purposes of this Ordinance, the following terms have the meaning specified below:

2.1 "District facilities" means pipelines, manholes, pump stations, or any other structures, equipment and machinery, including appurtenances to them, which are used to collect, convey, treat, dispose of and reuse wastewater.

2.2. "Easement" means a property right, however created, by which the owner of the right is entitled to make specified uses of the real property of another person; "easement" includes, "reserve," "right of way," "sewer reserve," and "utility reserve."

2.3. "Property Owner" means the fee owner or leaseholder of the servient tenement to the District's easement.

2.4. "Significant interference" means, with respect to encroachments on District easements, a use or condition that does or has the potential to damage or to inhibit access, particularly relating to vehicle access, to District facilities or the potential to negatively impact the District's use of the easement for its intended purposes. Some uses or conditions that may pose a significant interference include swimming pools, permanent decks, retaining walls, recreational courts, trees, heavy brush and vegetation, gates, fences, lawns, flowerbeds, and all-weather hardscapes, such as paving or grouted stone.

The determination regarding whether an activity or condition constitutes a significant interference shall be

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WHEREAS, under Health and Safety Code section 6514, the District may acquire "such real and personal property and rights of way, either within or without the limits of the district, as in the judgment of the board are necessary or proper to the exercise of its powers, and particularly for the purpose of permitting ingress to and egress from such real or personal property, … "; ¶
¶
WHEREAS, Health and Safety Code sections 6521 and 6491.3 authorize the Board of the District to make and enforce all necessary and proper regulations and ordinances for all other sanitary purposes not in conflict with the laws of the state of California; and¶
¶
WHEREAS, the Board of the District desires to adopt regulations to protect its easements.

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Deleted: Some uses and conditions that do not pose a significant interference include lawns, flowerbeds, loose paving stones, and similar landscaping features.

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made by the General Manager.

SECTION 3. Unauthorized Encroachments. It is unlawful for any person to:

3.1. Cause, permit, or maintain an unauthorized encroachment on a District easement that results in a significant interference with the District's easement rights or District's facilities;

3.2. Cause, permit, or maintain any activity or condition off or outside a District easement that causes, whether directly or indirectly, a significant interference with the District's easement rights.

SECTION 4. Authorized Encroachments.

4.1 A property owner may make use of the land over which the District has an easement if the use or condition does not violate Section 3 of this Ordinance and provides all-weather vehicle access.

4.2. Notwithstanding Section 4.1, the District may enter into a license agreement with a property owner whereby the use or condition may be maintained for a limited duration or indefinitely, subject to its removal and repair or replacement, at the property owner's expense upon the termination of the license agreement.

SECTION 5. Removal & Restoration of Improvements Disturbed by District Activities. Whenever the District's reasonable use of the easement to construct, reconstruct, renew, alter, operate, maintain, inspect, repair, or replace District facilities results in the need for the property owner's improvements to the real property to be removed or disturbed, the following provisions apply:

5.1. The District shall, at the expense of the District, replace or restore the improvements in kind which are not prohibited by this Ordinance, upon the completion of the District's activities.

5.2. If the encroachment is authorized pursuant to a license agreement and the license agreement does not specify otherwise, the property owner shall, at no expense to the District, be responsible to restore the encroaching improvements.

5.3 Existing unauthorized encroachments may become authorized pending property owner pursuit of a license agreement.

5.4 Not withstanding Section 5.3, unauthorized encroachments shall be removed by the property owner at his or her expense. Removal shall be performed promptly after notice from the District. If the encroachment has not been removed with a reasonable time after notice, or if the urgency of the District's easement activities requires, the District may remove the encroachment itself, and the removal costs will be charged to the property owner.

SECTION 6. District Remedies. The remedies granted to the District in this Ordinance are in addition to any other rights and remedies that are available under prior regulations or otherwise afforded by law, and the District is entitled to exercise any and all such rights and to charge property owners for the costs of such remedies either serially or cumulatively, as determined by the District.

SECTION 7. CEQA. This action is not a project for purposes of 15 CCR 15378(b)(5) in that It is an administrative activity that will not result in direct or indirect physical changes in the environment.

SECTION 8. Publication & Effective Date. Under Health and Safety Code section 6490, immediately following adoption, the Clerk shall cause this ordinance to be published one time in a newspaper of general circulation within the District, and the ordinance will take effect upon expiration of the week of publication.

SECTION 9. Severability. If any section of this Ordinance is held to be invalid or

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unconstitutional, the remaining sections shall remain valid. The Board hereby declares that it would have adopted this ordinance regardless of whether any particular section is held invalid or unconstitutional.

PASSED AND ADOPTED by the Board of Directors of the Montecito Sanitary District on this 14th day of March, 2024, by the following vote:

AYES: Directors Hogan, Johnson, Martin, Ohlmann, and Barrett
NAYS: None
ABSTAIN: None
ABSENT: None

_____
Ellwood T. Barrett II
President of the Board of Directors of the
MONTECITO SANITARY DISTRICT

ATTEST:

_____
Stephen Williams
Clerk of the Board of Directors of the
MONTECITO SANITARY DISTRICT

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ORDINANCE NO. 23

ORDINANCE OF THE BOARD OF DIRECTORS OF THE MONTECITO SANITARY DISTRICT ESTABLISHING POLICIES AND STANDARDS FOR DISTRICT EASEMENTS AND REGULATING EASEMENT ENCROACHMENTS

"WHEREAS, the Montecito Sanitary District ("District") is a sanitary district duly organized and existing pursuant to the Sanitary District Act of 1923 codified in Health and Safety Code section 6400 et seq;

WHEREAS, under Health and Safety Code section 6514, the District may acquire "such real and personal property and rights of way, either within or without the limits of the district, as in the judgment of the board are necessary or proper to the exercise of its powers, and particularly for the purpose of permitting ingress to and egress from such real or personal property, … ";

WHEREAS, Health and Safety Code sections 6521 and 6491.3 authorize the Board of the District to make and enforce all necessary and proper regulations and ordinances for all other sanitary purposes not in conflict with the laws of the state of California; and

WHEREAS, on July 13, 2023, the Board adopted Ordinance No. 22, establishing policies and standards for District easements and regulating easement encroachments; and

WHEREAS, the Board desires to rescind and replace Ordinance No. 23 with this Ordinance to establish a refined set of policies and standards."

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MONTECITO SANITARY DISTRICT DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. Definitions. For purposes of this Ordinance, the following terms have the meaning specified below:

2.1 "District facilities" means pipelines, manholes, pump stations, or any other structures, equipment and machinery, including appurtenances to them, which are used to collect, convey, treat, dispose of and reuse wastewater.

2.2. "Easement" means a property right, however created, by which the owner of the right is entitled to make specified uses of the real property of another person; "easement" includes, "reserve," "right of way," "sewer reserve," and "utility reserve."

2.3. "Property Owner" means the fee owner or leaseholder of the servient tenement to the District's easement.

2.4. "Significant interference" means, with respect to encroachments on District easements, a use or condition that does or has the potential to damage or to inhibit access, particularly relating to vehicle access, to District facilities or the potential to negatively impact the District's use of the easement for its intended purposes. Some uses or conditions that may pose a significant interference include swimming pools, permanent decks, retaining walls, recreational courts, trees, heavy brush and vegetation, gates, fences, lawns, flowerbeds, and all-weather hardscapes, such as paving or grouted stone.

The determination regarding whether an activity or condition constitutes a significant interference shall be

made by the General Manager.

SECTION 3. Unauthorized Encroachments. It is unlawful for any person to:

3.1. Cause, permit, or maintain an unauthorized encroachment on a District easement that results in a significant interference with the District's easement rights or District's facilities;

3.2. Cause, permit, or maintain any activity or condition off or outside a District easement that causes, whether directly or indirectly, a significant interference with the District's easement rights.

SECTION 4. Authorized Encroachments.

4.1 A property owner may make use of the land over which the District has an easement if the use or condition does not violate Section 3 of this Ordinance and provides all-weather vehicle access.

4.2. Notwithstanding Section 4.1, the District may enter into a license agreement with a property owner whereby the use or condition may be maintained for a limited duration or indefinitely, subject to its removal and repair or replacement, at the property owner's expense upon the termination of the license agreement.

SECTION 5. Removal & Restoration of Improvements Disturbed by District Activities. Whenever the District's reasonable use of the easement to construct, reconstruct, renew, alter, operate, maintain, inspect, repair, or replace District facilities results in the need for the property owner's improvements to the real property to be removed or disturbed, the following provisions apply:

5.1. The District shall, at the expense of the District, replace or restore the improvements in kind which are not prohibited by this Ordinance, upon the completion of the District's activities.

5.2. If the encroachment is authorized pursuant to a license agreement and the license agreement does not specify otherwise, the property owner shall, at no expense to the District, be responsible to restore the encroaching improvements.

5.3 Existing unauthorized encroachments may become authorized pending property owner pursuit of a license agreement.

5.4 Not withstanding Section 5.3, unauthorized encroachments shall be removed by the property owner at his or her expense. Removal shall be performed promptly after notice from the District. If the encroachment has not been removed with a reasonable time after notice, or if the urgency of the District's easement activities requires, the District may remove the encroachment itself, and the removal costs will be charged to the property owner.

SECTION 6. District Remedies. The remedies granted to the District in this Ordinance are in addition to any other rights and remedies that are available under prior regulations or otherwise afforded by law, and the District is entitled to exercise any and all such rights and to charge property owners for the costs of such remedies either serially or cumulatively, as determined by the District.

SECTION 7. CEQA. This action is not a project for purposes of 15 CCR 15378(b)(5) in that It is an administrative activity that will not result in direct or indirect physical changes in the environment.

SECTION 8. Publication & Effective Date. Under Health and Safety Code section 6490, immediately following adoption, the Clerk shall cause this ordinance to be published one time in a newspaper of general circulation within the District, and the ordinance will take effect upon expiration of the week of publication.

SECTION 9. Severability. If any section of this Ordinance is held to be invalid or

unconstitutional, the remaining sections shall remain valid. The Board hereby declares that it would have adopted this ordinance regardless of whether any particular section is held invalid or unconstitutional.

PASSED AND ADOPTED by the Board of Directors of the Montecito Sanitary District on this 14th day of March, 2024, by the following vote:

AYES: Directors Hogan, Johnson, Martin, Ohlmann, and Barrett
NAYS: None
ABSTAIN: None
ABSENT: None

_____
Ellwood T. Barrett II
President of the Board of Directors of the
MONTECITO SANITARY DISTRICT

ATTEST:

_____
Stephen Williams
Clerk of the Board of Directors of the
MONTECITO SANITARY DISTRICT

Montecito Sanitary District
1042 Monte Cristo Lane
Santa Barbara, CA 93108
A Public Service Agency
Phone: (805) 969-4200
www.montsan.org

MONTECITO SANITARY DISTRICT

STAFF REPORT – 5B

DATE: March 14, 2024

TO: Board of Directors

FROM: John Weigold, General Manager

Bryce Swetek, Engineering Manager

SUBJECT: Coastal Hazards Monitoring Plan

RECOMMENDATION:

It is recommended that the Board consider:

1. Authorizing the General Manager to execute a contract with Environmental Science Associates to prepare a Coastal Hazards Monitoring Plan to the District in the amount of $57,007; and
2. Authorizing the General Manager to approve expenditures of up to $5,700.70 (10%) as a change order allowance for any necessary changes in scope of work.

DISCUSSION:

Background – Staff issued a Request for Proposal (RFP) seeking professional consultants to prepare a Coastal Hazards Monitoring Plan (CHMP) in support of the District's Climate Change Adaptation Program (CCAP). Per the District's current NPDES permit (CA0047899) from the California Regional Water Quality Control Board, Central Coast Region, the District must develop a CCAP to identify and address climate change hazards and vulnerabilities at the wastewater treatment plant (WWTP/facility) as well as all associated infrastructure (e.g., conveyances to discharge points, mains, pump stations, and discharge facilities). The Climate Change Adaptation Program will consist of three separate phases:

Phase 1 – Coastal Hazards Monitoring Plan

Phase 2 – Life Expectancy Analysis

Phase 3 – Climate Change Adaptation Plan

For this specific RFP, only CHMP was proposed on. Proposals for Phases 2 and 3 will be requested at a later date once the first Phase has been completed.

Request for Proposal Process and Results – In mid-January, District Staff began video conference discussions with two highly qualified consulting firms, Rincon Consultants (Rincon) and Environmental Science Associates (ESA). These firms were specifically pursued due to their expertise in climate change adaptation planning as well as for having a local presence. After confirming interest with the firms, Staff issued an RFP on January 19, 2024 with a revision on February 5, 2024 (Attachment 1). Staff received proposals from Rincon and ESA on March 1, 2024.

District Staff reviewed the proposals and filled out an Evaluation Form per consulting firm. The purpose of the evaluation is to review the firms' qualifications, approach to the project, schedule, references, and level of effort. Staff scored each criterion from 1-10 with 1 showing poorly and 10 showing excellence. The table below represents a summary of the evaluation as well as the proposed fee and responsiveness from each firm:

Consulting Firm	Qualifications	Approach	Schedule	References	Level of Effort	Proposal Amount	Proposal Status
Rincon	8	9	8	7	7.5	$132,523	Responsive
ESA	8.5	9	10	8	8.5	$57,007	Responsive (Recommended Firm)

Analysis – Justifications – The bid of $57,007.00 submitted by ESA is an acceptable bid that is responsive to and meets the requirements of the proposal. Staff noted Rincon and ESA were both responsive, demonstrated clear monitoring plan experience, and are each extremely qualified and capable of executing the CHMP. Staff also noted the primary cost differential was based on additional scope and hours in Rincon's proposal compared with ESA's.

Staff recommends the Board award the contract to ESA, as ESA's proposal demonstrated more like-for-like project experience, shows submitting the CHMP on schedule, and includes a level of effort more in line with the District's expectations for this specific phase of the CCAP.

Fiscal Impact – This CHMP was included in the Fiscal Year 2023-24 Operations and Maintenance budget at $50,000. Staff will evaluate the District's Budget at its 3/31/2024 Unaudited Quarterly Financial Report and if any revisions are necessary will relay that information to the Board for action, if desired.

DEPARTMENTS INVOLVED: Engineering, Collections, Treatment, Laboratory, and Administration

ATTACHMENTS:

1. Montecito Sanitary District RFP
2. ESA Proposal

Montecito Sanitary District

1042 Monte Cristo Lane
Santa Barbara, CA 93108
General Manager: John Weigold

A Public Service Agency

PHONE: (805) 969-4200
FAX: (805) 969-9049
E-MAIL: jweigold@montsan.org

Request for Proposal (RFP)

Consultant Services
For
Preparation of a Coastal Hazards Monitoring Plan
Revision 1

February 5, 2024

Submittals due March 1, 2024, by 4:00 PM

I. INTRODUCTION

Montecito Sanitary District is located in Santa Barbara County approximately 3 miles south of the City of Santa Barbara. It provides wastewater collection, pumping and treatment to the 10,000 residents of the unincorporated community. The wastewater collected is primarily residential. There are some commercial customers and no industrial customers in the District's wastewater system. The District boundaries are located along the coastline and extending to the foothills. The wastewater treatment facility, constructed in the 1960s, as well as most of the pumping lift stations are located less than a half mile from the coast. The wastewater treatment plant currently treats approximately 500,000 gallons a day and it is located less than a quarter mile of the coast and lower in elevation than the coastal bluff. The District treats to secondary standards and discharges the treated effluent through an existing ocean outfall located south of the wastewater treatment plant.

The Montecito Sanitary District (MSD/District) is seeking proposals from professional consultants to prepare a Coastal Hazards Monitoring Plan (CHMP) in support of the District's Climate Change Adaptation Program (CCAP). Per the District's current NPDES permit (CA0047899) from the California Regional Water Quality Control Board, Central Coast Region, the District must develop a CCAP to identify and address climate change hazards and vulnerabilities at the wastewater treatment plant (WWTP/facility) as well as all associated infrastructure (e.g., conveyances to discharge points, mains, pump stations, and discharge facilities). The Climate Change Adaptation Program will consist of three separate phases:

Phase 1 – Coastal Hazards Monitoring Plan

Phase 2 – Life Expectancy Analysis

Phase 3 – Climate Change Adaptation Plan

For this RFP, only Phase 1 will be proposed on. Proposals for Phases 2 and 3 will requested at a later date once the first Phase has been completed.

II. PROGRAM PURPOSE AND PERTINENT INFORMATION

The State Water Board's (SWB) Resolution No. 2017-0012, Comprehensive Response to Climate Change, requires a proactive response to climate change in all California Water Board actions, with the intent to embed climate change consideration into all programs and activities. Aligning with Resolution No. 2017-0012, this Order requires the District to develop a CCAP to provide a clear, long-term plan for providing necessary wastewater treatment functions that are vulnerable to coastal hazards. As part of the CCAP, a CHMP is required to provide a framework for conducting regular monitoring of the site's exposure to flooding hazards for existing and future conditions with sea-level rise.

The following is a noncomprehensive list of considerations:

1. The CHMP must be developed using the latest California's Sea-level Rise Guidance and the best available science on climate projections and hazards. The CHMP should include up to a total of

six scenarios of sea-level rise at either low, medium-high, and extreme (H++) risk aversions corresponding to near, mid-, and longer-term timeframes.

2. The analysis conducted as part of the CHMP should include future rates of erosion rather than using current erosion rate over the next 75-100 years.
3. A draft of the CHMP must be submitted to the Executive Officer of the Central Coast Region by May 4, 2024.

III. SCOPE OF SERVICES

Consultant is expected to perform the following services/tasks described below. The District will consider any additions or refinements to the proposed Scope of Services that the Consultant may recommend, provided the changes meet the intent of the scope.

TASK 1: PROJECT MANAGEMENT, QUALITY ASSURANCE/QUALITY CONTROL, MEETINGS, AND SITE VISITS.

This task includes project management and coordination activities as well as quality control/assurance, and meetings with the project team.

Task 1.1 Project Management. Monitoring and coordination of budget, schedule, subconsultants, jurisdictional/public agencies, and consultant project team. Prepare monthly invoices and updated schedule.

The District's Project Manager will coordinate access to assets within the study site as needed by the Consultant.

Task 1.2 Quality Control/Quality Assurance. Review and quality control all deliverables prior to submittal to the District.

Task 1.3 Meetings. Anticipated Meetings include:

- Project kick-off meeting and site visit with District staff.
- Draft Coastal Hazards Monitoring Plan review meeting

Prepare agenda and conduct design kick-off meeting with District staff to review project scope and District's and Consultant's expectations. Prepare a schedule for completion of the CHMP to be discussed at kick-off meeting. Include milestone dates for submittals and review meetings. Consultant should anticipate two weeks for District review of each submittal. Consultant shall prepare and distribute meeting summaries following meetings.

TASK 2: COASTAL HAZARD MONITORING PLAN

Consultant shall prepare a CHMP based on the approximate site area provided as shown on the Coastal Hazards Monitoring Area Map (Attachment A) as well as guidance from the District's NPDES permit (Attachment B). This CHMP shall develop the framework and parameters for: (1) regularly monitoring bluff erosion tidal inundation, and other coastal hazards at the site; (2) identifying the level of threat

those hazards present to the facility, collection system, and associated infrastructure; (3) identifying control measures necessary to protect and accommodate the existing location and facility to allow uninterrupted function of wastewater treatment; and (4) identifying tidal inundation/bluff erosion 'thresholds' to establish when facility changes (including potential plant relocation) need to be pursued in order to ensure continued function of the wastewater treatment facility in a manner that will be protective of human health and the environment.

Task 2.1 Develop Draft CHMP. Consultant will develop a draft CHMP in coordination with the District. The draft shall be provided in Word (.doc) format as well as PDF. Prepare for and conduct a video teleconference meeting with the District to review District comments per Task 1.3.

Task 2.2 Develop Final Technical CHMP. Consultant will develop a final CHMP incorporating comments from the District. The final CHMP shall be provided in PDF format and signed by a Professional Engineer registered in the State of California.

IV. RESPONSES

The response shall include at a minimum the information listed herein; incomplete or unclear information may be grounds for rejection. Concise proposals are encouraged. The response shall be organized as follows:

1. **Letter Proposal**

   The Proposal may be submitted as a letter proposal addressed to:

   Bryce Swetek, P.E.
   Engineering Manager
   Montecito Sanitary District
   1042 Monte Cristo Lane
   Santa Barbara, CA 93108

   The letter proposal shall be submitted electronically to Bryce Swetek, P.E. at bswetek@montsan.org. The email subject line shall say, "RFP: Coastal Hazards Monitoring Plan". The RFP must be received by 4:00 PM, March 1, 2024

   Late proposals will not be accepted. Any RFP received prior to the time and date specified above may be withdrawn or modified by written request of the proposer provided the modified proposal is received prior to the time and date specified above.

2. **Experience and Qualifications**
   a. Provide a brief history of the firm, including name of the firm, the year the firm was established under the current name, and the closest office location to the project. Indicate any other previous names for the firm during the last five years and the year any name change was effective.
   b. Provide general information concerning the Consultant's qualifications and descriptions of at least 3 similar projects performed for wastewater agencies. Indicate who in the firm performed specific functions on the reference projects. Only include staff information from

previous projects that will be directly involved in this project. For any incomplete projects, clearly indicate the status of the project.

c. Identify the Project Team, including any subconsultants, and define their roles/responsibilities for the project. Show the relationships on an Organizational Chart and provide which office they are located. Include 1–2-page resumes for each member of the Project Team.
d. Provide three clients references, including at least two for whom services were rendered during the past two years, preferably for services similar to those outlined in this solicitation; include contact information for each reference.

3. Project Understanding and Approach

Provide a statement demonstrating the Consultant's understanding of the Project and proposed approach to the Scope of Services, broken down by tasks and subtasks. Proposals shall identify specific milestones and deliverables for each task. Consultant may revise the scope of services in this RFP and should call out the proposed revisions in their proposal.

4. Estimated Schedule

The proposal must include an estimated schedule to complete the Scope of Services. Describe the Consultant's ability to meet the proposed schedule and timing of each task.

5. Estimated Level of Effort

The proposal shall include a table listing the personnel involved in the project, the anticipated hours associated with each individual's level of effort identified by task, and cost summary for each task based on a Professional Rate Sheet listing the different classifications of labor. The Professional Rate Sheet shall be included in the proposal. The table is to be based on the consultant's estimation for performing the services based on the Consultant's understanding of the Scope of Services.

6. Conflicts

Identify any conflicts which could affect the ability to perform the Scope of Services in a timely fashion over the duration of the contract.

7. Quality Assurance/Quality Control

Provide a brief description of in-place and proposed Quality Assurance & Quality Control practices applicable for this project.

8. Assumptions and Additional Comments

The proposal shall include any assumptions made, comments, suggestions, or additions for the District to consider in selecting the firm. Identify the potential benefit, value, or impact these may have to the District.

9. Contract Requirements

The District will be utilizing a Professional Services Agreement (PSA) included as Attachment C for your review. The terms of Agreement are not subject to change. The consultant must comply with

applicable local, State, and Federal laws including prevailing wage rates and their payment in accordance with California Labor Code, Section 1775. Provide an affirmative statement indicating acceptance of the terms of the Agreement.

V. SELECTION CRITERIA

From the proposals received, the District will select the most qualified firm for the project. Selection will be based on information provided in the proposal and will be based on the following criteria:

1. Qualifications: The Consultant's (including subconsultants, if any) firm as well as relevant experience and ability to perform the Scope of Services as outlined above, based on information provided by the Consultant and client references.
2. Approach: The Consultant's understanding of the Project as demonstrated by their approach to completing the Services requested above.
3. Schedule: The Consultant's availability and ability to perform the Scope of Services in a timely manner.
4. References: The Consultant's client references, the Consultant's performance on similar studies, and their knowledge of, and familiarity with, the District's geographic region.
5. Level of Effort: The District is seeking a reasonable level of effort for the Scope of Services as outlined in the RFP and will consider the significance of any proposed changes/additions to the Scope of Services.

VI. RESERVATION OF RIGHTS

The following is a list of rights of the District:

1. The Montecito Sanitary District reserves the right to:
    a. Reject any and all responses received.
    b. Issue a subsequent RFP.
    c. Cancel the entire RFP.
    d. Remedy technical errors in the RFP process.
    e. Negotiate with any, all, or none of the Respondents to the RFP.
    f. Waive informalities and irregularities.
    g. Make multiple recommendation(s) to the MSD Board.
    h. Request additional information or clarification.
    i. All responses and their contents will become the property of MSD.
2. The District will not reimburse Consultants or sub-consultants for any costs associated with any travel and/or per diem incurred in any presentations or for any costs in preparing and submitting the responses.
3. The District reserves the right to end, in its sole discretion, negotiations at any time with any or all Consultants. This RFP does not commit the District to enter into a contract, nor does it obligate it to pay any costs incurred in the preparation and submission of responses or in anticipation of a contract.
4. Failure to respond to the requirements outlined in this RFP may result in the Consultant's disqualification as non-responsive to the RFP.

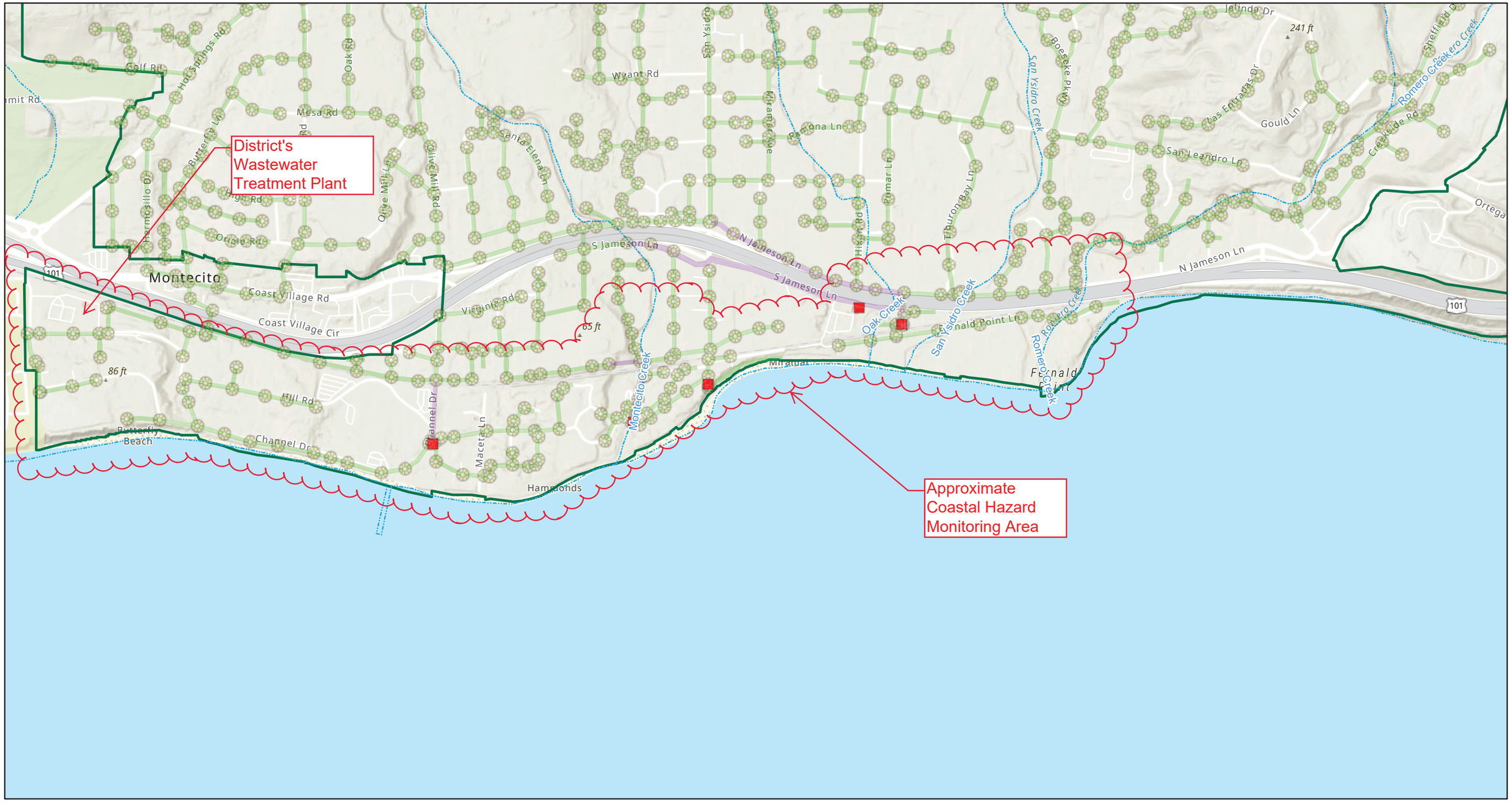
VII. INQUIRES

All inquires related to this RFP shall be sent to Bryce Swetek, P.E. at bswetek@montsan.org

VIII. ATTACHMENTS

A. Coastal Hazards Monitoring Area Map
B. NPDES Permit
C. Sample Professional Services Agreement

Montecito Sanitary District



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Coastal Hazards Monitoring Area Map

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- Lift Stations
- Maintenance Holes
- Pipes
  - FORCE MAIN
  - SANITARY SEWER
- Creeks & Rivers
- Montecito Sanitary District Boundary

Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401

ORDER NO. R3-2022-0010
NPDES NO. CA0047899

WASTE DISCHARGE REQUIREMENTS FOR MONTECITO SANITARY DISTRICT WASTEWATER TREATMENT FACILITY

The following Discharger is subject to waste discharge requirements (WDRs) set forth in this Order:

Discharger	Montecito Sanitary District
Name of Facility	Montecito Sanitary District Wastewater Treatment Facility
Facility Address	1042 Monte Cristo Lane Santa Barbara, CA 93108 Santa Barbara County

Table 1. Discharge Location

Discharge Point	Effluent Description	Discharge Point Latitude (North)	Discharge Point Longitude (West)	Receiving Water
001	Secondary Treated Domestic Wastewater	34.4133°	119.6478°	Pacific Ocean
002	Tertiary Treated Recycled Domestic Wastewater			Reclamation Use

This Order was adopted on: **August 25, 2022**
This Order shall become effective on: **November 1, 2022**
This Order shall expire on: **October 31, 2027**

The Discharger shall file a Report of Waste Discharge as an application for reissuance of WDRs in accordance with title 23, California Code of Regulations (CCR), and an application for reissuance of a National Pollutant Discharge Elimination System (NPDES) permit no later than: **May 4, 2027.** The U.S. Environmental Protection Agency (U.S. EPA) and the California Regional Water Quality Control Board, Central Coast Region have classified this discharge as follows: Major

I, Matthew T. Keeling, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on the date indicated above.

_____
Matthew T. Keeling, Executive Officer

TABLE OF CONTENTS

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TABLE OF ATTACHMENTS

1. FACILITY INFORMATION

Information describing the Montecito Sanitary District Wastewater Treatment Facility (Facility) is summarized on the cover page and in sections 1 and 2 of the Fact Sheet (Attachment F). Section 1 of the Fact Sheet also includes information regarding the Facility's permit application.

2. FINDINGS

The California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board), finds:

2.1. **Legal Authorities.** This Order serves as waste discharge requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the California Water Code (CWC) (commencing with section 13260). This Order includes water reclamation requirements authorizing production of disinfected tertiary recycled water. This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the CWC (commencing with section 13370). It shall serve as a National Pollutant Discharge Elimination System (NPDES) permit authorizing the Discharger to discharge into waters of the United States at the discharge location described in Table 1 subject to the WDRs in this Order.

2.2. **Background and Rationale for Requirements.** The Central Coast Water Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for the requirements in this Order, is hereby incorporated into and constitutes Findings for this Order. Attachments A through E are also incorporated into this Order.

2.3. **Provisions and Requirements Implementing State Law.** Some provisions/requirements in this Order are included to implement state law only. These provisions/requirements are not required or authorized under the federal CWA; consequently, violations of these provisions/requirements are not subject to the enforcement remedies that are available for NPDES violations.

2.4. **Provision of Treated Effluent for Beneficial Reuse.** Section 6.3.6 of this Order requires the Discharger to prepare a climate change adaptation plan to describe in detail how the Discharger will maximize the amount of the Facility's treated effluent used for beneficial reuse, with the goal of achieving maximum beneficial reuse. This provision is consistent with State Board's Resolution No. 2017-0012, *Comprehensive Response to Climate Change*, and the Central Coast Water Board's Resolution No. R3-2017-0004, *Adopting the Human Right to Water as a Core Value and Directing Its Implementation in Central Coast Water Board Programs and Activities*, as described in further detail below. This provision also implements the State policy and goals for recycled water. To support water supply diversity and sustainability and to encourage the increased use of recycled water in California, the State Water Board's *Water Quality Control Policy for Recycled Water* adopts goals to increase the use of recycled water and to reuse all dry weather

direct discharges of treated wastewater to ocean waters that can be viably put to a beneficial use. Additionally, recycled water is considered a valuable resource in CWC section 13050(n), which defines recycled water as a water which, as a result of treatment of waste, is suitable for a direct beneficial use or a controlled use that would not otherwise occur.

Finally, State Water Resources Control Board (State Water Board) Resolution No. 68-16, the antidegradation policy, supports the inclusion of recycled water management planning requirements. Consistent with the State antidegradation policy, this Order results in the best practicable treatment or control of the Facility's discharge to ensure that pollution or nuisance will not occur and that the highest water quality consistent with maximum benefit to the people of the State will be maintained. For this Order, which takes into consideration the state of technology today and environmental conditions that necessitate the reuse of treated wastewater, recycling treated wastewater where viable is the best practicable treatment or control. Recycling treated wastewater, as opposed to disposing of this valuable resource to ocean waters, is critical to provide the maximum benefit to and to promote the health and welfare of the people of the state. Additionally, Attachment F explains how future implementation of proposed beneficial reuses identified in the recycled water management plans may result in production of a waste or increased volume or concentration of waste and discharge to a new location, but the implementation of beneficial reuses pursuant to the plans, particularly any waste discharge, will be consistent with the maximum benefit for the people of the state.

2.5. **Water Reclamation Requirements for Recycled Water Production and Use**. This Order allows the future production and onsite use of disinfected tertiary recycled wastewater in compliance with applicable state and local requirements regarding the production and use of reclaimed wastewater, including those requirements established by the Division of Drinking Water at title 22, sections 60301 - 60355 of the California Code of Regulations (CCR), Water Recycling Criteria. Additionally, this Order includes water reclamation requirements for the Facility pursuant to the State Water Board's Division of Drinking Water recommendations submitted to the Central Coast Water Board. The distribution and offsite reuse of recycled water produced by the Facility is subject to the State Water Board General Water Reclamation Requirements for Recycled Water Use Board Order No. WQ 2016-0068-DDW), or other applicable permit, dependent on final use.

2.6. **Response to Climate Change**. Climate change refers to observed changes in regional weather patterns such as temperature, precipitation, and storm frequency and size. At the local scale, climate change may directly impact groundwater and surface water supply; drainage, flooding, and erosion patterns; and ecosystems and habitat. This shift in climate, combined with California's growing population, has increased reliance on pumping, conveying, treating, and heating water, increasing the water sector's greenhouse gas emissions. The State Water Board's Resolution No. 2017-0012, Comprehensive Response to Climate Change, requires a proactive response to climate change in all California Water Board actions, with the intent to

embed climate change consideration into all programs and activities. Aligning with Resolution No. 2017-0012, this Order requires the Discharger to develop a climate change adaptation program to provide a clear, long-term plan for providing necessary wastewater treatment functions that are not vulnerable to coastal hazards. The climate change adaptation program must identify coastal hazards at the site and consider the cost to benefit of two adaptation scenarios (1) maintaining the plant at the present location versus (2) relocating the plant to an inland location safe from flooding and other coastal hazards. Also aligning with Resolution No. 2017-0012 and the State Water Board's Water Quality Control Policy for Recycled Water, this Order authorizes the production of recycled water for direct non-potable reuse to help offset demand on potable water supplies and to support local water supply resiliency.

2.7. **Long Term Planning and Implementation.** Federal regulations require NPDES permits to expire five years after their effective dates, after which the permit may be administratively extended prior to renewal. Planning and instituting measures to support long-term beneficial reuse of the Facility's treated effluent may span multiple permit terms. As a result, this Order includes requirements for the Discharger to propose next steps for making progress towards beneficial reuse of the Facility's treated effluent that the Central Coast Water Board plans to use to inform future permit terms.

2.8. **Human Right to Water.** In Resolution No. R3-2017-0004, the Central Coast Water Board resolved to continue to consider the human right to water in all activities that could affect existing or potential sources of drinking water, including permitting. This Order is consistent with Resolution No. R3-2017-0004 by requiring the Facility to plan for providing treated effluent for beneficial reuse, which may include augmenting local community drinking water supplies to improve water supply resiliency in response to climate change.

2.9. **Environmental Justice.** On January 26, 2017, the Central Coast Water Board approved Resolution No. R3-2017-0004, *Adopting the Human Right to Water as a Core Value and Directing Its Implementation in Central Coast Water Board Programs and Activities*, which adopts the human right to water as a core value and affirms the realization of the human right to water and protecting human health as the Central Coast Water Board's top priorities. To meet the objectives of the resolution, staff has evaluated the disadvantaged community status for the Discharger. Using 2016 - 2020 census data, the California Department of Water Resources Disadvantaged Community (DAC) Mapping Tool[1] identifies no disadvantaged communities in Montecito. The tool defines a DAC as a census block with a median household income between $47,203 and $62,937.

[1] The DAC Mapping Tool is used to inform statewide Integrated Water Resources Management (IRWM), Sustainable Groundwater Monitoring Act (SGMA), and California Water Plan implementation efforts and can be found at the following website: https://gis.water.ca.gov/app/dacs/

2.10. **California Environmental Quality Act.** Under California Water Code section 13389, this action to adopt an NPDES permit for the discharge of waste to surface waters is exempt from the California Environmental Quality Act (CEQA) provisions in Public Resources Code, Division 13, Chapter 3. This action to adopt new recycling requirements for the Facility if it produces disinfected tertiary recycled wastewater is not exempt from the provisions of CEQA. The Discharger is not currently producing disinfected tertiary recycled wastewater, but if the Discharger decides to do so, it must comply with the provisions of CEQA. The Central Coast Water Board, as a responsible agency under CEQA, will review and consider any EIR or negative declaration prepared by the Discharger, and the Central Coast Water Board will make its own conclusions on whether and how to approve the Discharger's project related to the recycling requirements for the Facility.

2.11. **Notification of Interested Parties.** The Central Coast Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of the notification are provided in the Fact Sheet.

2.12. **Consideration of Public Comment.** The Central Coast Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet.

THEREFORE, IT IS HEREBY ORDERED that this Order supersedes Order No. R3-2012-0016 except for enforcement purposes, and, in order to meet the provisions contained in division 7 of the CWC (commencing with section 13000) and regulations adopted thereunder, and the provisions of the CWA and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order. This action in no way prevents the Central Coast Water Board from taking enforcement action for violations of the previous Order.

3. DISCHARGE PROHIBITIONS

3.1. The discharge of treated wastewater at a location or in a manner, other than as described by this Order at Discharge Point 001 is prohibited.

3.2. The discharge of any waste in any manner other than as described by this Order is prohibited.

3.3. The average monthly dry weather effluent flow at Discharge Point 001 shall not exceed 1.5 million gallons per day (MGD).

3.4. The discharge of effluent to the Pacific Ocean when a dilution of 89:1 (seawater to effluent) is not available is prohibited.

3.5. The discharge of any radiological, chemical, or biological warfare agent or high level radioactive waste to the Pacific Ocean is prohibited.

3.6. Pipeline discharge of sludge to the ocean is prohibited by federal law. The discharge of municipal or industrial waste sludge directly to the ocean, or into a waste stream that discharges to the ocean, is prohibited by the California Ocean

Plan (Ocean Plan). The discharge of sludge digester supernatant directly to the ocean or to a waste stream that discharges to the ocean without further treatment is prohibited.

3.7. The overflow or bypass of wastewater from the Discharger's collection, treatment, or disposal facilities and the subsequent discharge of untreated or partially treated wastewater, except as provided for in Attachment D, Standard Provision 1.7 (Bypass), is prohibited.

3.8. The discharge of materials and substances in the wastewater that results in the following is prohibited:

- Float or become floatable upon discharge;
- May form sediments which degrade benthic communities or other aquatic life;
- Accumulate to toxic levels in marine waters, sediments or biota;
- Decrease the natural light to benthic communities and other marine life; and
- Result in aesthetically undesirable discoloration of the ocean surface.

4. EFFLUENT LIMITATIONS AND DISCHARGE PROHIBITIONS

4.1. Effluent Limitations – Discharge Point 001

4.1.1. The Discharger shall maintain compliance with the following effluent limitations at Discharge Point 001, with compliance measured at Monitoring Location EFF-001 as described in Attachment E, the Monitoring and Reporting Program:

Table 2. Effluent Limitations for Conventional Pollutants

Parameter	Units	Average Monthly	Average Weekly	Daily Maximum [2]	Instantaneous Minimum	Instantaneous Maximum[3]
Carbonaceous Biochemical Oxygen Demand 5-day @ 20ºC ($CBOD_5$)	Milligram per liter (mg/L)	25	40	85		
$CBOD_5$	Pounds per day (lbs/day)[1]	310	500	1,100		
Total Suspended Solids (TSS)	mg/L	30	45	90		
TSS	lbs/day[1]	380	560	1,100		
pH [2]	standard units				6.0	9.0
Oil and Grease	mg/L	25	40			75
Oil and Grease	lbs/day[1]	310	500			940
Settleable Solids	Milliliter per liter (mL/L)	1.0	1.5			3.0
Turbidity	Nephelometric Turbidity Units (NTU)	75	100			225

[1] Mass loading limits were calculated using the following formula:
lbs/day = pollutant concentration (mg/L) * permitted flow (1.5 MGD) * conversion factor (8.34)

[2] The daily maximum must apply to flow weighted 24-hour composite samples. The daily maximum mass emission must be determined using the daily maximum effluent concentration limit as Ce and the observed flow rate, Q, in MGD.

[3] The instantaneous maximum must apply to grab sample determinations.

Table 3. Effluent Limitations for the Protection of Marine Aquatic Life

Parameter	Units	6-Month Median[1]	Daily Maximum[2]	Instantaneous Maximum
Cyanide, Total Recoverable [4]	Micrograms per liter (µg/L)	90	360	900
Cyanide, Total Recoverable [4]	lbs/day[5]	1.1	4.5	11
Total Chlorine Residual	µg/L	180	720	5,400
Total Chlorine Residual	lbs/day[5]	2.2	9.0	68
Phenolic Compounds (non-chlorinated)	µg/L	2,700	11,000	27,000
Phenolic Compounds (non-chlorinated)	lbs/day[5]	34	140	340
Chlorinated Phenolics	µg/L	90	360	900
Chlorinated Phenolics	lbs/day[5]	1.1	4.5	11
Endosulfan[6]	µg/L	0.81	1.6	2.4
Endosulfan[6]	lbs/day[5]	0.010	0.020	0.030
Endrin	µg/L	0.18	0.36	0.54
Endrin	lbs/day[5]	0.0023	0.0045	0.0068
HCH[6]	µg/L	0.36	0.72	1.1
HCH[6]	lbs/day[5]	0.0045	0.0090	0.014
Radioactivity	[7]	[7]	[7]	[7]

[1] The six-month median shall apply as a moving median of daily values for any 180-day period in which daily values represent flow weighted average concentrations within a 24-hour period. For intermittent discharges, the daily value shall be considered equal to zero for days on which no discharge occurred. The six-month median limit on daily mass emissions shall be determined using the six-month median effluent concentration Ce and the observed flow rate, Q, in MGD.

[2] The daily maximum shall apply to flow weighted 24-hour composite samples. The daily maximum mass emission shall be determined using the daily maximum effluent concentration limit as Ce and the observed flow rate, Q, in MGD.

[3] The instantaneous maximum shall apply to grab sample determinations.

[4] If a Discharger can demonstrate to the satisfaction of the Central Coast Water Board (subject to U.S. EPA approval) that an analytical method is available to reliably distinguish between strongly and weakly complexed cyanide, effluent limitations for cyanide may be met by the combined measurement of free cyanide, simple alkali metal cyanides, and weakly complexed organometallic cyanide complexes. In order for the analytical method to be acceptable, the recovery of free cyanide from metal

complexes must be comparable to that achieved by the approved method in 40 C.F.R. 136.

[5] Mass loading limits were calculated using the following formula: lbs/day = pollutant concentration (mg/L) * permitted flow (1.5 MGD) * conversion factor (8.34)

[6] As defined in Attachment A – Definitions.

[7] Radioactivity is not to exceed limits specified in title 17, division 1, chapter 5, subchapter 4, group 3, article 3, section 30253 of the CCR. Reference to section 30253 is prospective including future changes to incorporate provisions of federal law, as the changes take effect.

Table 4. Effluent Limitations for the Protection of Human Health – Non-Carcinogens

Parameter	Unit	30-day Average
Acrolein	µg/L	20,000
Acrolein	lbs/day[1]	250
Bis(2-chloroethoxy) methane	µg/L	400
Bis(2-chloroethoxy) methane	lbs/day[1]	5.0
Bis(2-chloroisopropyl) ether	µg/L	110,000
Bis(2-chloroisopropyl) ether	lbs/day[1]	1,400
Chlorobenzene	µg/L	51,000
Chlorobenzene	lbs/day[1]	640
Chromium (III)	µg/L	17,000,000
Chromium (III)	lbs/day[1]	210,000
Di-n-butyl phthalate	µg/L	320,000
Di-n-butyl phthalate	lbs/day[1]	3,900
Dichlorobenzenes[2]	µg/L	460,000
Dichlorobenzenes[2]	lbs/day[1]	5,700
Diethyl phthalate	µg/L	2,300,000
Diethyl phthalate	lbs/day[1]	37,000
Dimethyl phthalate	µg/L	74,000,000
Dimethyl phthalate	lbs/day[1]	920,000
4,6-dinitro-2-methylphenol	µg/L	20,000
4,6-dinitro-2-methylphenol	lbs/day[1]	250
2,4-dinitrophenol	µg/L	360
2,4-dinitrophenol	lbs/day[1]	4.5
Ethylbenzene	µg/L	370,000
Ethylbenzene	lbs/day[1]	4,600

Parameter	Unit	30-day Average
Fluoranthene	µg/L	1,400
Fluoranthene	lbs/day[1]	17
Hexachlorocyclopentadiene	µg/L	5,200
Hexachlorocyclopentadiene	lbs/day[1]	65
Nitrobenzene	µg/L	440
Nitrobenzene	lbs/day[1]	5.5
Thallium	µg/L	180
Thallium	lbs/day[1]	2.3
Toluene	µg/L	7,700,000
Toluene	lbs/day[1]	96,000
Tributyltin	µg/L	0.13
Tributyltin	lbs/day[1]	0.0016
1,1,1-trichloroethane	µg/L	49,000,000
1,1,1-trichloroethane	lbs/day[1]	610,000

[1] Mass loading limits were calculated using the following formula:
lbs/day = pollutant concentration (mg/L) * permitted flow (1.5 MGD) * conversion factor (8.34)

[2] As defined in Attachment A – Definitions.

Table 5. Effluent Limitations for the Protection of Human Health – Carcinogens

Parameter	Unit	30-day Average
Acrylonitrile	µg/L	9.0
Acrylonitrile	lbs/day[1]	0.11
Aldrin	µg/L	0.0020
Aldrin	lbs/day[1]	0.000025
Benzene	µg/L	530
Benzene	lbs/day[1]	6.6
Benzidine	µg/L	0.0062
Benzidine	lbs/day[1]	0.000078
Beryllium	µg/L	3.0
Beryllium	lbs/day[1]	0.037
Bis(2-chloroethyl) ether	µg/L	4.1

Parameter	Unit	30-day Average
Bis(2-chloroethyl) ether	lbs/day[1]	0.051
Carbon tetrachloride	µg/L	81
Carbon tetrachloride	lbs/day[1]	1.0
Chlordane[2]	µg/L	0.0021
Chlordane[2]	lbs/day[1]	0.000026
DDT[2]	µg/L	0.015
DDT[2]	lbs/day[1]	0.00019
1,4-dichlorobenzene	µg/L	1,600
1,4-dichlorobenzene	lbs/day[1]	20
3,3'-dichlorobenzidine	µg/L	0.73
3,3'-dichlorobenzidine	lbs/day[1]	0.0091
1,2-dichloroethane	µg/L	2,500
1,2-dichloroethane	lbs/day[1]	32
1,1-dichloroethylene	µg/L	81
1,1-dichloroethylene	lbs/day[1]	1.0
Dichloromethane	µg/L	41,000
Dichloromethane	lbs/day[1]	510
1,3-dichloropropene	µg/L	800
1,3-dichloropropene	lbs/day[1]	10
Dieldrin	µg/L	0.0036
Dieldrin	lbs/day[1]	0.000045
Halomethanes[2]	µg/L	12,000
Halomethanes[2]	lbs/day[1]	150
2,4-dinitrotoluene	µg/L	230
2,4-dinitrotoluene	lbs/day[1]	2.9
1,2-diphenylhydrazine	µg/L	14
1,2-diphenylhydrazine	lbs/day[1]	0.18
Heptachlor	µg/L	0.0045
Heptachlor	lbs/day[1]	0.000056
Heptachlor epoxide	µg/L	0.0018
Heptachlor epoxide	lbs/day[1]	0.000023
Hexachlorobenzene	µg/L	0.019
Hexachlorobenzene	lbs/day[1]	0.00024
Hexachlorobutadiene	µg/L	1,300
Hexachlorobutadiene	lbs/day[1]	16
Hexachloroethane	µg/L	230

Parameter	Unit	30-day Average
Hexachloroethane	lbs/day[1]	2.8
Isophorone	µg/L	66,000
Isophorone	lbs/day[1]	820
N-Nitrosodimethylamine	µg/L	660
N-Nitrosodimethylamine	lbs/day[1]	8.2
N-Nitrosodi-N-Propylamine	µg/L	34
N-Nitrosodi-N-Propylamine	lbs/day[1]	0.43
N-Nitrosodiphenylamine	µg/L	230
N-Nitrosodiphenylamine	lbs/day[1]	2.8
Polynuclear Aromatic Hydrocarbons (PAHs)[2]	µg/L	0.79
PAHs[2]	lbs/day[1]	0.0099
Polychlorinated Biphenyls (PCBs)[2]	µg/L	0.0017
PCBs[2]	lbs/day[1]	0.000021
TCDD equivalents[2]	µg/L	3.5E-07
TCDD equivalents[2]	lbs/day[1]	4.4E-09
1,1,2,2-tetrachloroethane	µg/L	210
1,1,2,2-tetrachloroethane	lbs/day[1]	2.6
Tetrachloroethylene	µg/L	180
Tetrachloroethylene	lbs/day[1]	2.3
Toxaphene	µg/L	0.019
Toxaphene	lbs/day[1]	0.00024
Trichloroethylene	µg/L	2,400
Trichloroethylene	lbs/day[1]	30
1,1,2-trichloroethane	µg/L	850
1,1,2-trichloroethane	lbs/day[1]	11
2,4,6-trichlorophenol	µg/L	26
2,4,6-trichlorophenol	lbs/day[1]	0.33
Vinyl chloride	µg/L	3,200
Vinyl chloride	lbs/day[1]	41

[1] Mass loading limits were calculated using the following formula:
lbs/day = pollutant concentration (mg/L) * permitted flow (1.5 MGD) * conversion factor (8.34)

[2] As defined in Attachment A – Definitions.

4.1.2**. Percent Removal:** The average monthly percent removal of $CBOD_5$ and TSS shall not be less than 85 percent.

4.1.3. **Dry Weather Flow:** The average dry weather effluent flow shall not exceed a monthly average of 1.5 MGD.

4.1.4. **Total Coliform Bacteria:** Effluent total coliform organisms shall not exceed

4.1.4.1. A median of 23 Most Probable Number (MPN)/100 mL as determined from the last 7 days of sampling results for which analyses have been completed;

4.1.4.2. No sample shall exceed 2,300 MPN/100 mL.

4.2. **Land Discharge Specifications – Not Applicable**

4.3. **Recycling Specifications – Discharge Point RCY-001**

The Facility does not currently have the capability to produce recycled water, however the Discharger has indicated that recycled water production may be incorporated into future facility upgrades. As specified below, this Order conditionally authorizes the Discharger to act as the producer of recycled (or reclaimed) water and to reuse recycled water onsite at the Facility. As specified within this Order, the Discharger is responsible for compliance with all applicable requirements associated with the production and onsite use of recycled water as specified within this Order. The distribution and offsite reuse of recycled water produced by the Facility is subject to State Water Board Order No. WQ-2016-0068-DDW, *State Water Board General Water Reclamation Requirements for Recycled Water Use*, or other applicable permit, dependent on final use.

4.3.1. Reclamation and use of disinfected tertiary treated wastewater shall adhere to applicable requirements of CWC sections 13500-13577 (Water Reclamation); CCR title 17 sections 7583-7586; title 17 sections 7601-7605; and title 22 sections 60301-60355 (Uniform Statewide Recycling Criteria).

4.3.2. Recycled water production shall comply with a title 22 engineering report approved by the State Water Board's Division of Drinking Water that demonstrates or defines compliance with the Uniform Statewide Recycling Criteria (and amendments).

4.3.3. Recycled water shall be disinfected tertiary recycled water, as defined by title 22 section 60301.230.

4.3.4. Recycled water shall be adequately oxidized, filtered, and subsequently disinfected, as defined in title 22 and meets the criteria in either 4.3.4.1 or 4.3.4.2.

4.3.4.1. Recycled water shall be coagulated and passed through natural undisturbed soils or a bed of filter media pursuant to the following:

4.3.4.1.1. At a rate that does not exceed 5 gallons per minute per square foot of surface area in mono, dual or mixed media gravity, upflow or pressure filtration systems, or does not exceed 2 gallons per minute per square foot of surface area in travelling automatic backwash filters; and

4.3.4.1.2. Has a turbidity that does not exceed any of the following:

4.2.4.1.2.1. An average 2 NTU within a 24-hour period;

4.2.4.1.2.2. 5 NTU more than 5 percent of the time within a 24-hour period; and

4.2.4.1.2.3. 10 NTU at any time

4.3.4.2. Filtered recycled water shall be passed through a microfiltration, ultrafiltration, nanofiltration, or reverse osmosis membrane so that turbidity of the filtered wastewater does not exceed any of the following:

4.3.4.2.1 0.2 NTU more than 5 percent of the time within a 24-hour period; and

4.3.4.2.2. 0.5 NTU at any time.

4.3.5. The concentration of total coliform bacteria measured at Monitoring Location RCY-001 (after disinfection) shall not exceed the following limits:

4.3.5.1. A median most probable number (MPN) of 2.2 per 100 mL utilizing the bacteriological results of the last seven days for which analyses have been completed,

4.3.5.2. An MPN of 23 total coliform bacteria per 100 mL in more than one sample in any 30-day period, and

4.3.5.3. An MPN of 240 total coliform bacteria per 100 mL in any one sample

4.3.6. Freeboard shall always exceed two feet in all recycled water storage ponds owned or operated by the Discharger.

4.3.7. The Discharger shall discontinue delivery of recycled water to distributors and users during any period in which it has reason to believe that the limits established in this Order are not being met. The delivery of recycled water shall not be resumed until all conditions that caused the limits to be violated have been corrected.

4.3.8. Personnel involved in producing, transporting, or using recycled water shall be informed of possible health hazards that may result from contact and use of recycled water.

4.3.9. All recycled water reservoirs and other areas with public access shall be posted with signs in English and an international symbol to warn the public that recycled wastewater is being stored or used.

4.3.10. Recycled water systems at the Facility shall be properly labeled and regularly inspected to ensure proper operation, absence of leaks, and absence of illegal connections.

4.3.11 Recycled water disinfected with chlorine shall have a CT value (chlorine concentration time modal contact time) of not less than 450 mg-min/L at all times with a modal contact time of at least 90 minutes based on a flow of 0.3 MGD in accordance with Section 60301.230(a)(1). Monthly average flow of chlorinated recycled water shall not exceed 0.3 MGD or the total monthly demand of the users.

5. RECEIVING WATER LIMITATIONS

5.1. Surface Water Limitations

Receiving water limitations are based on water quality objectives contained in the Ocean Plan and are a required part of this Order. These receiving water limitations are designed to minimize the influence of this discharge to the receiving water. The Discharger shall comply with the below receiving water limitations.

5.1.1. Bacterial Characteristics

5.1.1.1. Water-Contact Standards. Within a zone bounded by the shoreline and a distance of 1,000 feet from the shoreline or the 30-foot depth contour, whichever is farther from the shoreline, and in areas outside this zone used for water contact sports, as determined by the Central Coast Water Board (i.e., waters designated REC-1), but including all kelp beds, the following bacterial objectives shall be maintained throughout the water column.

5.1.1.1.1. Fecal Coliform. 30-day geometric mean of fecal coliform density not to exceed 200 per 100 milliliters (mL), calculated based on the five most recent samples from each site, and a single sample maximum not to exceed 400 per 100 mL.

5.1.1.1.2. Enterococci. A six-week rolling geometric mean of enterococci not to exceed 30 colony forming units (CFU) per 100 mL, calculated weekly, and a statistical threshold value (STV) of 110 CFU/100 mL not to be exceeded by more than 10 percent of the samples collected in a calendar month, calculated in a static manner using U.S. EPA Method 1600 or other equivalent method to measure culturable enterococci.

5.1.1.2. Shellfish Harvesting Standards. At all areas where shellfish may be harvested for human consumption, as determined by the Central Coast Water Board, the following bacterial objectives shall be maintained throughout the water column.

5.1.1.2.1. The median total coliform density shall not exceed 70 per 100 mL, and not more than 10 percent of the samples shall exceed 230 per 100 mL.

5.1.1.3. The “Initial Dilution Zone” of wastewater outfalls shall be excluded from designation as kelp beds for the purposes of bacterial standards. Adventitious assemblages of kelp plants on waste discharge structures (e.g., outfall pipes and diffusers) do not constitute kelp beds for purposes of bacterial standards.

5.1.2. Physical Characteristics

5.1.2.1. Floating particulates and grease and oil shall not be visible on the ocean surface.

5.1.2.2. The discharge of waste shall not cause aesthetically undesirable discoloration of the ocean surface.

5.1.2.3. Natural light shall not be significantly reduced at any point outside the zone of initial dilution as the result of the discharge of waste.

5.1.2.4. The rate of deposition of inert solids and the characteristics of inert solids in ocean sediments shall not be changed such that benthic communities are degraded.

5.1.2.5. Temperature of the receiving water shall not be altered to adversely affect beneficial uses, as set forth in the Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California (Thermal Plan).

5.1.3. **Chemical Characteristics**

5.1.3.1. The dissolved oxygen concentration shall not, at any time, be depressed more than 10 percent from that which occurs naturally, or fall below 5.0 mg/L, as the result of the discharge of oxygen demanding waste materials. The mean annual dissolved oxygen concentration shall not be less than 7.0 mg/L.

5.1.3.2. The pH shall not be changed at any time more than 0.2 units from that which occurs naturally and shall be within the range of 7.0 to 8.5 at all times.

5.1.3.3. The dissolved sulfide concentrations of waters in and near sediments shall not be significantly increased above that present under natural conditions.

5.1.3.4. The concentrations of substances set forth in Table 3 of the Ocean Plan shall not be increased in marine sediments to that which would degrade indigenous biota.

5.1.3.5. The concentration of organic materials in marine sediments shall not be increased to that which would degrade marine life.

5.1.3.6. Nutrient materials shall not cause objectionable aquatic growth or degrade indigenous biota.

5.1.3.7. Numerical water quality objectives established in Table 3 of the Ocean Plan apply to all discharges within the jurisdiction of the Ocean Plan. Unless otherwise specified, all metal concentrations are expressed as total recoverable concentrations.

5.1.4. **Biological Characteristics**

5.1.4.1. Marine communities, including vertebrate, and plant species, shall not be degraded.

5.1.4.2. The natural taste, odor, and color of fish, shellfish, or other marine resources used for human consumption shall not be altered.

5.1.4.3. The concentration of organic materials in fish, shellfish, or other marine resources used for human consumption shall not bioaccumulate to levels that are harmful to human health.

5.1.5. **Radioactivity**

5.1.5.1. Discharge of radioactive waste shall not degrade marine life.

5.1.5.2. Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life; or result in the accumulation of

radionuclides in the food web to an extent that presents a hazard to human, plant, animal, or aquatic life.

5.1.6. **General Standards**

5.1.6.1. The discharge shall not cause a violation of any applicable water quality objective or standard for receiving waters adopted by the Central Coast Water Board or State Water Board, as required by the CWA and regulations adopted thereunder.

5.1.6.2. Waste management systems that discharge to the ocean must be designed and operated in a manner that will maintain the indigenous marine life and a healthy and diverse marine community.

5.1.6.3. Waste effluents shall be discharged in a manner that provides sufficient initial dilution to minimize the concentrations of substances not removed in the treatment.

5.2. **Groundwater Limitations – Not Applicable**

6. **PROVISIONS**

6.1. **Standard Provisions**

6.1.1. **Federal Standard Provisions.** The Discharger shall comply with all Standard Provisions included in Attachment D.

6.1.2. **Central Coast Water Board Standard Provisions.** The Discharger shall comply with Central Coast Water Board-specific Standard Provisions in Attachment D.

6.1.3. In the event that there is any conflict, duplication, or overlap between provisions specified by this Order, the more stringent provision must apply.

6.1.4. Failure to comply with provisions or requirements of this Order or violation of other applicable laws or regulations governing discharges from this Facility may subject the Discharger to administrative or civil liability, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may subject the Discharger to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities.

6.2. **Monitoring and Reporting Program (MRP) Requirements**

Pursuant to California Water Code sections 13267 and 13383, the Discharger must comply with the MRP, and future revisions thereto, in Attachment E of this Order, and all notification and general reporting requirements throughout this Order and Attachment D. Where notification or general reporting requirements conflict with those stated in the MRP (e.g., annual report due date), the Discharger must comply with the MRP requirements. All monitoring must be conducted according to Title 40 of the Code of Federal Regulations (40 C.F.R.) part 136, Guidelines Establishing Test Procedures for Analysis of Pollutants.

The Discharger is required to provide technical or monitoring reports because it is the owner and operator responsible for the waste discharge and compliance with

this Order. The Central Coast Water Board needs this information to determine the Discharger's compliance with this Order, assess the need for further investigation or enforcement action, and to protect public health and safety and the environment. The Discharger must comply with the MRP, and future revisions thereto, in Attachment E.

6.3. **Special Provisions**

6.3.1. **Reopener Provisions**

6.3.1.1. This Order may be reopened for modification or revocation and reissuance as a result of the detection of a reportable priority pollutant generated by special conditions included in this Order. These special conditions may be, but are not limited to, fish tissue sampling, whole effluent toxicity, monitoring requirements on internal waste stream(s), and monitoring for surrogate parameters. Additional requirements may be included in this Order as a result of the special condition monitoring data.

6.3.1.2. This Order may be reopened and modified in accordance with NPDES regulations at 40 C.F.R. parts 122 and 124, as necessary, to include additional conditions or limitations based on newly available information or to implement any U.S. EPA approved, new, State water quality objective.

6.3.1.3. This Order may be reopened for modification to include an effluent limitation if monitoring establishes that the discharge causes, has the reasonable potential to cause, or contributes to an excursion above a California Ocean Plan (Ocean Plan) Table 3 water quality objective.

6.3.2. **Special Studies, Technical Papers and Additional Monitoring Requirements**

6.3.2.1. **Toxicity Notification Requirements**

Language from the SIP (Section 4) is provided in the first paragraph below as a placeholder while public scoping and policy is developed for TRE and WET issues. The Regional Water Board might elect to replace the language with clarified requirements. Extended example language from the Central Valley Water Board is provided following the referenced language from the SIP below. The Discharger shall notify the Central Coast Water Board and U.S. EPA in writing within 14 days of exceedance of an acute toxicity trigger of 89.3 TUa, or a chronic toxicity trigger of 90 TUc (Toxicity Units Chronic). This notification shall describe actions the Discharger has taken or will take to investigate, identify, and correct the causes of toxicity; the status of actions required by this permit; and schedule for actions not yet completed; or reason(s) that no action has been taken.

6.3.2.2. **Toxicity Reduction Requirements**

As indicated in section 5.3 of the MRP, when acute toxicity is detected in the effluent above the acute toxicity trigger of 89.3 TUa, or chronic toxicity is detected in the effluent above the chronic toxicity trigger of 90 TUc, the Discharger shall resample immediately, retest, and report the results to the

Central Coast Water Board Executive Officer, who will determine whether to initiate an enforcement action, require a Toxicity Reduction Evaluation (TRE) in accordance with the Discharger's TRE Workplan, or implement other measures.

A TRE is a study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases: characterization; identification; and confirmation using aquatic organism toxicity tests. The TRE shall include all reasonable steps to identify the source of toxicity. The Discharger shall take all reasonable steps to reduce toxicity to the required level once the source of toxicity is identified.

The Discharger shall develop and maintain a TRE Workplan, which describes steps that the Discharger intends to follow in the event that a toxicity trigger established by this Order is exceeded in the discharge. The Workplan shall be prepared in accordance with current technical guidance and reference material, including:

6.3.2.2.1. *Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants* (EPA/833/B-99-022).

6.3.2.2.2. *Toxicity Identification Evaluation, Phase I* (EPA/600/6-91/005F).

6.3.2.2.3. *Methods for Aquatic Toxicity Identification Evaluations, Phase II* (EPA/600/R-92/080).

6.3.2.2.4. *Methods for Aquatic Toxicity Identification Evaluations, Phase III* (EPA/600/R-92/081).

At a minimum, the TRE Workplan shall include:

6.3.2.2.5. Actions that will be taken to investigate/identify the causes/sources of toxicity,

6.3.2.2.6. Actions that will be evaluated to mitigate the impact of the discharge, to correct the non-compliance, and/or to prevent the recurrence of acute or chronic toxicity (this list of action steps may be expanded, if a TRE is undertaken), and

6.3.2.2.7. A schedule under which these actions will be implemented.

When monitoring detects effluent toxicity greater the acute or chronic toxicity triggers in this Order, the Discharger shall resample immediately, if the discharge is continuing, and retest for whole effluent toxicity. Results of an initial failed test and results of subsequent monitoring shall be reported to the Central Coast Regional Board Executive Officer as soon as possible after receiving monitoring results. The Executive Officer will determine whether to initiate enforcement action, whether to require the Discharger to implement a

TRE, or to implement other measures. The Discharger shall conduct a TRE considering guidance provided by the U.S. EPA's *Toxicity Reduction Evaluation Procedures, Phases 1, 2, and 3* (EPA document Nos. EPA 600/3-88/034, 600/3-88/035, and 600/3-88/036, respectively). A TRE, if necessary, shall be conducted in accordance with the following schedule.

Table 6. Toxicity Reduction Evaluation Schedule

Actions Step	When Required
Take all reasonable measures necessary to immediately reduce toxicity, where the source is known.	Within 24 hours of identification of noncompliance.
Initiate the TRE in accordance with the Workplan.	Within 7 days of notification by the Executive Officer.
Conduct the TRE following the procedures in the Workplan.	Within the period specified in the Workplan (not to exceed one year without an approved Workplan)
Submit the results of the TRE, including summary of findings, required corrective action, and all results and data.	Within 60 days of completion of the TRE.
Implement corrective actions to meet Permit limits and conditions.	To be determined by the Executive Officer.

6.3.2.3. **Initial Investigation TRE Workplan for Whole Effluent Toxicity**

Within 90 days of the permit effective date, the Discharger shall prepare and submit a copy of their Initial Investigation TRE Workplan (1-2 pages) to the Central Coast Water Board for review. This plan shall include steps the Discharger intends to implement if toxicity is measured above a toxicity trigger and should include, at minimum:

6.3.2.4. **Accelerated Toxicity Testing and TRE/TIE Process for Whole Effluent Toxicity**

6.3.2.4.1. If the toxicity trigger is exceeded and the source of toxicity is known (e.g., a temporary plant upset), then the Discharger shall conduct one additional toxicity test using the same species and test method. This test shall begin within 14 days of receipt of test results exceeding the toxicity trigger. If the additional toxicity test does not exceed the toxicity trigger, then the Discharger may return to their regular testing frequency.

6.3.2.4.2. If the toxicity trigger is exceeded and the source of toxicity is not known, then the Discharger shall conduct six additional toxicity tests using the same species and test method, approximately every two weeks, over a 12-week period. This testing shall begin within 14 days of receipt of test results exceeding a toxicity trigger. If none of the additional toxicity tests exceed a toxicity trigger, then the Discharger may return to their regular testing frequency.

6.3.2.4.3. If one of the additional toxicity tests exceeds a toxicity trigger, then the Discharger shall notify the Central Coast Water Board Executive Officer and Director. If the Central Coast Water Board Executive Officer and Director determine that the discharge consistently exceeds a toxicity trigger, then the Discharger shall initiate a TRE using as guidance the U.S. EPA manuals: *Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants (EPA 833/B-99/002, 1999) or Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations* (EPN600/2-88/070, 1989). In conjunction, the Discharger shall develop and implement a detailed TRE Workplan which shall include: further actions undertaken by the Discharger to investigate, identify, and correct the causes of toxicity; actions the Discharger will take to mitigate the impact of the discharge and prevent the recurrence of toxicity, and a schedule for these actions. This Detailed TRE Workplan and schedule are subject to approval and modification by the Central Coast Water Board and U.S. EPA.

6.3.2.4.4. As part of a TRE, the Discharger may initiate a TIE using the same species and test method, and U.S. EPA TIE guidance manuals-to identify the causes of toxicity. The U.S. EPA TIE guidance manuals are: *Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I* (EPN600/6-91/005F, 1992; only chronic toxicity); *Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures* (EPN600/6-91/003, 1991; only acute toxicity); *Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPN600/R-92/080, 1993); *Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPN600/R-92/081 , 1993); and *Marine Toxicity Identification Evaluation (TIE): Phase I Guidance Document* (EPN600/R-96-054, 1996).

6.3.2.5. **Ocean Outfall and Diffuser Inspection**

At least every three years (2023 and additional years if the Order is administratively extended), the Discharger shall visually inspect the entire outfall and diffuser structure pursuant to section 9.1 of the MRP.

6.3.3. **Best Management Practices and Pollution Prevention**

6.3.3.1. **Pollutant Minimization Program**

The Discharger shall develop and conduct a Pollutant Minimization Program (PMP) as further described below when there is evidence (e.g., sample results reported as “Detected, but Not Quantified” (DNQ) when the effluent limitation is less than the minimum detection limit (MDL), sample results from analytical methods more sensitive than those methods required by this Order, presence of whole effluent toxicity, health advisories for fish consumption, results of benthic or aquatic organism tissue sampling) that a priority pollutant is present in the effluent above an effluent limitation and either:

6.3.3.1.1. A sample result is reported as DNQ and the effluent limitation is less than the reporting limit (RL); or

6.3.3.1.2. A sample result is reported as "Not Detected" (ND) and the effluent limitation is less than the MDL, using definitions described in Attachment A and reporting protocols described in MRP section 10.2.4.

The PMP shall include, but not be limited to, the following actions and submittals acceptable to the Central Coast Water Board:

6.3.3.1.2.1. An annual review and semi-annual monitoring of potential sources of the reportable priority pollutant(s), which may include fish tissue monitoring and other bio-uptake sampling;

6.3.3.1.2.2. Quarterly monitoring for the reportable priority pollutant(s) in the influent to the wastewater treatment system;

6.3.3.1.2.3. Submittal of a control strategy designed to proceed toward the goal of maintaining concentrations of the reportable priority pollutant(s) in the effluent at or below the effluent limitation;

6.3.3.1.2.4. Implementation of appropriate cost-effective control measures for the reportable priority pollutant(s), consistent with the control strategy; and

6.3.3.1.2.5. An annual status report that shall be sent to the Central Coast Water Board Executive Officer, including:

6.3.3.1.2.5.1. All PMP monitoring results for the previous year;

6.3.3.1.2.5.2. A list of potential sources of the reportable priority pollutant(s);

6.3.3.1.2.5.3. A summary of all actions undertaken pursuant to the control strategy; and

6.3.3.1.2.5.4. A description of actions to be taken in the following year.

6.3.4. **Construction, Operation and Maintenance Specifications**

6.3.4.1. The Facility shall be operated as specified under Standard Provision 1.4 of Attachment D.

6.3.5. **Special Provisions for Publicly-Owned Treatment Works (POTWs)**

6.3.5.1. **Biosolids Management.** Standard requirements for the monitoring, reporting, recordkeeping, and handling of biosolids in accordance with 40 CFR Part 503 are the permittee's responsibilities. This also includes biosolids annual reports, including major POTWs that prepare sewage sludge and other facilities designated as "Class 1 sludge management facilities," electronic reporting requirements. Permittees must submit biosolids annual reports using EPA's NPDES Electronic Reporting Tool ("NeT") by February 19th of the following year. Standard requirements for the monitoring, reporting, recordkeeping, and handling of biosolids in accordance with 40 CFR Part 503 are the responsibility of the permittee.

Solids and sludge treatment, storage, and disposal or reuse must not create a nuisance, such as objectionable odors or flies, and must not result in groundwater contamination. Sites for solids and sludge treatment and storage

must have adequate facilities to divert surface water runoff from adjacent areas to protect the boundaries of such sites from erosion, and to prevent drainage from treatment and storage sites.

The treatment, storage, disposal, or reuse of sewage sludge and solids must not cause waste material to be in a position where it is, or can be, conveyed from the treatment and storage sites and deposited into waters of the State. The Discharger is responsible for ensuring that all biosolids produced at its Facility are used or disposed of in accordance with the above rules, regardless of whether the Discharger uses or disposes of the biosolids itself or transfers them to another party for further treatment, use, or disposal. The Discharger is responsible for informing subsequent preparers, appliers, and disposers of the requirements that they must adhere to these rules.

6.3.5.2. **Pretreatment – Not Applicable**

6.3.5.3. **Discharges of Stormwater.** For the control of storm water discharged from the site of the wastewater treatment and disposal facilities, if applicable, the Discharger shall seek authorization to discharge under and meet the requirements of the State Water Resources Control Board's Water Quality Order 2014-0057-DWQ, NPDES General Permit No. CAS000001, *Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities*.

6.3.5.4. **Statewide General Waste Discharge Requirements for Sanitary Sewer Systems.** The Order requires coverage by and compliance with applicable provisions of the effective General Waste Discharge Requirements for Sanitary Sewer Systems.

6.3.6. **Other Special Provisions**

6.3.6.1. **Climate Change Adaptation Program**

The Discharger must develop a climate change adaptation program to identify and address climate change hazards and vulnerabilities at the facility, including all associated infrastructure (e.g., treatment facilities, conveyances to discharge points, mains, pump stations, and discharge facilities). The climate change adaptation program will consist of three separate sections (coastal hazards monitoring plan, life expectancy analysis, and climate change adaptation plan). The climate change adaptation program must be developed using the H++ scenario[2] and each plan must be based on the latest
and best available science on climate projections and hazards. The analysis conducted as part of the climate change adaption program should include future rates of erosion rather than using current erosion rate over the next 75-100 years. The minimum requirements and associated due dates for each of

[2] The State of California Sea-Level Rise Guidance (Ocean Protection Council 2018) recommends which sea level rise scenarios to evaluate and specifically recommends evaluating the extreme risk aversion (also called H++) scenario for critical infrastructure projects. The guidance can be found online at: State of California Sea-Level Rise Guidance

these deliverables are as follows:

6.3.6.1.1. Coastal Hazards Monitoring Plan.

By May 4, 2024, the Discharger must submit a coastal hazards monitoring Plan, for Executive Officer approval, that establishes the framework and parameters for: (1) regularly monitoring bluff erosion tidal inundation, and other coastal hazards at the site; (2) identifying the level of threat those hazards present to the facility, collection system, and associated infrastructure; (3) identifying control measures[3] necessary to protect and accommodate the existing location and facility to allow uninterrupted function of wastewater treatment; and (4) identifying tidal inundation/bluff erosion 'thresholds' to establish when facility changes (including potential plant relocation) need to be pursued in order to ensure continued function of the wastewater treatment facility in a manner that will be protective of human health and the environment. At the request of the Discharger, the Central Coast Water Board Executive Officer may provide an extension to the due date for submittal of the coastal hazards Monitoring Plan, provided the Discharger demonstrates significant progress has been made on the coastal hazards monitoring plan and there is good cause for the extension

6.3.6.1.2 Life Expectancy Analysis

By May 4, 2025, the Discharger must submit a life expectancy analysis for Executive Officer approval. The primary purpose of the analysis is to determine when the facility and associated infrastructure cannot function without substantial investment in new infrastructure and protective measures, at which point it might be appropriate to relocate the existing facility or associated infrastructure. The life expectancy analysis shall include information on each component of the facility (e.g., headworks, clarifiers, digesters, etc.) and within the collection system (e.g., mains, pump stations, etc.); the installation date of each component; upgraded component dates and the current condition of that equipment; major upgrade events; the expected lifespan and repair/maintenance and replacement costs of each component based on industry accepted sources, manufacturers' information, or the reports of other municipalities with similarly sized facilities; and the expected remaining years of use for each component and for the overall facility and associated infrastructure. At the request of the Discharger, the Central Coast Water Board Executive Officer may provide an extension to the due date for submittal of the life expectancy analysis, provided the Discharger demonstrates significant progress has been made on the life expectancy analysis and there is good cause for the extension.

[3] Control measures include emergency procedures, contingency plans, alarm/notification systems, training, backup power and equipment, and the need for planned mitigations to ameliorate climate induced impacts such as changing influent and receiving water quality and conditions, as well as the impact of rising sea level, storm surges and back-to-back severe storms that are expected to become more frequent.

6.3.6.1.3 Climate Change Adaptation Plan

By May 4, 2027, the Discharger must submit a climate change adaptation plan for Executive Officer approval. The Facility and vicinity are subject to coastal hazards related to major storm events, tidal inundation, erosion, and coastal retreat; therefore, the Climate Change Adaptation Plan is required to ensure uninterrupted function and viability of the Facility in a manner that is protective of water quality.

The climate change adaptation plan must provide a clear, long-term plan for providing necessary wastewater treatment functions that are not vulnerable to coastal hazards threatening the existing infrastructure. The climate change adaptation plan must, at minimum, include a detailed cost-benefit analysis comparing the costs and benefits of two adaptation scenarios: (1) maintaining the plant at the present location versus (2) relocating the plant to an inland location safe from flooding and other coastal hazards over time. Conclusions must be included regarding the expected point in time when investments in infrastructure (including tidal inundation and bluff erosion protection measures) at the current location outweigh investing in a relocated plant at a location that is safe from tidal inundation and other coastal hazards. Additional details are provided below. At the request of the Discharger, the Central Coast Water Board Executive Officer may provide an extension to the due date for submittal of the climate change adaptation plan, provided the Discharger demonstrates significant progress has been made on the climate change adaptation plan and there is good cause for the extension.

The climate change adaptation plan must include, at a minimum:

6.3.6.1.3.1. Identification of control measures required for near and long-term protection and accommodation of the existing site such as emergency procedures, contingency plans, alarm/notification systems, training, backup power and equipment, and the need for planned mitigations to ameliorate climate induced impacts such as changing influent and receiving water quality and conditions, as well as the impact of rising sea level, storm surges and back-to-back severe storms that are expected to become more frequent.

6.3.6.1.3.2. Identification of preferred inland site or sites for wastewater treatment functions, including evaluating alternative wastewater treatment options in lieu of building a new inland wastewater treatment plant (including the construction of an inland package plant or plants, the possibility of combining services with other nearby existing wastewater treatment plants, natural infrastructure alternatives, (e.g., constructed wetlands and similar alternatives).

The Discharger must coordinate with the County of Santa Barbara's Planning and Development office following the approval of the coastal hazards monitoring plan and life expectancy analysis, and during the development of the climate change adaptation plan to understand the land

use and environmental health regulations that would be applicable for each alternative.

6.3.6.1.3.3. Details regarding the production of recycled water to maximize the amount of the Facility's treated effluent used for beneficial reuse water recycling in both adaptation scenarios.

6.3.6.1.3.4. Details regarding the mechanisms, costs, funding options, and timing for each adaptation scenario.

6.3.6.1.3.4.1. Expected costs associated with both adaptation scenarios to: purchase land for a relocated plant, decommission the existing plant and restore the site to its natural state, upgrade wastewater treatment functions to include water recycling (including addressing the potential for joint satellite facilities and/or collaborations with nearby communities and wastewater service providers for water recycling), and maximize energy efficiency and reduce carbon output must be included.

6.3.6.1.3.4.2. Timeline of potential major relocation events, including expected timeframes for land acquisition, planning, permitting, design, construction and eventual operation of a relocated plant or alternative wastewater treatment solutions that avoid the significant coastal hazards that threaten the existing facility.

6.3.6.2. **Loss of Disinfection.** As soon as possible after learning of a significant loss of disinfection, and no more than 12 hours after the Discharger becomes aware of the disinfection loss, the Discharger shall notify the California Department of Public Health's Preharvest Shellfish Protection and Marine Biotoxin Monitoring Program (510-412- 4638), the Santa Barbara County Public Health Services (805-681-5100), the Central Coast Water Board (805-549-3147), and any shellfish leaseholders with active shellfish growing operations in the area of the discharge, as set forth in a list to be obtained from DHS, and regularly updated. The Discharger shall also conduct monitoring for bacteria in the receiving water in accordance with section 8.1 of the MRP.

6.3.8. **Compliance Schedules – Not Applicable**

7. COMPLIANCE DETERMINATION

7.1. General

Compliance with effluent limitations for reportable pollutants shall be determined using sample reporting protocols defined in the MRP and Attachment A of this Order. For purposes of reporting and administrative enforcement by the Central Coast and State Water Boards, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the reportable pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reported Minimum Level (ML).

7.2. Multiple Sample Data

When determining compliance with a measure of central tendency (arithmetic mean, geometric mean, median, etc.) of multiple samples analyses and the data set

contains one or more reported determinations of DNQ, or ND, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

7.2.1. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.

7.2.2. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

7.3. **Average Monthly Effluent Limitation (AMEL)**

If the average of daily discharges over a calendar month exceeds the AMEL for a given parameter, an alleged violation will be flagged and the Discharger will be considered out of compliance for each day of that month for that parameter (e.g., resulting in 31 days of non-compliance in a 31-day month). The average of daily discharges over the calendar month that exceeds the AMEL for a parameter will be considered out of compliance for that month only. If only a single sample is taken during the calendar month and the analytical result for that sample exceeds the AMEL, the Discharger will be considered out of compliance for that calendar month. For any one calendar month during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar month.

7.4. **Average Weekly Effluent Limitation (AWEL)**

If the average of daily discharges over a calendar week exceeds the AWEL for a given parameter, an alleged violation will be flagged and the Discharger will be considered out of compliance for each day of that week for that parameter, resulting in 7 days of noncompliance. The average of daily discharges over the calendar week that exceeds the AWEL for a parameter will be considered out of compliance for that week only. If only a single sample is taken during the calendar week and the analytical result for that sample exceeds the AWEL, the Discharger will be considered out of compliance for that calendar week. For any one calendar week during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar week.

7.5. **Maximum Daily Effluent Limitation (MDEL)**

If a daily discharge exceeds the MDEL for a given parameter, an alleged violation will be flagged and the Discharger will be considered out of compliance for that parameter for that 1 day only within the reporting period. For any 1 day during which no sample is taken, no compliance determination can be made for that day.

ATTACHMENT A – DEFINITIONS

Acute Toxicity

a. Acute Toxicity (TUa)
Expressed in Toxic Units Acute (TUa)

$$TUa = \frac{100}{\text{96-hr LC}_{50\%}}$$

b. Lethal Concentration 50% (LC 50)
LC 50 (percent waste giving 50% survival of test organisms) shall be determined by static or continuous flow bioassay techniques using standard marine test species as specified in Ocean Plan Appendix III. If specific identifiable substances in wastewater can be demonstrated by the discharger as being rapidly rendered harmless upon discharge to the marine environment, but not as a result of dilution, the LC 50 may be determined after the test samples are adjusted to remove the influence of those substances.

When it is not possible to measure the 96-hour LC 50 due to greater than 50 percent survival of the test species in 100 percent waste, the toxicity concentration shall be calculated by the expression:

$$TUa = \frac{\log (100 - S)}{1.7}$$

where:

S = percentage survival in 100% waste. If S > 99, TUa shall be reported as zero.

Areas of Special Biological Significance (ASBS)
Those areas designated by the State Water Resources Control Board (State Water Board) as ocean areas requiring protection of species or biological communities to the extent that alteration of natural water quality is undesirable. All Areas of Special Biological Significance are also classified as a subset of STATE WATER QUALITY PROTECTION AREAS.

Average Monthly Effluent Limitation (AMEL)
The highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average Weekly Effluent Limitation (AWEL)
The highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Bioaccumulative
Those substances taken up by an organism from its surrounding medium through gill membranes, epithelial tissue, or from food and subsequently concentrated and retained in the body of the organism.

Carcinogenic
Pollutants are substances that are known to cause cancer in living organisms.

Chlordane
The sum of chlordane-alpha, chlordane-gamma, chlordene-alpha, chlordene-gamma, nonachlor-alpha, nonachlor-gamma, and oxychlordane.

Chronic Toxicity
This parameter shall be used to measure the acceptability of waters for supporting a healthy marine biota until improved methods are developed to evaluate biological response.

a. Chronic Toxicity
   Expressed as Toxic Units Chronic (TUc)

$$TUc = \frac{100}{NOEL}$$

b. No Observed Effect Level (NOEL)

The NOEL is expressed as the maximum percent effluent or receiving water that causes no observable effect on a test organism, as determined by the result of a critical life stage toxicity test listed in Ocean Plan Appendix II.

Daily Discharge
Daily Discharge is defined as either: (1) the total mass of the constituent discharged over the calendar day (12:00 am through 11:59 pm) or any 24-hour period that reasonably represents a calendar day for purposes of sampling (as specified in the permit), for a constituent with limitations expressed in units of mass or; (2) the unweighted arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

The daily discharge may be determined by the analytical results of a composite sample taken over the course of one day (a calendar day or other 24-hour period defined as a day) or by the arithmetic mean of analytical results from one or more grab samples taken over the course of the day.

For composite sampling, if 1 day is defined as a 24-hour period other than a calendar day, the analytical result for the 24-hour period will be considered as the result for the calendar day in which the 24-hour period ends.

DDT
The sum of 4,4'DDT, 2,4'DDT, 4,4'DDE, 2,4'DDE, 4,4'DDD, and 2,4'DDD.

Degrade
Degradation shall be determined by comparison of the waste field and reference site(s) for characteristic species diversity, population density, contamination, growth anomalies, debility, or supplanting of normal species by undesirable plant and animal species. Degradation occurs if there are significant differences in any of three major biotic groups, namely, demersal fish, benthic invertebrates, or attached algae. Other groups may be evaluated where benthic species are not affected, or are not the only ones affected.

Detected, but Not Quantified (DNQ)
DNQ are those sample results less than the RL, but greater than or equal to the laboratory's MDL. Sample results reported as DNQ are estimated concentrations.

Dichlorobenzenes
The sum of 1,2- and 1,3-dichlorobenzene.

Downstream Ocean Waters
Waters downstream with respect to ocean currents.

Dilution Credit
The amount of dilution granted to a discharge in the calculation of a water quality-based effluent limitation, based on the allowance of a specified mixing zone. It is calculated from the dilution ratio or determined through conducting a mixing zone study or modeling of the discharge and receiving water.

Dredged Material
Any material excavated or dredged from the navigable waters of the United States, including material otherwise referred to as "spoil."

Enclosed Bays
Indentations along the coast that enclose an area of oceanic water within distinct headlands or harbor works. Enclosed bays include all bays where the narrowest distance between the headlands or outermost harbor works is less than 75 percent of the greatest dimension of the enclosed portion of the bay. Enclosed bays include, but are not limited to, Humboldt Bay, Bodega Harbor, Tomales Bay, Drake's Estero, San Francisco Bay, Morro Bay, Los Angeles-Long Beach Harbor, Upper and Lower Newport Bay, Mission Bay, and San Diego Bay. Enclosed bays do not include inland surface waters or ocean waters.

Endosulfan
The sum of endosulfan-alpha and -beta and endosulfan sulfate.

Estuaries and Coastal Lagoons
Waters at the mouths of streams that serve as mixing zones for fresh and ocean waters during a major portion of the year. Mouths of streams that are temporarily separated

from the ocean by sandbars shall be considered as estuaries. Estuarine waters will generally be considered to extend from a bay or the open ocean to the upstream limit of tidal action but may be considered to extend seaward if significant mixing of fresh and salt water occurs in the open coastal waters. The waters described by this definition include but are not limited to the Sacramento-San Joaquin Delta as defined by section 12220 of the California Water Code (CWC), Suisun Bay, Carquinez Strait downstream to Carquinez Bridge, and appropriate areas of the Smith, Klamath, Mad, Eel, Noyo, and Russian Rivers.

Geometric Mean (GM)
A type of mean or average that indicates the central tendency or typical value of a set of numbers by using the product of their values (as opposed to the arithmetic mean which uses their sum). The geometric mean is defined as the nth root of the product of n numbers. The formula is expressed as: $GM = [(x1)(x2)(x3)\ldots(xn)]^{1/n}$, where xi is the sample value and n is the number of samples taken. A geometric mean is also called the log mean.

Halomethanes
The sum of bromoform, bromomethane (methyl bromide) and chloromethane (methyl chloride).

Hexachlorocyclohexane (HCH)
The sum of the alpha, beta, gamma (lindane) and delta isomers of hexachlorocyclohexane.

Initial Dilution
The process that results in the rapid and irreversible turbulent mixing of wastewater with ocean water around the point of discharge.

For a submerged buoyant discharge, characteristic of most municipal and industrial wastes that are released from the submarine outfalls, the momentum of the discharge and its initial buoyancy act together to produce turbulent mixing. Initial dilution in this case is completed when the diluting wastewater ceases to rise in the water column and first begins to spread horizontally.

For shallow water submerged discharges, surface discharges, and non-buoyant discharges, characteristic of cooling water wastes and some individual discharges, turbulent mixing results primarily from the momentum of discharge. Initial dilution, in these cases, is considered to be completed when the momentum induced velocity of the discharge ceases to produce significant mixing of the waste, or the diluting plume reaches a fixed distance from the discharge to be specified by the Central Coast Water Board, whichever results in the lower estimate for initial dilution.

Instantaneous Maximum Effluent Limitation
The highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

Instantaneous Minimum Effluent Limitation
The lowest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous minimum limitation).

Kelp Beds
For purposes of the bacteriological standards of the Ocean Plan, kelp beds are significant aggregations of marine algae of the genera Macrocystis and Nereocystis. Kelp beds include the total foliage canopy of Macrocystis and Nereocystis plants throughout the water column.

Mariculture
The culture of plants and animals in marine waters independent of any pollution source.

Material
(a) In common usage: (1) the substance or substances of which a thing is made or composed (2) substantial; (b) For purposes of the Ocean Plan relating to waste disposal, dredging and the disposal of dredged material and fill, MATERIAL means matter of any kind or description which is subject to regulation as waste, or any material dredged from the navigable waters of the United States. See also, DREDGED MATERIAL.

Maximum Daily Effluent Limitation (MDEL)
The highest allowable daily discharge of a pollutant, over a calendar day (or 24-hour period). For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the arithmetic mean measurement of the pollutant over the day.

Method Detection Limit (MDL)
The minimum concentration of a substance that can be reported with 99 percent confidence that the measured concentration is distinguishable from method blank results, as defined in 40 C.F.R. part 136, Attachment B.

Minimum Level (ML)
The concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

Mixing Zone
A limited volume of receiving water that is allocated for mixing with a wastewater discharge where water quality criteria can be exceeded without causing adverse effects to the overall water body.

Natural Light
Reduction of natural light may be determined by the Central Coast Water Board by measurement of light transmissivity or total irradiance, or both, according to the monitoring needs of the Central Coast Water Board.

Not Detected (ND)
Sample results which are less than the laboratory's MDL.

Ocean Waters
The territorial marine waters of the State as defined by California law to the extent these waters are outside of enclosed bays, estuaries, and coastal lagoons. Discharges to ocean waters are regulated in accordance with the State Water Board's California Ocean Plan.

Persistent Pollutants
Substances for which degradation or decomposition in the environment is nonexistent or very slow.

Pollutant Minimization Program (PMP)
Waste minimization and pollution prevention actions that include, but are not limited to, product substitution, waste stream recycling, alternative waste management methods, and education of the public and businesses. The goal of the PMP shall be to reduce all potential sources of a priority pollutant(s) through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation. Pollution prevention measures may be particularly appropriate for persistent bioaccumulative priority pollutants where there is evidence that beneficial uses are being impacted. The Central Coast Water Board may consider cost effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan, if required pursuant to CWC section 13263.3(d), shall be considered to fulfill the PMP requirements.

Polychlorinated Biphenyls (PCBs)
The sum of chlorinated biphenyls whose analytical characteristics resemble those of Aroclor1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254 and Aroclor-1260.

Polynuclear Aromatic Hydrocarbons (PAHs)
The sum of acenaphthylene, anthracene, 1,2-benzanthracene, 3,4-benzofluoranthene, benzo[k]fluoranthene, 1,12-benzoperylene, benzo[a]pyrene, chrysene, dibenzo[ah]anthracene, fluorene, indeno[1,2,3-cd]pyrene, phenanthrene and pyrene

Reported Minimum Level
Also known as the Reporting Level or RL, the reported ML is the ML (and its associated analytical method) chosen by the Discharger for reporting and compliance determination from the MLs included in this Order, including an additional factor if applicable as discussed herein. The MLs included in this Order correspond to approved

analytical methods for reporting a sample result that are selected by the Central Coast Water Board either from Appendix II of the Ocean Plan in accordance with section III.C.5.a. of the Ocean Plan or established in accordance with section III.C.5.b. of the Ocean Plan. The ML is based on the proper application of method-based analytical procedures for sample preparation and the absence of any matrix interferences. Other factors may be applied to the ML depending on the specific sample preparation steps employed. For example, the treatment typically applied in cases where there are matrix-effects is to dilute the sample or sample aliquot by a factor of ten. In such cases, this additional factor must be applied to the ML in the computation of the reported ML.

Sanitary Sewer Overflow
Any overflow, spill, release, discharge, or diversion of untreated or partially treated wastewater from a sanitary sewer system. Sanitary sewer overflows include: (1) overflows or releases of untreated or partially treated wastewater that reach waters of the United States; (2) overflows or releases of untreated or partially treated wastewater that do not reach waters of the United States; and (3) wastewater backups into buildings and on private property that are caused by blockages or flow conditions within the publicly owned portion of a sanitary sewer system.

Shellfish
Organisms identified by the California Department of Health Services as shellfish for public health purposes (i.e., mussels, clams and oysters).

Six-Month Median Effluent Limitation
The highest allowable moving median of all daily discharges for any 180-day period.

State Water Quality Protection Areas (SWQPAs)
Non-terrestrial marine or estuarine areas designated to protect marine species or biological communities from an undesirable alteration in natural water quality. All ASBS that were previously designated by the State Water Board in Resolutions 74-28, 74-32, and 75-61 are now also classified as a subset of SWQPAs and require special protections afforded by the Ocean Plan.

Statistical Threshold Value (STV)
A set value that approximates the 90th percentile of the water quality distribution of a bacterial population.

TCDD Equivalents
The sum of the concentrations of chlorinated dibenzodioxins (2,3,7,8-CDDs) and chlorinated dibenzofurans (2,3,7,8-CDFs) multiplied by their respective toxicity factors, as shown in the table below.

Isomer Group	Toxicity Equivalence Factor
	1.0
2,3,7,8-tetra CDD	
2,3,7,8-penta CDD	0.5
2,3,7,8-hexa CDDs	0.1
2,3,7,8-hepta CDD	0.01
octa CDD	0.001
2,3,7,8 tetra CDF	0.1
1,2,3,7,8 penta CDF	0.05
2,3,4,7,8 penta CDF	0.5
2,3,7,8 hexa CDFs	0.1
2,3,7,8 hepta CDFs	0.01
octa CDF	0.001

Toxicity Reduction Evaluation (TRE)
A study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. (A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.)

Waste
As used in the Ocean Plan, waste includes a Discharger's total discharge, of whatever origin, i.e., gross, not net, discharge.

Water Recycling
The treatment of wastewater to render it suitable for reuse, the transportation of treated wastewater to the place of use, and the actual use of treated wastewater for a direct beneficial use or controlled use that would not otherwise occur.

ATTACHMENT B – MAP

Figure B-1. Location of Montecito Sanitary District Wastewater Treatment Facility and Ocean Outfall

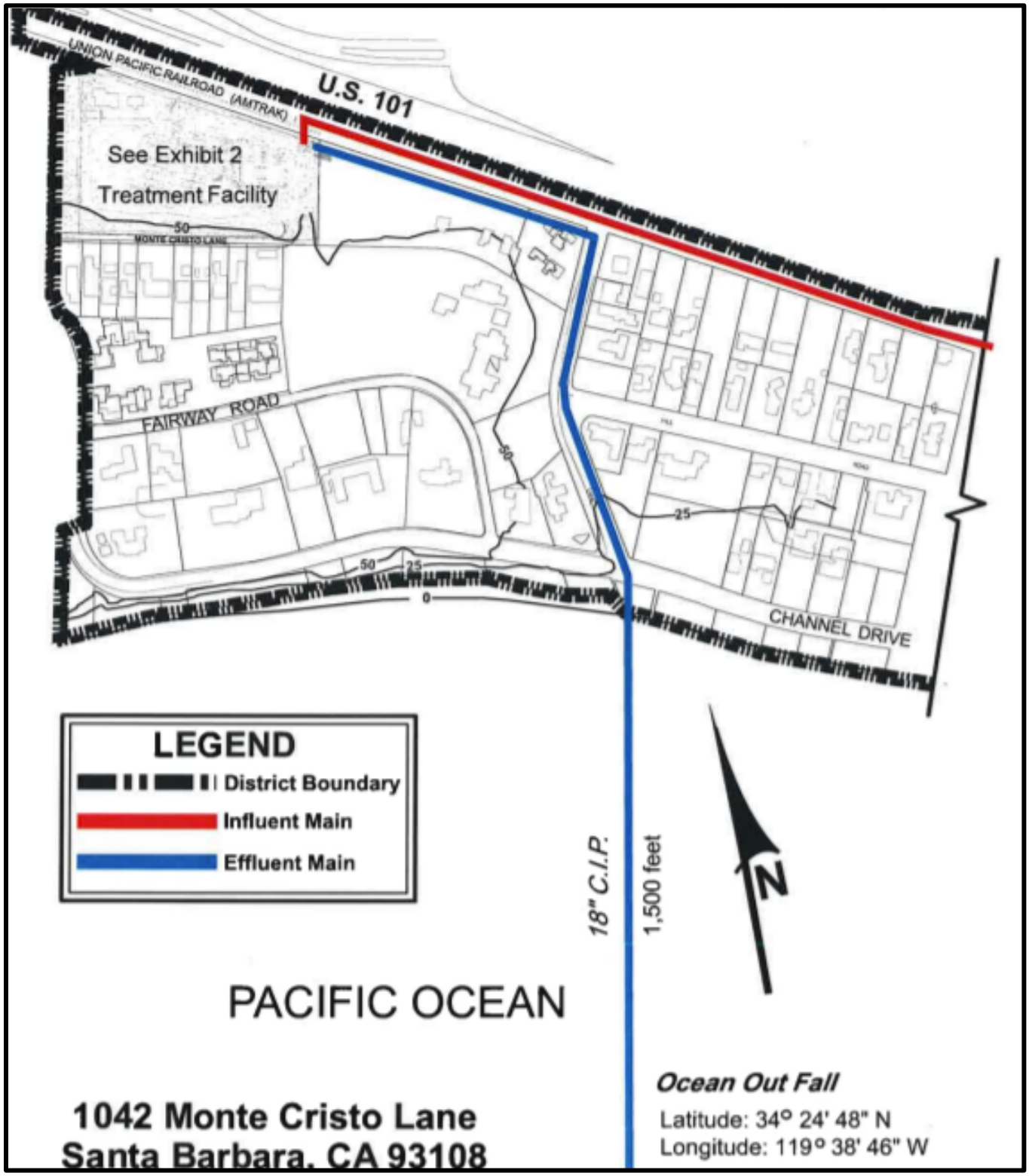


Figure B-2. Facility Topographic Map

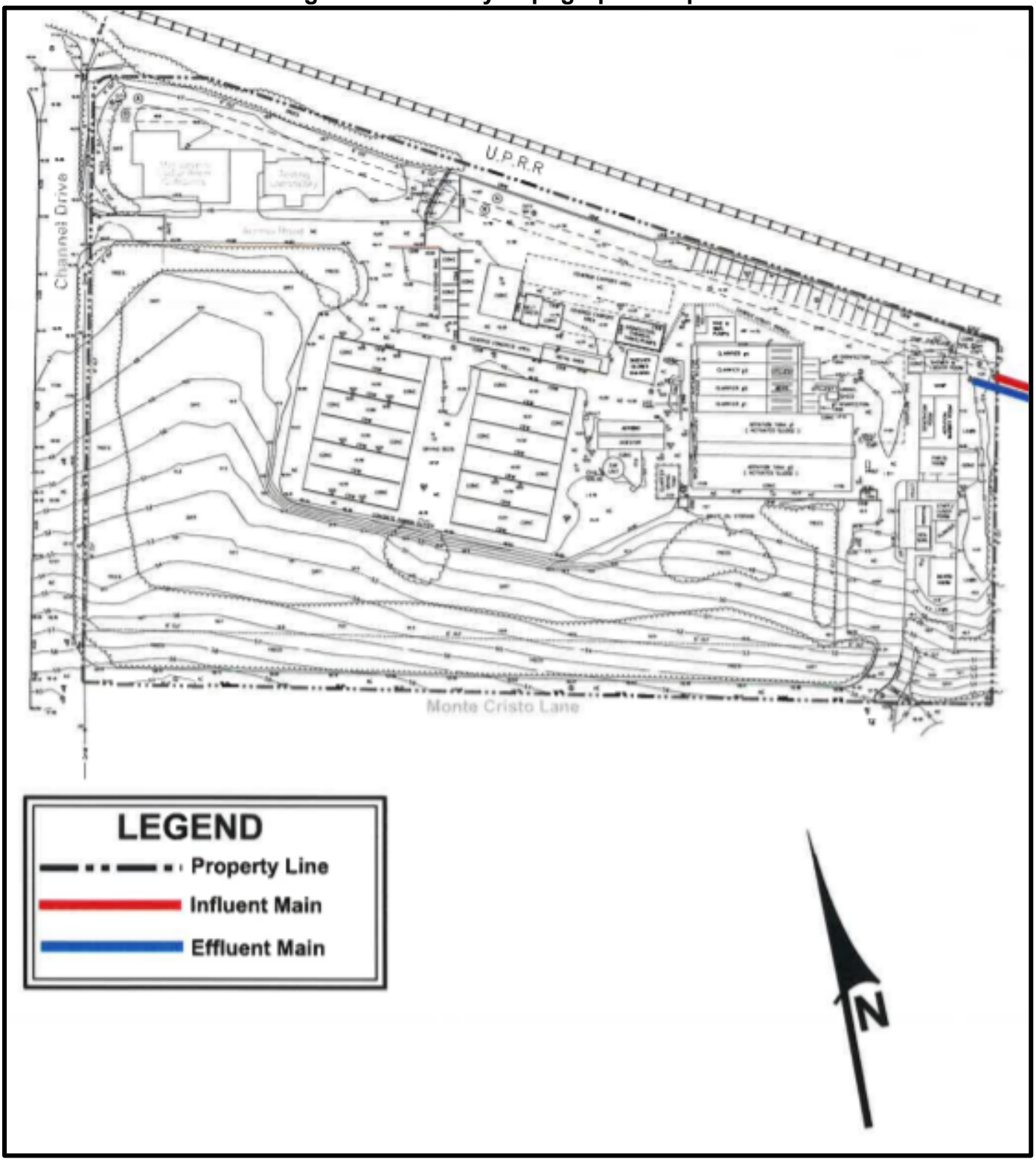


Figure B-3. Facility Site Map

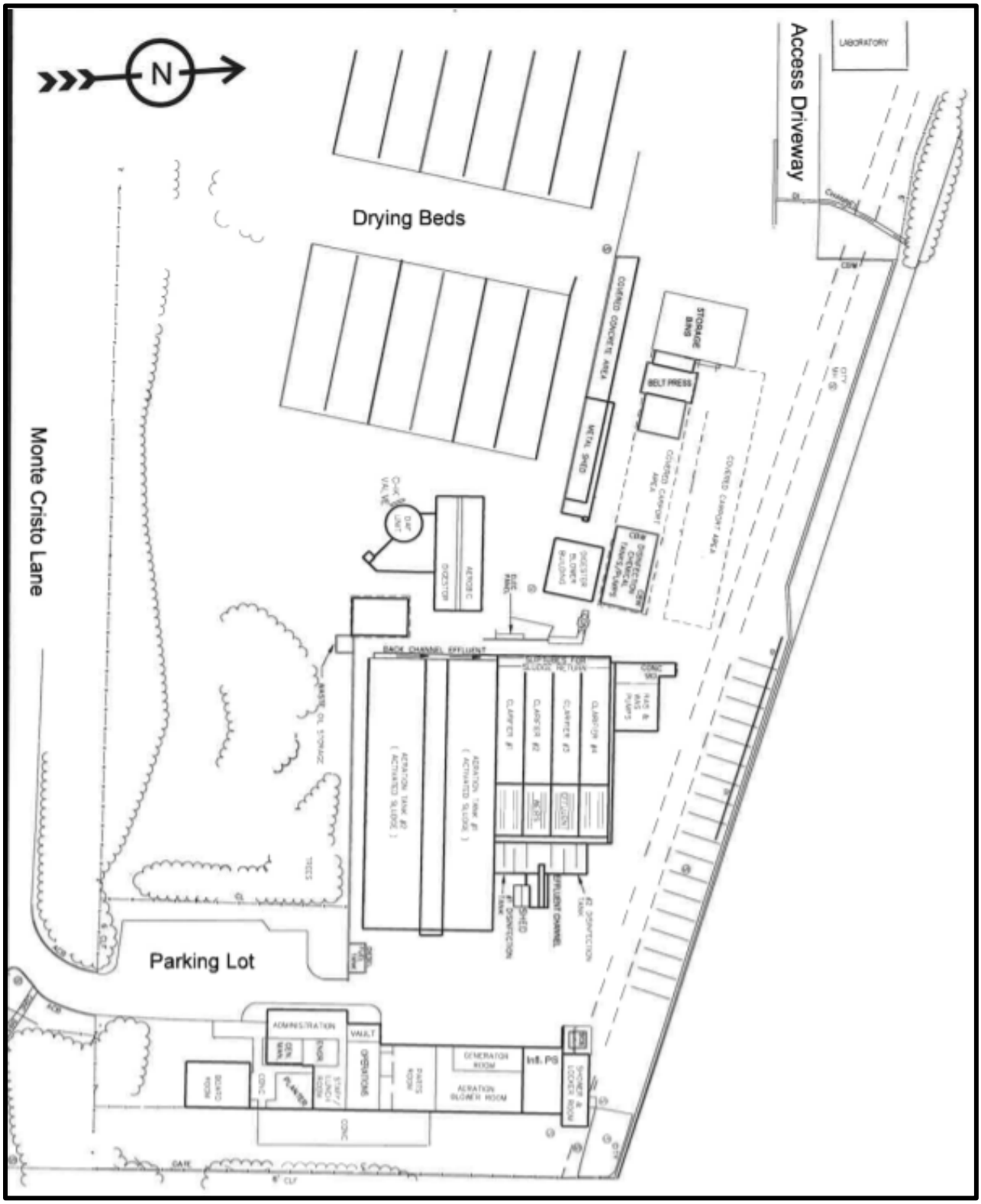


Figure B-4. Satellite Image of Montecito WWTF and proximity to the beach.

ATTACHMENT C – FLOW SCHEMATIC

Figure C-1: Flow Schematic for Montecito Sanitary District Wastewater Treatment Facility

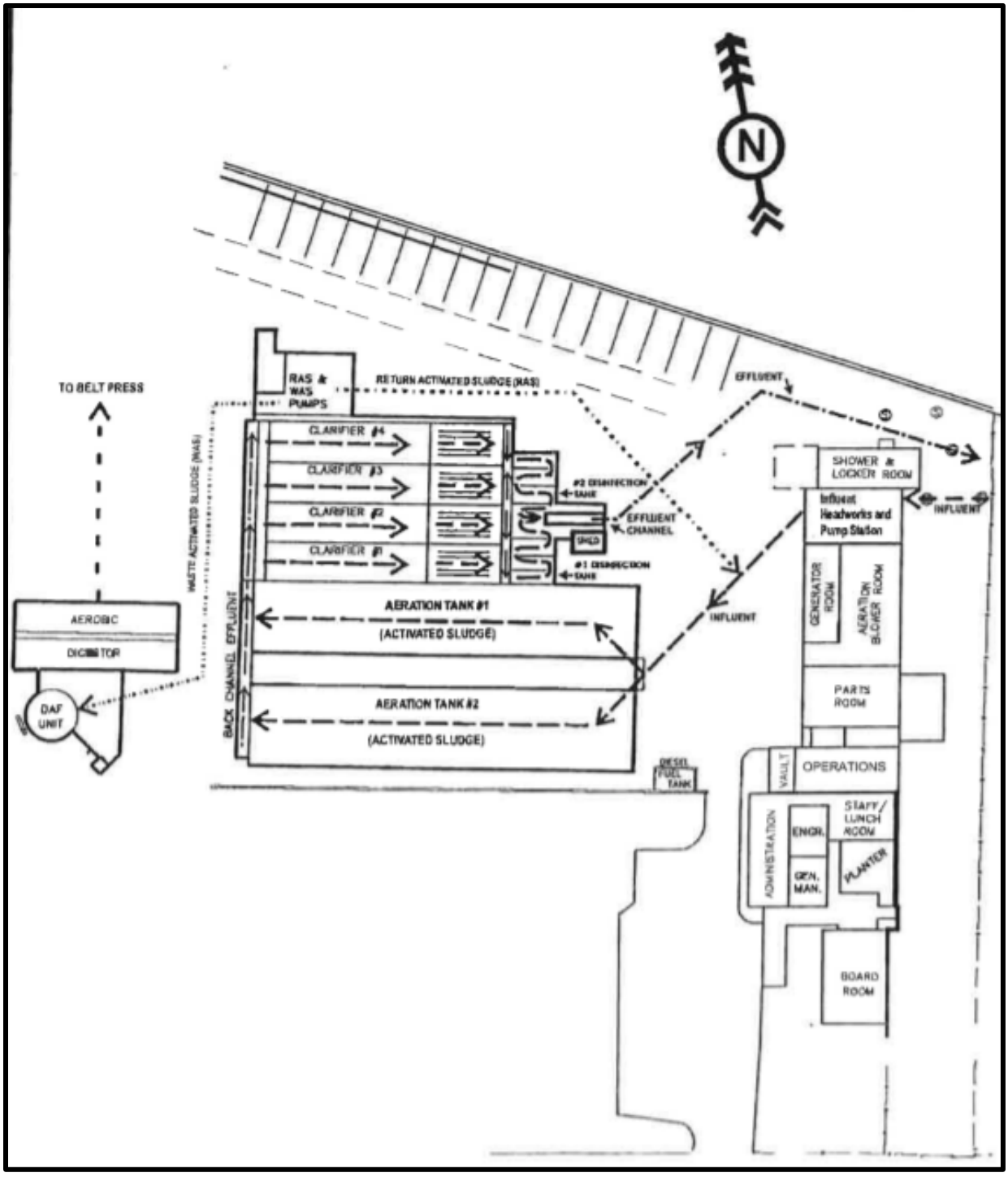
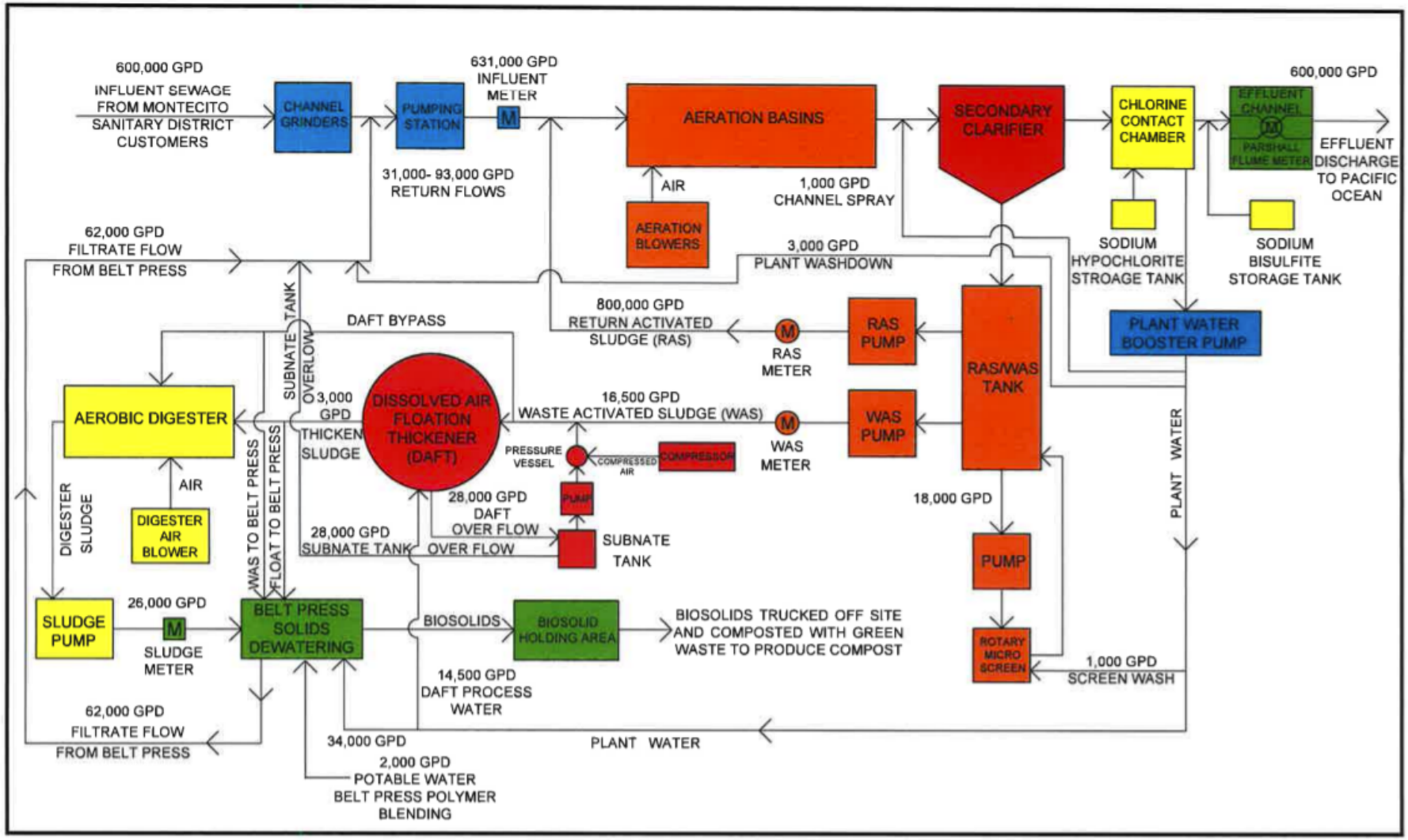


Figure C-2: Process Flow Schematic for the Montecito Sanitary District Wastewater Treatment Facility



ATTACHMENT D – STANDARD PROVISIONS

1. STANDARD PROVISIONS – PERMIT COMPLIANCE

1.1. Duty to Comply

1.1.1. The Discharger must comply with all of the terms, requirements, and conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (CWC) and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof. (40 C.F.R. § 122.41(a); CWC §§ 13261, 13263, 13265, 13268, 13000, 13001, 13304, 13350, 13385.)

1.1.2. The Discharger shall comply with effluent standards or prohibitions established under section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement. (40 C.F.R. § 122.41(a)(1).)

1.2. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order. (40 C.F.R. § 122.41(c).)

1.3. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. (40 C.F.R. § 122.41(d).)

1.4. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order. (40 C.F.R. § 122.41(e).)

1.5. Property Rights

1.5.1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 C.F.R. § 122.41(g).)

1.5.2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations. (40 C.F.R. § 122.5(c).)

1.6. **Inspection and Entry**

The Discharger shall allow the Central Coast Water Board, State Water Board, U.S. EPA, and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to (33 U.S.C. § 1318(a)(4)(B); 40 C.F.R. § 122.41(i); CWC §§ 13267, 13383):

1.6.1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order (33 U.S.C. § 1318(a)(4)(B)(i); 40 C.F.R. § 122.41(i)(1); CWC §§ 13267, 13383);

1.6.2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order (33 U.S.C. § 1318(a)(4)(B)(ii); 40 C.F.R. § 122.41(i)(2); CWC §§ 13267, 13383);

1.6.3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order (33 U.S.C. § 1318(a)(4)(B)(ii); 40 C.F.R. § 122.41(i)(3); CWC, §§ 13267, 13383); and

1.6.4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the CWC, any substances or parameters at any location. (33 U.S.C. § 1318(a)(4)(B); 40 C.F.R. § 122.41(i)(4); Wat. Code, §§ 13267, 13383.)

1.7. **Bypass**

1.7.1. Definitions

1.7.1.1. “Bypass” means the intentional diversion of waste streams from any portion of a treatment facility. (40 C.F.R. § 122.41(m)(1)(i).)

1.7.1.2. “Severe property damage” means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. (40 C.F.R. § 122.41(m)(1)(ii).)

1.7.2. **Bypass not exceeding limitations.** The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance 1.7.3, 1.7.4, and 1.7.5 below. (40 C.F.R. § 122.41(m)(2).)

1.7.3. **Prohibition of bypass.** Bypass is prohibited, and the Central Coast Water Board may take enforcement action against a Discharger for bypass, unless (40 C.F.R. § 122.41(m)(4)(i)):

1.7.3.1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 C.F.R. § 122.41(m)(4)(i)(A));

1.7.3.2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance (40 C.F.R. § 122.41(m)(4)(i)(B)); and

1.7.3.3. The Discharger submitted notice to the Central Coast Water Board as required under Standard Provisions – Permit Compliance 1.7.5 below. (40 C.F.R. § 122.41(m)(4)(i)(C).)

1.7.4. The Central Coast Water Board may approve an anticipated bypass, after considering its adverse effects, if the Central Coast Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance 1.7.3 above. (40 C.F.R. § 122.41(m)(4)(ii).)

1.7.5. **Notice**

1.7.5.1. **Anticipated bypass.** If the Discharger knows in advance of the need for a bypass, it shall submit prior notice, if possible at least 10 days before the date of the bypass. The notice shall be sent to the Central Coast Water Board. As of December 21, 2023, be submitted electronically to the initial recipient defined in Standard Provisions – Reporting 5.10 below. Notices shall comply with 40 C.F.R. part 3, 40 C.F.R. section 122.22, and 40 C.F.R. part 127. (40 C.F.R. § 122.41(m)(3)(i).)

1.7.5.2. **Unanticipated bypass.** The Discharger shall submit a notice of an unanticipated bypass as required in Standard Provisions - Reporting 5.5 below (24-hour notice). The notice shall be sent to the Central Coast Water Board. As of December 21, 2023, be submitted electronically to the initial recipient defined in Standard Provisions – Reporting 5.10 below. Notices shall comply with 40 C.F.R. part 3, 40 C.F.R. section 122.22, and 40 C.F.R. part 127. (40 C.F.R. § 122.41(m)(3)(ii).)

1.8. **Upset**

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the Discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. (40 C.F.R. § 122.41(n)(1).)

1.8.1. **Effect of an upset.** An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Standard Provisions – Permit Compliance 1.8.2 below are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. (40 C.F.R. § 122.41(n)(2).)

1.8.2. **Conditions necessary for a demonstration of upset.** A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that (40 C.F.R. § 122.41(n)(3)):

1.8.2.1. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 C.F.R. § 122.41(n)(3)(i));

1.8.2.2. The permitted facility was, at the time, being properly operated (40 C.F.R. § 122.41(n)(3)(ii));

1.8.2.3. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting 5.5.2.2 below (24-hour notice) (40 C.F.R. § 122.41(n)(3)(iii)); and

1.8.2.4. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance 1.3 above. (40 C.F.R. § 122.41(n)(3)(iv).)

1.8.3**. Burden of proof.** In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof. (40 C.F.R. § 122.41(n)(4).)

2. STANDARD PROVISIONS – PERMIT ACTION

2.1. General

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition. (40 C.F.R. § 122.41(f).)

2.2. Duty to Reapply

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit. (40 C.F.R. § 122.41(b).)

2.3. Transfers

This Order is not transferable to any person except after notice to the Central Coast Water Board. The Central Coast Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the CWC. (40 C.F.R. §§ 122.41(l)(3), 122.61.)

3. STANDARD PROVISIONS – MONITORING

3.1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. (40 C.F.R. § 122.41(j)(1).)

3.2. Monitoring must be conducted according to test procedures approved under 40 C.F.R. part 136 for the analyses of pollutants unless another method is required under 40 C.F.R. chapter 1, subchapter N. Monitoring must be conducted according

to sufficiently sensitive test methods approved under 40 C.F.R. part 136 for the analysis of pollutants or pollutant parameters or as required under 40 C.F.R. chapter 1, subchapter N. For the purposes of this paragraph, a method is sufficiently sensitive when:

3.2.1. The method minimum level (ML) is at or below the level of the most stringent effluent limitation established in the permit for the measured pollutant or pollutant parameter, and either the method ML is at or below the level of the most stringent applicable water quality criterion for the measured pollutant or pollutant parameter or the method ML is above the applicable water quality criterion but the amount of the pollutant or pollutant parameter in the facility's discharge is high enough that the method detects and quantifies the level of the pollutant or pollutant parameter in the discharge; or

3.2.2. The method has the lowest ML of the analytical methods approved under 40 C.F.R. part 136 or required under 40 C.F.R. chapter 1, subchapter N for the measured pollutant or pollutant parameter. In the case of pollutants or pollutant parameters for which there are no approved methods under 40 C.F.R. part 136 or otherwise required under 40 C.F.R. chapter 1, subchapter N, monitoring must be conducted according to a test procedure specified in this Order for such pollutants or pollutant parameters. (40 C.F.R. §§ 122.21(e)(3), 122.41(j)(4), 122.44(l)(1)(iv).)

4. STANDARD PROVISIONS – RECORDS

4.1. The Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Central Coast Water Board Executive Officer at any time. (40 C.F.R. § 122.41(j)(2).)

4.2**. Records of monitoring information shall include:**

4.2.1. The date, exact place, and time of sampling or measurements (40 C.F.R. § 122.41(j)(3)(i));

4.2.2. The individual(s) who performed the sampling or measurements (40 C.F.R. § 122.41(j)(3)(ii));

4.2.3. The date(s) analyses were performed (40 C.F.R. § 122.41(j)(3)(iii));

4.2.4. The individual(s) who performed the analyses (40 C.F.R. § 122.41(j)(3)(iv));

4.2.5. The analytical techniques or methods used (40 C.F.R. § 122.41(j)(3)(v)); and

4.2.6. The results of such analyses. (40 C.F.R. § 122.41(j)(3)(vi).)

4.3. **Claims of confidentiality for the following information will be denied (40 C.F.R. § 122.7(b)):**

4.3.1. The name and address of any permit applicant or Discharger (40 C.F.R. § 122.7(b)(1)); and

4.3.2. Permit applications and attachments, permits and effluent data. (40 C.F.R. § 122.7(b)(2).)

5. STANDARD PROVISIONS – REPORTING

5.1. **Duty to Provide Information**

The Discharger shall furnish to the Central Coast Water Board, State Water Board, or U.S. EPA within a reasonable time, any information which the Central Coast Water Board, State Water Board, or U.S. EPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Central Coast Water Board, State Water Board, or U.S. EPA copies of records required to be kept by this Order. (40 C.F.R. § 122.41(h); CWC §§ 13267, 13383.)

5.2. **Signatory and Certification Requirements**

5.2.1. All applications, reports, or information submitted to the Central Coast Water Board, State Water Board, and/or U.S. EPA shall be signed and certified in accordance with Standard Provisions – Reporting 5.2.2, 5.2.3, 5.2.4, 5.2.5, and 5.2.6 below. (40 C.F.R. § 122.41(k).)

5.2.2. All permit applications shall be signed by either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a federal agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of U.S. EPA). (40 C.F.R. § 122.22(a)(3).).

5.2.3. All reports required by this Order and other information requested by the Central Coast Water Board, State Water Board, or U.S. EPA shall be signed by a person described in Standard Provisions – Reporting 5.2.2 above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

5.2.3.1. The authorization is made in writing by a person described in Standard Provisions – Reporting 5.2.2 above (40 C.F.R. § 122.22(b)(1));

5.2.3.2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) (40 C.F.R. § 122.22(b)(2)); and

5.2.3.3. The written authorization is submitted to the Central Coast Water Board and State Water Board. (40 C.F.R. § 122.22(b)(3).)

5.2.4. If an authorization under Standard Provisions – Reporting 5.2.3 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Standard Provisions – Reporting 5.2.3 above must be submitted to the Central Coast Water Board and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative. (40 C.F.R. § 122.22(c).)

5.2.5. Any person signing a document under Standard Provisions – Reporting 5.2.2 or 5.2.3 above shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." (40 C.F.R. § 122.22(d).)

5.2.6. Any person providing the electronic signature for documents described in Standard Provisions – 5.2.1, 5.2.2, or 5.2.3 that are submitted electronically shall meet all relevant requirements of Standard Provisions – Reporting 5.2, and shall ensure that all relevant requirements of 40 C.F.R. part 3 (Cross-Media Electronic Reporting) and 40 C.F.R. part 127 (NPDES Electronic Reporting Requirements) are met for that submission. (40 C.F.R § 122.22(e).)

5.3. **Monitoring Reports**

5.3.1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order. (40 C.F.R. § 122.41(l)(4).)

5.3.2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Central Coast Water Board or State Water Board. As of December 21, 2016, all reports and forms must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting 5.10 and comply with 40 C.F.R. part 3, 40 C.F.R. section 122.22, and 40 C.F.R. part 127. (40 C.F.R. § 122.41(l)(4)(i).)

5.3.3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under 40 C.F.R. part 136, or another method required for an industry-specific waste stream under 40 C.F.R. chapter 1, subchapter N, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the Central Coast Water Board or State Water Board. (40 C.F.R. § 122.41(l)(4)(ii).)

5.3.4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order. (40 C.F.R. § 122.41(l)(4)(iii).)

5.4. **Compliance Schedules**

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date. (40 C.F.R. § 122.41(l)(5).)

5.5. **Twenty-Four Hour Reporting**

5.5.1. The Discharger shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A report shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The report shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (i.e., combined sewer overflow, sanitary sewer overflow, or bypass event), type of overflow structure (e.g., manhole, combined sewer overflow outfall), discharge volume untreated by the treatment works treating domestic sewage, types of human health and environmental impacts of the event, and whether the noncompliance was related to wet weather.

As of December 21, 2023, all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events must be submitted to the Central Coast Water Board and must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting 5.10 The reports shall comply with 40 C.F.R. part 3, 40 C.F.R. section 122.22, and 40 C.F.R. part 127. The Central Coast Water Board may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 C.F.R. § 122.41(l)(6)(i).)

5.5.2. The following shall be included as information that must be reported within 24 hours:

5.5.2.1. Any unanticipated bypass that exceeds any effluent limitation in this Order. (40 C.F.R. § 122.41(l)(6)(ii)(A).)

5.5.2.2. Any upset that exceeds any effluent limitation in this Order. (40 C.F.R. § 122.41(l)(6)(ii)(B).)

5.5.3. The Central Coast Water Board may waive the above required written report on a case-by-case basis if an oral report has been received within 24 hours. (40 C.F.R. § 122.41(l)(6)(ii)(B).)

5.6. **Planned Changes**

The Discharger shall give notice to the Central Coast Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when (40 C.F.R. § 122.41(l)(1)):

5.6.1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in section 40 C.F.R. 122.29(b) (40 C.F.R. § 122.41(l)(1)(i)); or

5.6.2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this Order. (40 C.F.R. § 122.41(l)(1)(ii).)

5.7. **Anticipated Noncompliance**

The Discharger shall give advance notice to the Central Coast Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with this Order's requirements. (40 C.F.R. § 122.41(l)(2).)

5.8. **Other Noncompliance**

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting 5.3, 5.4, and 5.5 above at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting 5.5 above. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports shall contain the information described in Standard Provision – Reporting 5.5 and the applicable required data in appendix A to 40 C.F.R. part 127. The Central Coast Water Board may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 C.F.R. § 122.41(l)(7).)

5.9. **Other Information**

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Central Coast Water Board, State Water Board, or U.S. EPA, the Discharger shall promptly submit such facts or information. (40 C.F.R. § 122.41(l)(8).)

5.10. **Initial Recipient for Electronic Reporting Data**

The owner, operator, or the duly authorized representative is required to electronically submit NPDES information specified in appendix A to 40 C.F.R. part 127 to the initial recipient defined in 40 C.F.R. section 127.2(b). U.S. EPA will identify and publish the list of initial recipients on its website and in the Federal Register, by state and by NPDES data group [see 40 C.F.R. section 127.2(c)]. U.S. EPA will update and maintain this listing. (40 C.F.R. § 122.41(l)(9).)

6. STANDARD PROVISIONS – ENFORCEMENT

6.1. The Central Coast Water Board is authorized to enforce the terms of this permit under several provisions of the CWC, including, but not limited to, sections 13268, 13385, 13386, and 13387.

7. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

7.1. **Non-Municipal Facilities**

Existing manufacturing, commercial, mining, and silvicultural Dischargers shall notify the Central Coast Water Board as soon as they know or have reason to believe (40 C.F.R. § 122.42(a)):

7.1.1. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" (40 C.F.R. § 122.42(a)(1)):

7.1.1.1. 100 micrograms per liter (µg/L) (40 C.F.R. § 122.42(a)(1)(i));

7.1.1.2. 200 µg/L for acrolein and acrylonitrile; 500 µg/L for 2,4 dinitrophenol and 2 methyl 4,6 dinitrophenol; and 1 milligram per liter (mg/L) for antimony (40 C.F.R. § 122.42(a)(1)(ii));

7.1.1.3. Five (5) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge (40 C.F.R. § 122.42(a)(1)(iii)); or

7.1.1.4. The level established by the Central Coast Water Board in accordance with section 122.44(f). (40 C.F.R. § 122.42(a)(1)(iv).)

7.1.2. That any activity has occurred or will occur that would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following “notification levels" (40 C.F.R. § 122.42(a)(2)):

7.1.2.1. 500 micrograms per liter (µg/L) (40 C.F.R. § 122.42(a)(2)(i));

7.1.2.2. 1 milligram per liter (mg/L) for antimony (40 C.F.R. § 122.42(a)(2)(ii));

7.1.2.3. Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge (40 C.F.R. § 122.42(a)(2)(iii)); or

7.1.2.4. The level established by the Central Coast Water Board in accordance with section 122.44(f). (40 C.F.R. § 122.42(a)(2)(iv).)

7.2. **Publicly Owned Treatment Works (POTWs)**

All POTWs shall provide adequate notice to the Central Coast Water Board of the following (40 C.F.R. § 122.42(b)):

7.2.1. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to sections 301 or 306 of the CWA if it were directly discharging those pollutants (40 C.F.R. § 122.42(b)(1)); and

7.2.2. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of adoption of the Order. (40 C.F.R. § 122.42(b)(2).)

7.2.3. Adequate notice shall include information on the quality and quantity of effluent introduced into the POTW as well as any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW. (40 C.F.R. § 122.42(b)(3).)

8. **CENTRAL COAST WATER BOARD STANDARD PROVISIONS**

8.1. **Central Coast Water Board Standard Provisions – Prohibitions**

8.1.1. Introduction of “incompatible wastes” to the treatment system is prohibited.

8.1.2. Discharge of high-level radiological waste and of radiological, chemical, and biological warfare agents is prohibited.

8.1.3. Discharge of “toxic pollutants” in violation of effluent standards and prohibitions established under CWA section 307(a) is prohibited.

8.1.4. Discharge of sludge, sludge digester or thickener supernatant, and sludge drying bed leachate to drainageways, surface waters, or the ocean is prohibited.

8.1.5. Introduction of pollutants into the collection, treatment, or disposal system by and “indirect discharger” that:

8.1.5.1. Inhibit or disrupt the treatment process, system operation, or the eventual use or disposal of sludge; or,

8.1.5.2. Flow through the system to the receiving water untreated; and,

8.1.5.3. Cause or “significantly contribute” to a violation of any requirement of this Order, is prohibited.

8.1.6. Introduction of “pollutant free” wastewater to the collection, treatment, and disposal system in amounts that threaten compliance with this order is prohibited.

8.2. **Central Coast Water Board Standard Provisions – Provisions**

8.2.1. Collection, treatment, and discharge of waste shall not create a nuisance or pollution, as defined by CWC 13050.

8.2.2. All facilities used for transport or treatment of wastes shall be adequately protected from inundation and washout as the result of a 100-year frequency flood.

8.2.3. Operation of collection, treatment, and disposal systems shall be in a manner that precludes public contact with wastewater.

8.2.4. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed in a manner approved by the Executive Officer.

8.2.5. Publicly owned wastewater treatment plans shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to title 23 of the California Administrative Code.

8.2.6. After notice and opportunity for a hearing, this order may be terminated for cause, including, but not limited to:

8.2.6.1. Violation of any term or condition contained in this order;

8.2.6.2. Obtaining this order by misrepresentation, or by failure to disclose fully all relevant facts;

8.2.6.3. A change in any condition or endangerment to human health or environment that requires a temporary or permanent reduction or elimination of the authorized discharge; and,

8.2.6.4. A substantial change in character, location, or volume of the discharge.

8.2.7. Provisions of this permit are severable. If any provision of the permit is found invalid, the remainder of the permit shall not be affected.

8.2.8. After notice and opportunity for hearing, this order may be modified or revoked and reissued for cause, including:

8.2.8.1. Promulgation of a new or revised effluent standard or limitation;

8.2.8.2. A material change in character, location, or volume of the discharge;

8.2.8.3. Access to new information that affects the erms of the permit, including applicable schedules;

8.2.8.4. Correction of technical mistakes or mistaken interpretations of law; and,

8.2.8.5. Other causes set forth under Sub-part D of 40 C.F.R. part 122.

8.2.9. Safeguards shall be provided to ensure maximal compliance with all terms and conditions of this permit. Safeguards shall include preventative and contingency plans and may also include alternative power sources, stand-by generators, retention capacity, operative procedures, or other precautions. Preventative and contingency plans for controlling and minimizing the effect of accidental discharges shall:

8.2.9.1. Identify possible situations that could cause “upset,” “overflow,” or “bypass,” or other noncompliance. (Loading and storage areas, power outage, waste treatment unit outage, and failure of process equipment, tanks and pipes should be considered).

8.2.9.2. Evaluate the effectiveness of present facilities and procedures and describe procedures and steps to minimize or correct any adverse environmental impact resulting from noncompliance with the permit.

8.2.10. Physical Facilities shall be designed and constructed according to accepted engineering practice and shall be capable of full compliance with this order when properly operated and maintained. Proper operation and maintenance shall be described in an Operation and Maintenance Manual. Facilities shall be accessible during the wet-weather season.

8.2.11. The discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the discharger to achieve compliance with the conditions of this order. Electrical and mechanical equipment shall be maintained in accordance with appropriate practices and standards, such as NFPA 70B, Recommended Practice for Electrical Equipment Maintenance; NFPA 70E, Standard for Electrical Safety in the Workplace; ANSI/NETA MTS Standard for Maintenance: Testing Specifications for Electrical Power Equipment and Systems, or procedures established by insurance companies or industry resources.

8.2.12. If the discharger's facilities are equipped with SCADA or other systems that implement wireless, remote operation, the discharger should implement appropriate safeguards against unauthorized access to the wireless systems. Standards such as NIST SP 800-53, Recommended Security Controls for Federal Information Systems, can provide guidance.

8.2.13. Production and use of reclaimed water is subject to the approval of the Central Coast Board. Production and use of reclaimed water shall be in conformance with recycling criteria established in chapter 3, title 22, of the California Administrative Code and chapter 7, division 7, of the CWC An engineering report pursuant to section 60323, title 22, of the California Administrative Code is required and a waiver or water recycling requirements from the Central Coast Board is required before reclaimed water is supplied for any use, or to any user, not specifically identified and approved either in this Order or another order issued by this Board.

8.3. **Central Coast Water Board Standard Provisions – General Monitoring Requirements**

8.3.1. If results of monitoring a pollutant appear to violate effluent limitations based on a weekly, monthly, 30-day, or six-month period, but compliance or non-compliance cannot be validated because sampling is too infrequent, the frequency of sampling shall be increased to validate the test within the next monitoring period. The increased frequency shall be maintained until the Executive Officer agrees the original monitoring frequency may be resumed.

For example, if copper is monitored annually and results exceed the six-month median numerical effluent limitation in the permit, monitoring of copper must be increased to a frequency of at least once every two months (Central Coast Standard Provisions – Definitions 1.7.13.). If suspended solids are monitored weekly and results exceed the weekly average numerical limit in the permit, monitoring of suspended solids must be increased to at least four (4) samples every week (Central Coast Standard Provisions – Definitions 1.7.14.).

8.3.2. Water quality analyses performed in order to monitor compliance with this permit shall be by a laboratory certified by the State Department of Health Services (DHS) for the constituent(s) being analyzed. Bioassay(s) performed in order to monitor compliance with this permit shall be in accord with guidelines approved by the State Water Resources Control Board (State Water Board) and the State

Department of Fish and Game. If the laboratory used or proposed for use by the discharger is not certified by the DHS or, where appropriate, the Department of Fish and Game due to restrictions in the State's laboratory certification program, the discharger shall be considered in compliance with this provision provided:

8.3.2.1. Data results remain consistent with results of samples analyzed by the Central Coast Water Board;

8.3.2.2. A quality assurance program is used at the laboratory, including a manual containing steps followed in this program that is available for inspections by the staff of the Central Coast Water Board; and,

8.3.2.3. Certification is pursued in good faith and obtained as soon as possible after the program is reinstated.

8.3.3. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. Samples shall be taken during periods of peak loading conditions. Influent samples shall be samples collected from the combined flows of all incoming wastes, excluding recycled wastes. Effluent samples shall be samples collected downstream of the last treatment unit and tributary flow and upstream of any mixing with receiving waters.

8.3.4. All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.

8.4. **Central Coast Water Board Standard Provisions – General Reporting Requirements**

8.4.1. Reports of marine monitoring surveys conducted to meet receiving water monitoring requirements of the Monitoring and Reporting Program shall include at least the following information:

8.4.1.1. A description of climatic and receiving water characteristics at the time of sampling (weather observations, floating debris, discoloration, wind speed and direction, swell or wave action, time of sampling, tide height, etc.).

8.4.1.2. A description of sampling stations, including differences unique to each station (e.g., station location, grain size, rocks, shell litter, calcareous worm tubes, evident life, etc.).

8.4.1.3. A description of the sampling procedures and preservation sequence used in the survey.

8.4.1.4. A description of the exact method used for laboratory analysis. In general, analysis shall be conducted according to Central Coast Water Board Standard Provisions – 8.3.1 above, and Federal Standard Provision – Monitoring 3.2. However, variations in procedure are acceptable to accommodate the special requirements of sediment analysis. All such variations must be reported with the test results.

8.4.1.5. A brief discussion of the results of the survey. The discussion shall compare data from the control station with data from the outfall stations. All tabulations and computations shall be explained.

8.4.2. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule shall be submitted within 14 days following each scheduled date unless otherwise specified within the permit. If reporting noncompliance, the report shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance. A second report shall be submitted within 14 days of full compliance.

8.4.3. The “Discharger” shall file a report of waste discharge or secure a waiver from the Central Coast Water Board Executive Officer at least 180 days before making any material change or proposed change in the character, location, or plume of the discharge.

8.4.4. Within 120 days after the discharger discovers, or is notified by the Central Coast Water Board, that monthly average daily flow will or may reach design capacity of waste treatment and/or disposal facilities within four (4) years, the discharger shall file a written report with the Central Coast Water Board. The report shall include:

8.4.4.1. The best estimate of when the monthly average daily dry weather flow rate will equal or exceed design capacity; and,

8.4.4.2. A schedule for studies, design, and other steps needed to provide additional capacity for waste treatment and/or disposal facilities before the waste flow rate equals the capacity of present units.

In addition to complying with Federal Standard Provision – Reporting 5.2., the required technical report shall be prepared with public participation and reviewed, approved and jointly submitted by all planning and building departments having jurisdiction in the area served by the waste collection, treatment, or disposal facilities.

8.4.5. All “Dischargers” shall submit reports electronically to the:

State Water Board’s California Integrated Water Quality System (CIWQS) database at: http://ciwqs.waterboards.ca.gov/.

In addition, "Dischargers" with designated major discharges shall submit a copy of each document to U.S. EPA, Region 9’s Discharge Monitoring Report (NetDMR) database at: https://cdxnodengn.epa.gov/net-netdmr/.

Other correspondence may be sent to the Central Coast Region at: centralcoast@waterboards.ca.gov.

8.4.6. Transfer of control or ownership of a waste discharge facility must be preceded by a notice to the Central Coast Water Board at least 30 days in advance of the proposed transfer date. The notice must include a written agreement between

the existing “Discharger” and proposed “Discharger” containing specific date for transfer of responsibility, coverage, and liability between them. Whether a permit may be transferred without modification or revocation and reissuance is at the discretion of the Board. If permit modification or revocation and reissuance is necessary, transfer may be delayed 180 days after the Central Coast Water Board's receipt of a complete permit application. Please also see Federal Standard Provision – Permit Action 2.3.

8.4.7. Except for data determined to be confidential under CWA section 308 (excludes effluent data and permit applications), all reports prepared in accordance with this permit shall be available for public inspection at the office of the Central Coast Water Board or Regional Administrator of U.S. EPA. Please also see Federal Standard Provision – Records 4.3.

8.4.8. By January 30 of each year, the discharger shall submit an annual report to the Central Coast Water Board. The report shall contain the following:

8.4.8.1. Both tabular and graphical summaries of the monitoring data obtained during the previous year.

8.4.8.2. A discussion of the previous year’s compliance record and corrective actions taken, or which may be needed, to bring the discharger into full compliance.

8.4.8.3. An evaluation of wastewater flows with projected flow rate increases over time and the estimated date when flows will reach facility capacity.

8.4.8.4. A discussion of operator certification and a list of current operating personnel and their grades of certification.

8.4.8.5. The date of the facility’s Operation and Maintenance Manual (including contingency plans as described in Provision 8.2.9), the date the manual was last reviewed, and whether the manual is complete and valid for the current facility.

8.4.8.6. A discussion of the laboratories used by the discharger to monitor compliance with effluent limits and a summary of performance relative to section 8.3, General Monitoring Requirements.

8.4.8.7. If the facility treats industrial or domestic wastewater and there is no provision for periodic sludge monitoring in the Monitoring and Reporting Program, the report shall include a summary of sludge quantities, analyses of its chemical and moisture content, and its ultimate destination.

8.4.8.8. If appropriate, the report shall also evaluate the effectiveness of the local source control or pretreatment program using the State Water Resources Control Board's "Guidelines for Determining the Effectiveness of Local Pretreatment Program."

8.5. **Central Coast Water Board Standard Provisions – General Pretreatment Provisions**

8.5.1. Discharge of pollutants by "indirect dischargers” in specific industrial sub-categories (appendix C, 40 C.F.R. part 403), where categorical pretreatment

standards have been established, or are to be established, (according to 40 C.F.R. chapter 1, subchapter N), shall comply with the appropriate pretreatment standards:

8.5.1.1. By the date specified therein;

8.5.1.2. Within three (3) years of the effective date specified therein, but in no case later than July 1, 1984; or,

8.5.1.3. If a new indirect discharger, upon commencement of discharge.

8.6. **Central Coast Water Board Standard Provisions – Enforcement**

8.6.1. Any person failing to file a report of waste discharge or other report as required by this permit shall be subject to a civil penalty not to exceed $5,000 per day.

8.6.2. Upon reduction, loss, or failure of the treatment facility, the "Discharger" shall, to the extent necessary to maintain compliance with this permit, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided.

8.7. **Central Coast Water Board Standard Provisions – Definitions (Not otherwise included in Attachment A to this Order)**

8.7.1. A “composite sample" is a combination of no fewer than eight (8) individual samples obtained at equal time intervals (usually hourly) over the specified sampling (composite) period. The volume of each individual sample is proportional to the flow rate at the time of sampling. The period shall be specified in the Monitoring and Reporting Program ordered by the Executive Officer.

8.7.2. “Daily Maximum” limit means the maximum acceptable concentration or mass emission rate of a pollutant measured during a calendar day or during any 24-hour period reasonably representative of the calendar day for purposes of sampling. It is normally compared with results based on "composite samples” except for ammonia, total chlorine, phenolic compounds, and toxicity concentration. For all exceptions, comparisons will be made with results from a “grab sample”.

8.7.3. “Discharger", as used herein, means, as appropriate: (1) the Discharger, (2) the local sewering entity (when the collection system is not owned and operated by the Discharger), or (3) "indirect discharger" (where "Discharger" appears in the same paragraph as "indirect discharger”, it refers to the discharger.)

8.7.4. “Duly Authorized Representative" is one where:

8.7.4.1. the authorization is made in writing by a person described in the signatory paragraph of Federal Standard Provision 5.2.;

8.7.4.2. the authorization specifies either an individual or the occupant of a position having either responsibility for the overall operation of the regulated facility, such as the plant manager, or overall responsibility for environmental matters of the company; and,

8.7.4.3. the written authorization was submitted to the Central Coast Water Board.

8.7.5. A "grab sample" is defined as any individual sample collected in less than 15 minutes. "Grab samples" shall be collected during peak loading conditions, which may or may not be during hydraulic peaks. It is used primarily in determining compliance with the daily maximum limits identified in Central Coast Water Board Standard Provision – Provision 8.7.2. and instantaneous maximum limits.

8.7.6. "Hazardous substance" means any substance designated under 40 C.F.R. part 116 pursuant to section 311 of the CWA.

8.7.7. "Incompatible wastes" are:

8.7.7.1. Wastes which create a fire or explosion hazard in the treatment works;

8.7.7.2. Wastes which will cause corrosive structural damage to treatment works, but in no case wastes with a pH lower than 5.0 unless the works is specifically designed to accommodate such wastes;

8.7.7.3. Solid or viscous wastes in amounts which cause obstruction to flow in sewers, or which cause other interference with proper operation of treatment works;

8.7.7.4. Any waste, including oxygen demanding pollutants (BOD, etc.), released in such volume or strength as to cause inhibition or disruption in the treatment works and subsequent treatment process upset and loss of treatment efficiency; and,

8.7.7.5. Heat in amounts that inhibit or disrupt biological activity in the treatment works or that raise influent temperatures above 40°C (104°F) unless the treatment works is designed to accommodate such heat.

8.7.8. "Indirect Discharger" means a non-domestic discharger introducing pollutants into a publicly owned treatment and disposal system.

8.7.9. "Log Mean" is the geometric mean. Used for determining compliance of fecal or total coliform populations, it is calculated with the following equation:

Log Mean = $(C1 \times C2 \times ... \times Cn)^{1/n}$,
in which "n" is the number of days samples were analyzed during the period and any "C" is the concentration of bacteria (MPN/100 mL) found on each day of sampling. "n" should be five or more.

8.7.10. "Mass emission rate" is a daily rate defined by the following equations:

mass emission rate (lbs/day) = 8.34 x Q x C; and,

mass emission rate (kg/day) = 3.79 x Q x C,

where "C" (in mg/L) is the measured daily constituent concentration or the average of measured daily constituent concentrations and "Q" (in MGD) is the measured daily flowrate or the average of measured daily flow rates over the period of interest.

8.7.11. The "Maximum Allowable Mass Emission Rate," whether for a month, week, day, or six-month period, is a daily rate determined with the formulas in paragraph 8.7.10, above, using the effluent concentration limit specified in the

permit for the period and the average of measured daily flows (up to the allowable flow) over the period.

8.7.12. “Maximum Allowable Six-Month Median Mass Emission Rate" is a daily rate determined with the formulas in Central Coast Standard Provision – Provision 8.7.10, above, using the "six-month Median" effluent limit specified in the permit, and the average of measured daily flows (up to the allowable flow) over a 180-day period.

8.7.13. "Median" is the value below which half the samples (ranked progressively by increasing value) fall. It may be considered the middle value, or the average of two middle values.

8.7.14. "Monthly Average" (or "Weekly Average”, as the case may be) is the arithmetic mean of daily concentrations or of daily mass emission rates over the specified 30-day (or 7-day) period.

Average = (X1 + X2 + ... + Xn) / n

in which “n" is the number of days samples were analyzed during the period and “X" is either the constituent concentration (mg/l) or mass emission rate (kg/day or lbs/day) for each sampled day. “n" should be four or greater.

8.7.15. "Municipality" means a city, town, borough, county, district, association, or other public body created by or under State law and having jurisdiction over disposal of sewage, industrial waste, or other waste.

8.7.16. "Overflow" means the intentional or unintentional diversion of flow from the collection and transport systems, including pumping facilities.

8.7.17. "Pollutant-free wastewater" means inflow and infiltration, stormwaters, and cooling waters and condensates which are essentially free of pollutants.

8.7.18. "Primary Industry Category" means any industry category listed in 40 C.F.R. part 122, Appendix A.

8.7.19. "Removal Efficiency" is the ratio of pollutants removed by the treatment unit to pollutants entering the treatment unit. Removal efficiencies of a treatment plant shall be determined using “Monthly averages" of pollutant concentrations (C, in mg/l) of influent and effluent samples collected about the same time and the following equation (or its equivalent):

$C_{effluent}$ Removal Efficiency (%) = 100 x (1 – $C_{effluent}$ / $C_{influent}$)

8.7.20. "Severe property damage" means substantial physical damage to property, damage to treatment facilities which causes them to become inoperable, or substantial and permanent loss to natural resources which can reasonably be expected to occur in the absence of a "bypass”. It does not mean economic loss caused by delays in production.

8.7.21. "Sludge" means the solids, residues, and precipitates separated from, or created in, wastewater by the unit processes of a treatment system.

8.7.22. To "significantly contribute" to a permit violation means an "indirect discharger" must:

8.7.22.1. Discharge a daily pollutant loading in excess of that allowed by contract with the "Discharger" or by Federal, State, or Local law;

8.7.22.2. Discharge wastewater which substantially differs in nature or constituents from its average discharge;

8.7.22.3. Discharge pollutants, either alone or in conjunction with discharges from other sources, which results in a permit violation or prevents sewage sludge use or disposal; or

8.7.22.4. Discharge pollutants, either alone or in conjunction with pollutants from other sources that increase the magnitude or duration of permit violations.

8.7.23. "Toxic Pollutant" means any pollutant listed as toxic under section 307 (a) (1) of the CWA or under 40 C.F.R. part 122, Appendix D. Violation of maximum daily discharge limitations are subject to 24-hour reporting (Federal Standard Provisions 5.5.).

8.7.24. “Zone of Initial Dilution" means the region surrounding or adjacent to the end of an outfall pipe or diffuser ports whose boundaries are defined through calculation of a plume model verified by the State Water Board.

ATTACHMENT E – MONITORING AND REPORTING PROGRAM

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ATTACHMENT E – MONITORING AND REPORTING PROGRAM

Section 308 of the federal Clean Water Act (CWA) and sections 122.41(h), (j)-(l), 122.44(i), and 122.48 of title 40 of the Code of Federal Regulations (40 C.F.R.) require that all NPDES permits specify monitoring and reporting requirements. California Water Code (CWC) sections 13267 and 13383 also authorize the Central Coast Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. This Monitoring and Reporting Plan (MRP) establishes monitoring, reporting, and recordkeeping requirements that implement the federal and California laws and/or regulations.

1. GENERAL MONITORING PROVISIONS

1.1. Laboratories analyzing monitoring samples shall be certified by the State Water Resources Control Board (State Water Board), in accordance with the provision of CWC section 13176, and must include quality assurance/quality control data with their reports.

1.2. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring locations specified below and, unless otherwise specified, before the monitored flow joins or is diluted by any other waste stream, body of water, or substance. Monitoring locations shall not be changed without notification to and approval of the Central Coast Water Board.

1.3. Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than ±10 percent from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration, and operation of acceptable flow measurement devices can be obtained from the following references.

1.3.1. *A Guide to Methods and Standards for the Measurement of Water Flow*, U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 421, May 1975, 96 pp. https://nvlpubs.nist.gov/nistpubs/Legacy/SP/nbsspecialpublication421.pdf

1.3.2. *Water Measurement Manual*, U.S. Department of Interior, Bureau of Reclamation, Second Edition, Revised Reprint, 1974, 327 pp. https://www.usbr.gov/tsc/techreferences/mands/wmm/index.htm

1.3.3. *Flow Measurement in Open Channels and Closed Conduits*, U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 484, October 1977, 982 pp. https://nvlpubs.nist.gov/nistpubs/Legacy/SP/nbsspecialpublication484v2.pdf

1.3.4. *NPDES Compliance Sampling Manual*, U.S. Environmental Protection Agency (U.S. EPA), Office of Water Enforcement, Publication MCD-51, 1977, 140 pp. https://www.epa.gov/compliance/compliance-inspection-manual-national-pollutant-discharge-elimination-system

1.4. All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year to ensure continued accuracy of the devices.

1.5. Monitoring results, including noncompliance, shall be reported at intervals and in a manner specified in this MRP.

1.6. Unless otherwise specified by this MRP, all monitoring shall be conducted according to test procedures established at 40 C.F.R. part 136, Guidelines Establishing Test Procedures for Analysis of Pollutants. All analyses shall be conducted using the lowest practical quantitation limit achievable using the specified methodology. Where effluent limitations are set below the lowest achievable quantitation limits, pollutants not detected at the lowest practical quantitation limits will be considered in compliance with effluent limitations. Analysis for toxic pollutants specified in Table 3 of the California Ocean Plan shall be conducted in accordance with procedures described in the California Ocean Plan and restated in this MRP.

1.7. The Discharger shall ensure that the results of the Discharge Monitoring Report-Quality Assurance (DMR-QA) Study or the most recent Water Pollution Performance Evaluation Study are submitted annually to the State Water Board at the following address:

State Water Resources Control Board;
Quality Assurance Program Officer;
Office of Information Management and Analysis;
101 I Street, Sacramento, CA 95814

2. MONITORING LOCATIONS

The Discharger shall establish the following monitoring locations to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order:

Table E-1. Monitoring Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description[1]
	INF-001	Influent wastewater at influent channel, after influent grinders and approximately six feet from influent pumps intake.

Discharge Point Name	Monitoring Location Name	Monitoring Location Description[1]
001	EFF-001	Location where representative sample of secondary treated effluent can be collected at the point of discharge from the outfall to the Pacific Ocean, and prior to contact with the Santa Barbara Channel. Latitude: 34.4133° Longitude: -121. 119.6478°
002	RCY-001	Location where a representative sample of tertiary treated recycled effluent can be collected after all treatment and prior to discharge.
		Benthic Receiving Water Monitoring Locations
	R-001	Surface water monitoring point, 330 feet eastward and at the same depth as the outfall terminus.
	R-002	Surface water monitoring point, Westward and near the outfall terminus.
	R-003	Surface water monitoring point, 330 feet westward and at the same depth as the outfall terminus.
	R-004	Surface water monitoring point, 1,600 feet westward and at the same depth as the outfall terminus.
		Near Shore Receiving Water Monitoring Locations
	R-00A	1,000 feet down coast (eastward along the coastline) from the outfall[2].
	R-00B	At the outfall in the surf.
	R-00C	1,000 feet up coast (westward along the coastline) from the outfall[2].

[1] The North latitude and West longitude information in Table E-1 are approximate for administrative purposes.

[2] If the sample location is not accessible at 1,000 feet, then samples shall be collected at an accessible location as close as possible to the designated location.

3. INFLUENT MONITORING REQUIREMENTS

3.1. Monitoring Location INF-001

3.1.1. The Discharger shall monitor influent to the Facility at Monitoring Location INF-001 as below:

Table E-2. Influent Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency
Total Daily Flow Volume	Million gallons (MG)	Calculated	1/Day
Maximum Daily Flow	Million gallons per day (MGD)	Metered	Continuous
Mean Daily Flow	MGD	Calculated	1/Month
Carbonaceous Biochemical Oxygen Demand 5-day @ 20°C ($CBOD_5$)	Milligram per liter (mg/L)	24-hour Composite	1/Month[1]
Total Suspended Solids (TSS)	mg/L	24-hour Composite	1/Month[1]

[1] Collection of $CBOD_5$ and TSS samples shall occur on days that effluent samples are collected.

4. EFFLUENT MONITORING REQUIREMENTS

4.1. Monitoring Location EFF-001

4.1.1. The Discharger shall monitor effluent at Monitoring Location EFF-001 as follows. If more than one analytical test method is listed for a given parameter, the Discharger must select from the listed methods and corresponding Minimum Level.

Table E-3. Effluent Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency
Total Daily Flow Volume	MG	Calculated	1/Day
Maximum Daily Flow	MGD	Metered	Continuous
Mean Daily Flow	MGD	Calculated	1/Month
pH	standard units	Grab	1/Day
Settleable Solids	Milliliter per liter (mL/L)	Grab	1/Day
Turbidity	Nephelometric Turbidity Units (NTU)	Grab	1/Week
$CBOD_5$	mg/L	24-hour composite	1/Week
$CBOD_5$	Percent removal	Calculated	1/Month

Parameter	Units	Sample Type	Minimum Sampling Frequency
TSS	mg/L	24-hour composite	1/Week
TSS	Percent removal	Calculated	1/Month
Temperature	Degrees Fahrenheit (ºF)	Grab	1/Week
Oil and Grease	mg/L	Grab	1/Month
Ammonia, Total as N	mg/L	Grab	1/Month
Total Residual Chlorine	mg/L	Metered/Grab[1]	Continuous/Daily[1]
Total Chlorine Used	Pounds per day (lbs/day)	Calculated	1/Day
Total Coliform Bacteria	Most Probable Number (MPN)/100 mL	Grab	3/Week
Fecal Coliform Bacteria	MPN/100 mL	Grab	3/Week
Halomethanes	Micrograms per liter (µg/L)	24-hour composite	1/Quarter
Bromoform	µg/L	24-hour composite	1/Quarter
Bromomethane	µg/L	24-hour composite	1/Quarter
Chloromethane	µg/L	24-hour composite	1/Quarter
Acute Toxicity[2]	Toxicity Units Acute (TUa)	24-hour composite	1/Year
Chronic Toxicity[2]	Toxicity Units Chronic (TUc)	24-hour composite	1/Year
Remaining Ocean Plan Table 3 Parameters[3]	µg/L	24-hour composite[4]	1/Year

[1] The Discharger shall review continuous monitoring data and submit a summary (chlorine residual daily minimum, maximum, mean) to the Central Coast Water Board with monthly monitoring reports. Grab samples shall be taken daily and collected at the last accessible monitoring location before discharge to the ocean.

[2] Acute and chronic toxicity monitoring shall be conducted according to methods described in Section 5 of this MRP, below.

[3] The Table 3 pollutants are those listed in the 2019 Ocean Plan and for which monitoring requirements have not been otherwise specified in Table E-3. Analyses, compliance determination, and reporting for these pollutants shall adhere to applicable provisions of the Ocean Plan, including the Standard Monitoring Procedures presented in Appendix III of the Ocean Plan. The Discharger shall instruct its analytical laboratory to establish calibration standards so that the Minimum Levels (MLs) presented in Appendix II of the Ocean Plan are the lowest

calibration standards. The Discharger and its analytical laboratory shall select MLs, which are below applicable water quality criteria of Table 3; and when applicable water quality criteria are below all MLs, the Discharger and its analytical laboratory shall select the lowest ML.

[4] Cyanide may be collected as a grab sample instead of by 24-hour composite.

5. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

5.1. Acute Toxicity

5.1.1. Acute Toxicity Monitoring Requirements – Monitoring Location EFF-001

5.1.1.1. Compliance with the acute toxicity objective shall be determined using a U.S. EPA approved protocol as provided in 40 C.F.R. part 136 (*Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms*, Fifth Edition, October 2002, U.S. EPA Office of Water, EPA-821-R-02-012 or the latest edition).

$$\text{Acute Toxicity (TUa)} = 100/96\text{-hr } LC_{50}$$

The percent waste giving 50 percent survival of test organisms (LC_{50}) shall be determined by a 96-hour static or continuous flow bioassay techniques using standard marine test species as specified in EPA-821-R-02-012 and as noted in the following table:

Table E-4. Approved Tests for Acute Toxicity

Species	Scientific Name	Effect	Test Duration
Shrimp	*Holmesimysis costata*	survival	48 to 96 hours
Shrimp	*Mysidopsis bahia*	survival	48 to 96 hours
Silversides	*Menidia beryllina*	survival	48 to 96 hours
Sheepshead minnow	*Cyprinodon variegatus*	survival	48 to 96 hours

If the effluent is to be discharged to a marine or estuarine system (e.g., salinity values in excess of 1,000 mg/L) and originates from a freshwater supply, salinity of the effluent must be increased with dry ocean salts (e.g., FORTY FATHOMS®) to match salinity of the receiving water. This modified effluent shall then be tested using marine species.

Reference toxicant test results shall be submitted with the effluent sample test results. Both tests must satisfy the test acceptability criteria specified in EPA-821-R-02-012. If the test acceptability criteria are not achieved or if toxicity is detected, the sample shall be retaken and retested within five days of the failed sampling event. The retest results shall be reported in accordance with EPA-821-R-02-012 (chapter on report preparation) and the results shall be attached to the next monitoring report.

When it is not possible to measure the 96-hour LC_{50} due to greater than 50 percent survival of the test species in 100 percent waste, the toxicity concentration shall be calculated by the expression:

TUa = [log(100-S)]/1.7

Where S = percentage survival in 100 percent waste.

If S > 99, TUa shall be reported as zero.

When toxicity monitoring finds acute toxicity in the effluent above the acute toxicity trigger of 89.3 TUa established by this Order, the Discharger shall immediately resample the effluent, if the discharge is continuing, and retest for acute toxicity. Results of the initial failed test and any toxicity monitoring results subsequent to the failed test shall be reported as soon as reasonable to the Central Coast Water Board Executive Officer. The Executive Officer will determine whether it is appropriate to initiate enforcement action, require the Discharger to implement toxicity reduction evaluation (TRE) requirements (section 6.3.2.2 of this Order), or implement other measures.

5.2. **Chronic Toxicity**

5.2.1. **Chronic Toxicity Monitoring Requirements – Monitoring Location EFF-001**

The presence of chronic toxicity shall be estimated as specified *in Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to West Coast Marine and Estuarine Organisms*, EPA-821/600/R-95/136; *Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms*, EPA-600-4-01-003; *Procedures Manual for Conducting Toxicity Tests developed by the Marine Bioassay Project*, SWRCB 1996, 96-1WQ; and/or *Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms*, EPA/600/4-87-028 or subsequent editions.

Chronic toxicity measures a sublethal effect (e.g., reduced growth or reproduction) to experimental test organisms exposed to an effluent compared to that of the control organisms.

Chronic Toxicity (TUc) = 100 / NOEL

The no observed effect level (NOEL) is the maximum tested concentration in a medium which does not cause known adverse effects upon chronic exposure in the species in question (i.e., the highest effluent concentration to which organisms are exposed in a chronic test that causes no observable adverse effects on the test organism; e.g., the highest concentration of a toxicant to which the values for the observed responses are not statistically significantly different from the controls). Examples of chronic toxicity include, but are not limited to, measurements of toxicant effects on reproduction, growth, and sublethal effects that can include behavioral, physiological, and biochemical effects.

In accordance with the Ocean Plan, Appendix III, Standard Monitoring Procedures, the Discharger shall use the critical life stage toxicity tests specified

in the table below to measure TUc. Other species or protocols will be added to the list after the State Water Board review and approval.

A minimum of three test species with approved test protocols shall be used to measure compliance with the toxicity objective. If possible, the test species shall include a fish, an invertebrate, and an aquatic plant. After a screening period of no fewer than three sampling events, monitoring can be reduced to the most sensitive species. Dilution and control water should be obtained from an unaffected area of the receiving waters. The sensitivity of the test organisms to a reference toxicant shall be determined concurrently with each bioassay test and reported with the test results.

Table E-5. Approved Tests for Chronic Toxicity

Species	Effect	Tier [1]	Reference [2]
Giant Kelp, *Macrocystic pyrifera*	Percent germination; germ tube length	1	a, c
Red abalone, *Haliotis rufesens*	Abnormal shell development	1	a, c
Oyster, *Crassostrea gigas; Mussels, Mytilus spp.*	Abnormal shell development; percent survival	1	a, c
Urchin, *Strongylocentrotus purpuratus; Sand dollar, Dendraster excentricus*	Percent normal development; percent fertilization	1	a, c
Shrimp*, Holmesimysis costata*	Percent survival; growth	1	a, c
Shrimp, *Mysidopsis bahia*	Percent survival; fecundity	2	b, d
Topsmelt, *Atherinops affinis*	Larval growth rate; percent survival	1	a, c
Silversides, *Menidia beryllina*	Larval growth rate; percent survival	2	b, d

[1] First tier methods are preferred for compliance monitoring. If first tier organisms are not available, the Discharger can use a second-tier test method following approval by the Regional Water Board.

[2] Protocol References:

- Chapman, G.A., D.L. Denton, and J.M. Lazochak. 1995. Short-term methods for estimating the chronic toxicity of effluents and receiving waters to west coast marine and estuarine organisms. U.S. EPA Report No. EPA/600/R-95/136.
- Klemm, D.J., G.E. Morrison, T.J. Norberg-King, W.J. Peltier, and M.A. Heber. 1994. Short-term methods for estimating the chronic toxicity of effluents and receiving waters to marine and estuarine organisms. U.S. EPA Report No. EPA-600-4-91-003.
- SWRCB 1996. Procedures Manual for Conducting Toxicity Tests Developed by the Marin Bioassay Project. 96-1WQ.

- Weber, C.I., W.B. Horning, I.I., D.J. Klemm, T.W. Neiheisel, P.A. Lewis, E.L. Robinson, J. Menkedick and F. Kessler (eds). 1988. Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms. EPA/600/4-87/028. National Information Service, Springfield, VA.

Dilution and control waters shall be obtained from an area of the receiving waters, typically upstream, which is unaffected by the discharge. Standard dilution water can be used, if the receiving water itself exhibits toxicity or if approved by the Central Coast Water Board. If the dilution water used in testing is different from the water in which the test organisms were cultured, a second control sample using culture water shall be tested.

If the effluent to be discharged to a marine or estuarine system (e.g., salinity values in excess of 1,000 mg/L) originates from a freshwater supply, salinity of the effluent must be increased with dry ocean salts (e.g., FORTY FATHOMS®) to match salinity of the receiving water. This modified effluent shall then be tested using marine species.

The presence of chronic toxicity at more than 90 TUc shall trigger the Toxicity Reduction Evaluation (TRE) requirement of this Order (section 6.3.2.2).

5.3. **Conducting Toxicity Identification Evaluations (TIE) and Toxicity Reduction Evaluations (TRE)**

5.3.1. When triggered, TRE shall be implemented by the Discharger as specified by the Executive Officer. A TIE may be required as part of the TRE.

5.3.2. The TIE shall be conducted to identify and evaluate toxicity in accordance with procedures recommended by the U.S. EPA, which include the following:

5.3.2.1. *Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I,* (U.S. EPA, 1992a);

5.3.2.2. *Methods for Aquatic Toxicity Identification Evaluations: Phase 1 Toxicity Characterization Procedures, Second Edition* (U.S. EPA, 1991a);

5.3.2.3. *Methods for Aquatic Toxicity Identification Evaluations: Phase II Toxicity Identification Procedures for Sampling Exhibiting Acute and Chronic Toxicity* (U.S. EPA, 1993a); *and*

5.3.2.4. *Methods for Aquatic Toxicity Identification Evaluations: Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity (U.S. EPA, 1993b).*

5.3.3. As part of the TIE investigation, the Discharger shall be required to implement its TRE Workplan. The Discharger shall take all reasonable steps to control toxicity once the source of the toxicity is identified. A failure to conduct required toxicity tests or a TRE within a designated period may result in the establishment of numerical effluent limitations for chronic toxicity in a permit or appropriate enforcement action. Recommended guidance in conducting a TRE includes the following:

5.3.3.1. *Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants, August 1999,* EPA/833B-99/002; and

5.3.3.2. *Clarifications Regarding Toxicity Reduction and Identification Evaluations in the National Pollutant Discharge Elimination System Program* dated March 27, 2001, U.S. EPA Office of Wastewater Management, Office of Regulatory Enforcement

5.4. **Toxicity Reporting**

5.4.1. The Discharger shall include a full report of toxicity test results with the regular monthly monitoring report and include the following information.

5.4.1.1. Toxicity test results,

5.4.1.2. Dates of sample collection and initiation of each toxicity test, and

5.4.1.3. Acute and/or toxicity discharge triggers (or value).

5.4.2. Toxicity test results shall be reported according to the appropriate guidance – *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms*, Fifth Edition, U.S. EPA Office of Water, PA821-R-02-012 (2002) or the latest edition, or EPA-821-R-02-012 (2002) or subsequent editions.

5.4.3. If the initial investigation TRE Workplan is used to determine that additional (accelerated) toxicity testing is unnecessary, these results shall be submitted with the monitoring report for the month in which investigations conducted under the TRE Workplan occurred.

5.4.4. Within 14 days of receipt of an acute toxicity test result which exceeds 89.3 TUa, or a chronic toxicity test result which exceeds 90 TUc, the Discharger shall provide written notification to the Central Coast Water Board Executive Officer of:

5.4.4.1. Findings of the TRE of other investigation to identify the cause(s) of toxicity,

5.4.4.2. Actions the Discharger has taken/will take to mitigate the impact of the discharge and to prevent the recurrence of toxicity. When corrective actions, including TRE, have not been completed, a schedule under which corrective actions will be implemented, or the reason for not taking corrective action, if no action has been taken.

5.4.4.3. When corrective actions, including a TRE, have not been completed, a schedule under which corrective actions will be implemented, or the reason for not taking corrective action, if no action has been taken, will be completed.

6. LAND DISCHARGE MONITORING REQUIREMENTS – NOT APPLICABLE

7. RECYCLING MONITORING REQUIREMENTS

The Discharger shall comply with applicable state and local monitoring requirements regarding the production and use of reclaimed wastewater, including requirements established by the Division of Drinking Water at title 22, sections 60301 - 60355 of the California Code of Regulations (CCR), Water Recycling Criteria. Prior to

production of tertiary-treated wastewater, the Discharger must have a title 22 engineering report approved by the Division of Drinking Water that demonstrates or defines compliance with the Uniform Statewide Recycling Criteria (and amendments). Additionally, the Discharger must obtain coverage for distribution and use of recycled water through the Water Reclamation Requirements for Recycled Water Use, Order No. WQ 2016-0068-DDW, or other appropriate order.

7.1. **Monitoring Location RCY-001**

7.1.1. When producing recycled water, the Discharger shall monitor recycled water at Monitoring Location RCY-001 as follows in Table E-6 below:

Table E-6. Recycled Water Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency
Total Daily Flow Volume	MG	Metered	Continuous
Maximum Daily Flow	MGD	Calculated	1/Day
Mean Daily Flow	MGD	Calculated	1/Day
Total Coliform Bacteria	MPN/100mL	Grab	1/Day
Turbidity	NTU	Metered	Continuous
Total Non-Filterable Residue (Suspended Solids)	mg/L	24-hour Composite	1/Month
Total Dissolved Solids	mg/L	24-hour Composite	1/Quarter
pH	Standard units	Grab	5/Week

7.1.2. In the event the Producer is unable to comply with the conditions of the water recycling requirements and prohibitions, the Producer shall immediately notify the Central Coast Water Board by telephone and submit a written follow-up report with two weeks of the noncompliance. The written report shall include pertinent information explaining reasons for the noncompliance and shall indicate what steps are being taken to prevent the problems from recurring.

7.1.3. In the event the Discharger delivers recycled water not meeting the Uniform Statewide Recycling Criteria specification, the Discharger shall immediately notify, via telephone and email, all enrollees of the State Water Board's General Water Reclamation Requirements for Recycled Water Use (State Water Board Order No. WQ 2016-0068-DDW), or enrollees of a separate applicable State or Central Coast Water Board permit, with potential to have received recycled water from the Facility.

7.1.4. An annual self-monitoring report shall be submitted to the Central Coast Water Board by February 1 of the following year. The report shall include the following:

7.1.4.1. A letter transmitting self-monitoring reports should accompany each report. The letter shall include a discussion of violations found during the reporting period

and actions taken or planned for correcting noted violations, such as operation or facility modifications. If the Producer has previously submitted a report describing corrective actions or a time schedule for implementing corrective actions, reference to the previous correspondence will be satisfactory. The transmittal letter shall contain a statement by the Producer or the Producer's authorized agent, under penalty of perjury, that to the best of the signer's knowledge the report is true, accurate, and complete.

7.1.4.2. Tabulations of the results of each required analysis by the Producer specified in Table E-6 by date, time, type of sample, and station.

7.2. **Volumetric Reporting of Wastewater and Recycled Water**

Pursuant to Water Quality Control Policy for Recycled Water,[4] when producing recycled water, the Discharger shall track volumetric reporting of wastewater and recycled water.

7.2.1. Annual Reporting. The Discharger shall submit an annual report to the State Water Board by April 30 of each calendar year furnished with the information detailed in section 7.1.2 of the MRP. The Discharger shall submit this annual report electronically via the State Water Board's Internet GeoTracker system under a site-specific global identification number at: https://geotracker.waterboards.ca.gov/.

7.2.2. Volumetric Monitoring. The Discharger shall report the items described below and provide all volumetric data as acre-feet (af):

7.2.2.1. Influent. Monthly volume of wastewater collected and treated by the wastewater treatment plant.

7.2.2.2. Production. Monthly volume of wastewater treated, specifying level of treatment.

7.2.2.3. Discharge. Monthly volume of treated wastewater discharged to each of the following, specifying level of treatment:

7.2.2.3.1. Inland surface waters, specifying volume required to maintain minimum instream flow.

7.2.2.3.2. Enclosed bays, estuaries and coastal lagoons, and ocean waters.

7.2.2.3.3. Natural systems, such as wetlands, wildlife habitats, and duck clubs, where augmentation or restoration has occurred, and that are not part of a wastewater treatment plant or water recycling treatment plant.

7.2.2.3.4. Underground injection wells, such as those classified by U.S. EPA's Underground Injection Control Program, excluding groundwater recharge via

[4] Water Quality Control Policy for Recycled Water, State Water Quality Control Board, adopted December 11, 2018, page 2, Water Quality Control Policy for Recycled Water (ca.gov)

subsurface application intended to reduce seawater intrusion into a coastal aquifer with a seawater interface.

7.2.2.3.5. Land, where beneficial use is not taking place, including evaporation or percolation ponds, overland flow, or spray irrigation disposal, excluding pasture or fields with harvested crops.

7.2.2.4. Reuse. Monthly volume of recycled water distributed.

7.2.2.5. Reuse Categories. Annual volume of treated wastewater distributed for beneficial use in compliance with CCR, title 22 in each of the use categories listed below:

7.2.2.5.1. Agricultural irrigation: pasture or crop irrigation.

7.2.2.5.2. Landscape irrigation: irrigation of parks, greenbelts, and playgrounds; school yards; athletic fields; cemeteries; residential landscaping, common areas; commercial landscaping; industrial landscaping; and freeway, highway, and street landscaping.

7.2.2.5.3. Golf course irrigation: irrigation of golf courses, including water used to maintain aesthetic impoundments within golf courses.

7.2.2.5.4. Commercial application: commercial facilities, business use (such as laundries and office buildings), car washes, retail nurseries, and appurtenant landscaping that is not separately metered.

7.2.2.5.5. Industrial application: manufacturing facilities, cooling towers, process water, and appurtenant landscaping that is not separately metered.

7.2.2.5.6. Geothermal energy production: augmentation of geothermal fields.

7.2.2.5.7. Other non-potable uses: including but not limited to dust control, flushing sewers, fire protection, fill stations, snow making, and recreational impoundments.

7.2.2.5.8. Groundwater recharge: the planned use of recycled water for replenishment of a groundwater basin or an aquifer that has been designated as a source of water supply for a public water system. Includes surface or subsurface application, except for seawater intrusion barrier use.

7.2.2.5.9. Seawater intrusion barrier: groundwater recharge via subsurface application intended to reduce seawater intrusion into a coastal aquifer with a seawater interface.

7.2.2.5.10. Reservoir water augmentation: the planned placement of recycled water into a raw surface water reservoir used as a source of domestic drinking water supply for a public water system, as defined in section 116275 of the Health and Safety Code, or into a constructed system conveying water to such a reservoir (CWC section 13561).

7.2.2.5.11. Raw water augmentation: the planned placement of recycled water into a system of pipelines or aqueducts that deliver raw water to a drinking water

treatment plant that provides water to a public water system as defined in section 116275 of the Health and Safety Code (CWC section 13561).

7.2.2.5.12. Other potable uses: both indirect and direct potable reuse other than for groundwater recharge, seawater intrusion barrier, reservoir water augmentation, or raw water augmentation.

8. RECEIVING WATER MONITORING REQUIREMENTS

8.1. Near Shore Monitoring – Monitoring Locations R-00A, R-00B, and R-00C

The Discharger shall monitor the receiving water at Monitoring Locations R-00A, R-00B, and R-00C. The Discharger shall, to the best of its ability, conduct near shore monitoring during dry weather or at least three days after a significant rain event. The Executive Officer may grant a discretionary exception to this sampling requirement during extreme rain events where receiving water sampling is unlikely to provide data representative of the Discharger's effluent. The Discharger shall conduct effluent total coliform, fecal coliform, and enterococcus sampling during such events or the subsequent period of its influence on receiving waters. Once shore stations sampling can resume, effluent sampling may return to its regular schedule according to the Order.

Table E-7. Near Shore Monitoring Requirements

Parameter	Units	Monitoring Locations	Sample Type	Minimum Sampling Frequency
Total Coliform Bacteria	MPN/100 mL	R-00A through R-00C	Grab	[1][2]
Fecal Coliform Bacteria	MPN/100 mL	R-00A through R-00C	Grab	[1][2]
Enterococcus Bacteria	MPN/100 mL	R-00A through R-00C	Grab	[1][2]
Standard Observations		R-00A through R-00C		[1][3]

[1] If three consecutive effluent monitoring samples at Monitoring Location EFF-001 for total coliform bacteria exceed 2,300 CFU/100 mL, then the Discharger shall conduct monitoring for total and fecal coliform, Enterococcus, and standard observations at Monitoring Locations R-00A, R-00B, and R- 00C. The Discharger shall collect no fewer than five samples from each station over a 30-day period, with the sampling frequency evenly spaced throughout the period. Sampling shall continue until effluent bacteria concentrations return to compliance. The sampling results shall be submitted to the Central Coast Water Board within 14 days of each sampling event.

If a single sample exceeds any of the single sample maximum receiving water limitations established in section 5.1.1.1 of the Order, repeat sampling at that location shall be conducted to determine the extent and persistence of the exceedance. Repeat sampling shall be conducted within 24 hours of receiving analytical results and continued until the sample result is less than the single sample

maximum receiving water limitation or until the source of the high bacterial densities has been identified and positively determined to not be caused or contributed to by discharge of effluent by the Facility.

When repeat sampling is required because of an exceedance of any one single sample maximum, values from all samples collected during that 30-day period will be used to determine compliance with the 30-day geometric mean receiving water limitations in section 5.1.1.1 of the Order.

[2] For all bacterial analyses, sample dilutions shall be performed so the range of values extends from 2 to 16,000/100 mL. Dilutions shall be conducted in accordance with the requirements of Appendix III of the Ocean Plan. Detection methods used shall be those presented in the most recent edition of the Standard Methods for the Examination of Water and Wastewater, or any improved method determined appropriate by the Central Coast Water Board and U.S. EPA.

[3] Standard observations shall include observation of wind (direction and speed), weather (e.g., cloudy, sunny, rainy), the quantity of rainfall precipitated over the previous seven day period, sea conditions, longshore currents (e.g., directions), and tidal conditions (e.g., high, slack, or low tide). Observations of water discoloration, floating oil and grease, turbidity, odor, materials of sewage origin in the water or on the beach, and temperature (degrees Celsius) shall be recorded and reported.

8.2. **Benthic Sediment Monitoring – Monitoring Locations R-001, R-002, R-003, and R-004**

Benthic sediment monitoring shall assess the temporal and spatial occurrence of pollutants in local marine sediments and evaluate the physical and chemical quality of the sediments in relation to the outfall. Sediment monitoring shall be conducted once per permit term. Three grab samples shall be collected using a 0.1 m^2 Van Veen grab sampler at each benthic monitoring station. A composite of these three samples shall be analyzed as follows:

8.2.1. The Discharger shall monitor benthic sediment at Monitoring Locations R-001, R-002, R-003, and R-004 as follows:

Table E-8. Benthic Sediment Monitoring Requirements

Parameter	Units	Minimum Sampling Frequency
Sulfides (at pH 7)	Milligram per kilogram (mg/kg)	1/Permit Term
Particle Size Distribution[1]	mg/kg	1/Permit Term
Organic Matter (Volatile Solids or Total Organic Carbon)	mg/kg	1/Permit Term
Total Kjeldahl Nitrogen	mg/kg	1/Permit Term
Arsenic	mg/kg	1/Permit Term
Cadmium	mg/kg	1/Permit Term
Total Chromium	mg/kg	1/Permit Term

Parameter	Units	Minimum Sampling Frequency
Hexavalent Chromium	mg/kg	1/Permit Term
Copper	mg/kg	1/Permit Term
Lead	mg/kg	1/Permit Term
Mercury	mg/kg	1/Permit Term
Nickel	mg/kg	1/Permit Term
Iron	mg/kg	1/Permit Term
Silver	mg/kg	1/Permit Term
Zinc	mg/kg	1/Permit Term

[1] Includes the percent retained on No. 200 sieve and/or laser diffraction analysis.

The following procedures shall be carried out for sampling and analyzing ocean bottom sediments:

8.2.1. Duplicate samples shall be taken at each station and shall be analyzed and reported separately. Samples may be taken either by divers using non-contaminating samplers or by a surface-operated grab sampler which will obtain a relatively undisturbed sample. If the surface-operated grab sampler is used a sub-sample (uncontaminated by the sampler) should be taken from the grab. In either case, the top five centimeters of material shall be used for analyses. Enough cores shall be taken at each station to provide sufficient sediment material for the required duplicate analyses.

8.2.2. The contractor shall locate and mark the outfall terminus before beginning station locations and sampling. Reliance on charts or as-built plans will not suffice.

8.2.3. Control stations have been selected in areas that should provide similar sediments at similar depths to the outfall stations. If the contractor encounters rocks or gravel at a station, he shall reposition the station, as necessary, to obtain a usable sediment sample. Station location changes shall be described in the final report.

8.2.4. Samples shall be placed in airtight polyethylene containers. Care shall be taken to ensure the containers are completely filled by the samples and air bubbles are not trapped in the containers. A separate sub-sample for sulfide analysis shall be placed in small (100-200 mL), wide-mouth bottle and preserved with zinc acetate. The preservative must be carefully mixed with the sediment sample. The samples shall be stored immediately at 2 to 4 °C and not be frozen or dried. Total sample storage time shall not exceed two weeks. For bacterial analysis, storage time should not exceed 6 to 8 hours. Bacterial analysis should be performed prior to preservation.

8.2.5. When processing for analyses, macrofauna and remnants should be removed, taking care to avoid contamination. Chemical extractions are to be run for 24 hours with dilute HCl (0.5 N) using guidelines recommended by the State Water Resources Control Board. Subsequent analyses shall be conducted in

accordance with the current edition of *Guidelines Establishing Test Procedures for Analysis of Pollutants*, promulgated by the United States Environmental Protection Agency. Any variations must be reported with the test results.

8.2.6. Results shall be expressed on a dry-weight basis.

8.2.7. Results shall be compared between outfall and reference areas using standard statistical techniques. Data shall be compared in its raw form, and chemical results are to be normalized to the clay fraction, which is the percent by weight passing the No. 200 sieve, as follows:

Normalized Result = (Raw Result) / (The Percent of Clay as a Decimal)

8.3. **Benthic Community Monitoring - Monitoring Locations R-001, R-002, R-003, and R-004**

8.3.1. At the same time as the ocean bottom sediment sampling, (per section 8.2, above), the Discharger shall monitor benthic biota at Monitoring Locations R-001, R-002, R-003, and R-004. At least four samples will be taken at each monitoring location. The samples shall be taken by mechanical grab or qualified diver biologists utilizing three-pound coffee cans (or similar) with both ends cut out. The cans are to be pushed into the sediment full length, the top capped, surrounding sediment dug away, and the bottom capped. During collection, water temperature shall be recorded at three-meter depth intervals, and at the surface and bottom.

8.3.2. For benthic infauna analyses, each replicate sample shall be passed through a 1 mm screen, and the organisms retained and preserved as appropriate for subsequent identification. It is recommended that sample preservation, sample processing, and data analyses be conducted according to *Quality Assurance and Quality Control (QA/QC) for 301(h) Monitoring Programs: Guidance on Field and Laboratory Methods* (EPA 430/9-86-004, 1987).

8.3.4. Benthic infauna from each replicate sample shall be counted and identified to the lowest possible taxon. For each replicate sample, number of individuals, number of species, and number of individuals per species, and within each major taxonomic group (polychaetes, molluscs, crustaceans, echinoderms, and all other macroinvertebrates) shall be recorded. Species abundance lists shall be presented with data reduced to standard area (sq. meter) and standard volume (liter).

8.3.5. For data from each sampling period, the following basic statistical analyses shall, as a minimum, be performed and reported:

8.3.5.1. The mean, median, range, standard deviation, and 95 percent confidence limits of the species abundance data reduced to standard area and volume.

8.3.5.2. Information theory species diversity index value:

$$H = -\sum_{i=1}^{n} (n_i/N)\ log\ (n_i/N)$$

For each replicate sample at each station and for the station as a whole (i.e., pooling data from all replicates for the station during one survey). In addition, the station mean, range, and standard deviation shall be calculated from the replicate index values.

8.3.5.3. The infaunal index, dominance index, and distributional statistics on "dominant" species as developed by the Southern California Coastal Water Research Project (SCCWRP) shall be calculated for each station. SCCWRP should be contacted for the latest species list and formula required.

8.3.6. The names and qualifications of persons identifying this material shall be indicated in all data reports. Furthermore, type collections shall be established for the various groups. All material shall be saved and stored for future reference. Material may be discharged after four years.

8.3.7. The annual report shall include a complete discussion of benthic infaunal survey results and (possible) influence of the outfall on benthic infauna communities in the study area. The discussion should be based on graphical, tabular, and/or appropriate statistical analyses of spatial and temporal patterns. Temporal trends in the number of individuals, number of species, number of individuals per species, and community structure indices, species richness (S), Margalef index (d), Shannon-Wiener index (H'), Brillouin index (h), Simpson's Index (SI), Swartz's dominance, and Infaunal Trophic Index (IT) shall be reported. The annual report should also present an analysis of natural community variation including the effects of different sediment conditions, oceanic seasons, and water temperatures, etc., that could influence the validity of study results. Survey results shall be compared to pre-discharge and/or historical data using appropriate statistical methods.

9. **OTHER MONITORING REQUIREMENTS**

9.1. **Ocean Outfall and Diffuser Inspection**

At least every three years (2023 and additional years if the Order is administratively extended),the Discharger shall visually inspect the entire outfall and diffuser structure (e.g., divers, dye study) to note its structural integrity and any cracks, breaks, leaks, plugged ports, or other actual or potential malfunctions. The inspection shall be completed under conditions of underwater visibility suitable to observe the outfall and diffuser structure. This inspection shall include general observations and video records of the outfall pipe/diffuser system and the surrounding ocean bottom in the vicinity of the outfall/diffuser. The inspection shall be conducted along the outfall pipe/diffuser system from landfall to its ocean terminus. A report detailing inspection results shall be submitted to the Central Coast Water Board and U.S. EPA as described in Table E-11.

9.2. **Biosolids Monitoring, and Notification – BIO-001**

9.2.1. A representative sample of biosolids must be obtained from the last point in the handling process (i.e., in the spare aeration basin just prior to removal). Samples must be analyzed for total concentrations for comparison with Total Threshold Limit Concentration (TTLC) criteria. The Waste Extraction Test must be performed

when the total concentration of a pollutant exceeds ten times the Soluble Threshold Limit Concentration (STLC) for that substance [California Code of Regulations, title 22, division 4.5, chapter 11, article 3].

Twelve discrete representative grab samples must be collected at separate locations in the biosolids ready for disposal and composited to form one sample for pollutant analysis. These 12 samples must be taken at equal time intervals over a typical dewatering operations period, up to 24 hours, from the last representative point in the solids handling process before disposal.

Samples must be analyzed for the metals required in 40 C.F.R. section 503.16 (for land application) or 503.26 (for surface disposal) using the methods in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (U.S. EPA Publication SW-846, all applicable editions and updates), as required in 503.8(b)(4), at the minimum frequencies established therein, provided in the table below.

Table E-9. Amount of Biosolids and Frequency of Analysis

Amount [1] (dry metric tons/365-day period)	**Minimum Sampling Frequency [2]**
Greater than zero, but less than 290	Once per year
Equal to or greater than 290 but less than 1,500	Once per quarter (four times per year)
Equal to or greater than 1,500 but less than 15,000	Once per sixty days (six times per year)
Greater than 15,000	Once per month (twelve times per year)

[1] For land application, either the amount of bulk biosolids applied to land or the amount prepared for sale or give-away in a bag or other container for application to land (dry weight basis). If the Discharger's biosolids are directly land applied without further treatment by another preparer, biosolids must also be tested for organic nitrogen, ammonia, and nitrate at the frequencies required. For surface disposal, the amount of biosolids placed on an active sludge unit (dry weight basis).

[2] Test results must be expressed in mg pollutant per kg biosolids on a 100% dry weight basis.

The Discharger must monitor biosolids annually until data collected over a 365-day period establishes a new basis for monitoring frequency pursuant to 40 CFR 503. Biosolids monitoring requirements are summarized in Table E-8 below.

For accumulated and previously untested biosolids, the Discharger must develop a representative sampling plan, including number and location of sampling points, and collect representative samples.

Biosolids must be analyzed for the parameters and pollutants in the table below.

Table E-10. Biosolids Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency[4]
Quantity Removed	Tons or yd^3	Measured	During Removal
Location of Reuse/Disposal	General Public or Specific Site[2]	--	--
Moisture Content	Percent	Grab	1/Year (July)
pH	standard units	Grab	1/Year (July)
Total Kjeldahl Nitrogen	mg/kg[1]	Grab	1/Year (July)
Ammonia (as N)	mg/kg[1]	Grab	1/Year (July)
Nitrate (as N)	mg/kg[1]	Grab	1/Year (July)
Total Phosphorus	mg/kg[1]	Grab	1/Year (July)
Oil and Grease	mg/kg[1]	Grab	1/Year (July)
Arsenic	mg/kg[1]	Grab	1/Year (July)
Boron	mg/kg[1]	Grab	1/Year (July)
Cadmium	mg/kg[1]	Grab	1/Year (July)
Copper	mg/kg[1]	Grab	1/Year (July)
Chromium (Total)	mg/kg[1]	Grab	1/Year (July)
Lead	mg/kg[1]	Grab	1/Year (July)
Mercury	mg/kg[1]	Grab	1/Year (July)
Molybdenum	mg/kg[1]	Grab	1/Year (July)
Nickel	mg/kg[1]	Grab	1/Year (July)
Selenium	mg/kg[1]	Grab	1/Year (July)
Zinc	mg/kg[1]	Grab	1/Year (July)
Ocean Plan Table 3 Pollutants (excluding asbestos)	mg/kg[1]	Grab	1/Year (July)

[1] Total sample (including solids and any liquid portion) to be analyzed and results reported as mg/kg based on the dry weight of the sample.

[2] The annual report must identify the destination for which biosolids are transported once they leave the Facility.

[3] Sampling for Ocean Plan Table 3 parameters must be coordinated with effluent sampling for the same parameters.

[4] Actual sampling frequency must be determined based on biosolids production, see Table E-7

9.2.2. Prior to land application, the Discharger must demonstrate that the biosolids meet Class A or Class B pathogen reduction levels by one of the methods listed in 40 C.F.R. section 503.32 (unless transferred to another preparer who demonstrates pathogen reduction). Prior to disposal in a surface disposal site, the Discharger must demonstrate that the biosolids meet Class B levels or must ensure that the site is covered at the end of each operating day. If pathogen reduction is demonstrated using a “Process to Significantly/Further Reduce Pathogens“

(PFRP), the Discharger must maintain daily records of the operating parameters to achieve this reduction.

The following applies when biosolids from the Discharger are directly land applied as Class B, without further treatment by a second preparer. If the Discharger demonstrates pathogen reduction by direct testing for fecal coliforms and/or pathogens, samples must be drawn at the frequency in Table E-7. If the Discharger demonstrates Class B pathogen reduction by testing for fecal coliform, at least seven grab samples must be drawn and analyzed during each monitoring event and a geometric mean calculated from these seven samples. If the Discharger demonstrates Class A pathogen reduction by testing for fecal coliform and/or salmonella plus one of the PFRP processes or testing for enteric viruses and helminth ova, at least four samples of fecal coliform or salmonella must be drawn during each monitoring event. All four samples must meet the limits specified in 503.32(a).

9.2.3. For biosolids that are land applied or placed in a surface disposal site, the Discharger must track and keep records of the operational parameters used to achieve Vector Attraction Reduction requirements in 40 C.F.R. section 503.33(b).

9.2.4. Class 1 facilities (facilities with pretreatment programs or others designated as Class 1 by the Regional Administrator) and federal facilities with greater than five million gallons per day (MGD) influent flow must sample biosolids for pollutants listed under CWA section 307(a), as required in the pretreatment section of the permit for publicly owned treatment works (POTWs) with pretreatment programs. Class 1 facilities and federal facilities greater than 5 MGD must test samples for dioxins/dibenzofurans using a detection limit of less than one pg/g at the time of their next priority pollutant scan if they have not done so within the past five years and once per five years thereafter.

9.2.5. Biosolids must be tested annually, or more frequently, if necessary, to determine hazardousness. All pollutants regulated under California Code of Regulations title 22, division 5, chapter 11, article 3 must be analyzed for comparison with TTLC criteria. The Waste Extraction Test must be performed for any pollutant when the total concentration of the waste exceeds ten times the STLC limit for that substance.

9.2.6. If biosolids are placed in a surface disposal site (dedicated land disposal site or monofill), a qualified groundwater scientist must develop a groundwater monitoring program for the site or must certify that the placement of biosolids on the site will not contaminate an aquifer.

9.2.7. Biosolids placed in a municipal landfill must be tested by the Paint Filter Liquids Test (U.S. EPA Method 9095) at the frequency determined by Table E-7 or more often if necessary to demonstrate that there are no free liquids.

9.2.8. The Discharger, either directly or through contractual agreements with its biosolids management contractors, must comply with the following notification requirements:

9.2.8.1. *Notification of non-compliance*. The Discharger must notify U.S. EPA Region 9, the State Water Board, and the regional water quality control board located in the region where the biosolids are used or disposed of any non-compliance within 24 hours if the noncompliance may seriously endanger health or the environment. For other instances of non-compliance, the Discharger must notify U.S. EPA Region 9 and the affected regional water quality control board of any non-compliance in writing within five working days of becoming aware of the non-compliance. The Discharger must require its biosolids management contractors to notify U.S. EPA Region 9 and the affected regional water quality control board of any non-compliance within the same time frames.

9.2.8.2. If biosolids are shipped to another state or to Tribal lands, the Discharger must send notice at least 60 days prior to the shipment to the permitting authorities in the receiving state or Tribal land (the U.S. EPA regional office for that area and the state/Tribal authorities).

9.2.8.3. *For land application (in cases where Class B biosolids are directly applied without further treatment):* Prior to reuse of any biosolids from the Discharger's facility to a new or previously unreported site, the Discharger must notify U.S. EPA, the Central Coast Water Board, and any other affected regional water quality control board. The notification must include description of the crops or vegetation to be grown, proposed loading rates and determination of agronomic rates.

If any biosolids within a given monitoring period do not meet 40 C.F.R. section 503.13 metals concentrations limits, the Discharger (or its contractor) must pre-notify U.S. EPA and determine the cumulative metals loading to that site to date, as required in 40 C.F.R. section 503.12. The Discharger must notify the applier of all the applier's requirements under 40 C.F.R. part 503, including the requirement that the applier certify that the management practices, site restrictions, and any applicable vector attraction reduction requirements have been met. The Discharger must require the applier to certify at the end of 38 months following application of Class B biosolids that the harvesting restrictions in effect for up to 38 months have been met.

9.2.8.4. *For surface disposal:* Prior to disposal to a new or previously unreported site, the Discharger must notify U.S. EPA and the Central Coast Water Board. The notice must include a description and a topographic map of the proposed site, depth to groundwater, whether the site is lined or unlined, site operator, site owner, and any State or local permits. The notice must describe procedures for ensuring public access and grazing restrictions for three years following site closure. The notice must include a groundwater monitoring plan or description of why groundwater monitoring is not required.

9.2.9. The Discharger must submit an annual biosolids report to the EPA Region 9 biosolids coordinator through the NeT e-reporting system (see https://www.epa.gov/biosolids/compliance-and-annual-reporting-guidance-about-clean-water-act-laws) by February 19 of each year for the period covering the previous calendar year. This report must include:

9.2.9.1 The quantity of biosolids generated that year and the amount of biosolids accumulated from previous years, in dry metric tons.

9.2.9.2 Results of all pollutant monitoring required in the Monitoring section, above, reported on a 100% dry weight basis.

9.2.9.3 Demonstrations and certifications of pathogen reduction methods and vector attraction reduction methods, as required in 40 CFR 503.17 and 503.27.

9.2.9.4 Names, mailing addresses, and street addresses of persons who received biosolids for storage, further treatment, or disposal in a municipal waste landfill, or for other use or disposal methods not covered above, and the tonnages delivered to each.

9.2.9.5 For land application sites, the following information must be submitted by the permittee, unless the permittee requires its biosolids management contractors to report this information directly to the EPA Region 9 biosolids coordinator: locations of land application sites used that calendar year (with field names and numbers), size of each field applied to; the name of the site owner and biosolids appliers; the quantities applied to each field (in wet tons and dry metric tons); quantity of nitrogen applied and calculated plant-available nitrogen; and the crop(s) planted, date(s) of planting, and date(s) of harvesting. For biosolids exceeding 40 CFR 503.13 Table 3 pollutant concentrations, include the locations of sites where applied and cumulative metals loading at that site to date, certifications of management practices in 40 CFR 503.14, and certifications of site restrictions in 40 CFR 503.17(b)(6).

9.2.9.6 For surface disposal sites: The locations of sites, site operator, site owner, and size of parcel on which disposed; the results of any required groundwater monitoring; certifications of management practices in 40 CFR 503.24; and for closed sites, the date of site closure, and certifications of management practices for the three years following site closure.

9.2.9.7 All reports must be submitted through the NeT e-reporting system (see https://www.epa.gov/biosolids/compliance-and-annual-reporting-guidance-about-clean-water-act-laws for more information).

10. REPORTING REQUIREMENTS

10.1. General Monitoring and Reporting Requirements

The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.

10.2. Self-Monitoring Reports (SMRs)

10.2.1. The Discharger shall electronically submit SMRs using the State Water Board's California Integrated Water Quality System (CIWQS) Program website at http://www.waterboards.ca.gov/water_issues/programs/ciwqs. The CIWQS website will provide additional information for SMR submittal in the event there will be a planned service interruption for electronic submittal.

10.2.2. The Discharger shall report in the SMR the results for all monitoring specified in this MRP under sections 3 through 9. The Discharger shall submit SMRs including the results of all required monitoring using U.S. EPA-approved test methods or other test methods specified in this Order. SMRs are to include all new monitoring results obtained since the last SMR was submitted. If the Discharger monitors any pollutant more frequently than required by this Order, the results of this monitoring shall be included in the calculations and reporting of the data submitted in the SMR.

10.2.3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

Table E-11. Reporting Schedule

SMR Name	Permit Section for Monitoring and Sampling Data Included in Report	SMR Submittal Frequency	SMR Due Date
Influent and Effluent NPDES Monitoring Report - Monthly	MRP Sections 3 (Influent) and 4 (Effluent))	Monthly	First day of second calendar month following period of sampling.
NPDES Monitoring Report - Quarterly	MRP Section 4 (Effluent)	Quarterly	May 1st August 1st November 1st February 1st
NPDES Monitoring Report - Annually	MRP Sections 4 (Effluent), 5 (WET),	Annually	February 1st, following calendar year of following sampling
NPDES Monitoring Report – Once per Permit Term	MRP Section 8 (Receiving Water)	Once per permit term	180 days prior to permit expiration date
Biosolids Monitoring Report	MRP Section 10.1 (Biosolids Monitoring)	Annually	February 19th, the year following sampling Note: This report is submitted to USEPA via the NeT e-reporting system, not CIWQS.

SMR Name	Permit Section for Monitoring and Sampling Data Included in Report	SMR Submittal Frequency	SMR Due Date
Recycled Water Monitoring Report	MRP Section 7.1 (Recycled Water Monitoring)	Annually	February 1st following calendar year
Recycled Water Volumetric Monitoring Report	MRP Section 7.2 (Volumetric Reporting of Wastewater and Recycled Water)	Annually	April 30th following calendar year Note: This report is submitted using the GeoTracker system, not CIWQS.
Facility Summary Report	Attachment D, Standard Provision, 8.4.8	Annually	February 1st following calendar year
Ocean Outfall and Diffuser Inspection Technical Report	MRP Section 9.2 (Ocean Outfall and Diffuser Inspection)	Once Every Three Years	February 1st following calendar year
Coastal Hazards Monitoring Plan	Order Section 6.3.6.1 (Climate Change Adaptation Program)	-	May 4, 2024
Life Expectancy Analysis	Order Section 6.3.6.1 (Climate Change Adaptation Program)	-	May 4, 2025
Climate Change Adaptation Plan	Order Section 6.3.6.1 (Climate Change Adaptation Program)	-	May 4, 2027
Report of Waste Discharge Application	Permit renewal application	Once per permit term	May 4, 2027

10.2.4. **Reporting Protocols.** The Discharger shall report with each sample result the applicable Reporting Level (RL) and the current Method Detection Limit (MDL), as determined by the procedure in 40 C.F.R. part 136. The Discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

10.2.4.1. Sample results greater than or equal to the RL shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).

10.2.4.2. Sample results less than the RL, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or DNQ. The estimated chemical concentration of the sample shall also be reported. For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ. The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy (± a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

10.2.4.3. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.

10.2.4.4. Dischargers are to instruct laboratories to establish calibration standards so that the ML value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from extrapolation beyond the lowest point of the calibration curve.

10.2.5. **Compliance Determination.** Compliance with effluent limitations for priority pollutants shall be determined using sample reporting protocols defined above and Attachment A. For purposes of reporting and administrative enforcement by the Central Coast Water Board and State Water Board, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level (RL).

10.2.6. **Multiple Sample Data.** When determining compliance with an AMEL, AWEL, or MDEL for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

10.2.6.1. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.

10.2.6.2. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

10.2.7. The Discharger shall submit SMRs in accordance with the following requirements:

10.2.7.1. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations. The Discharger is not

required to duplicate the submittal of data that is entered in a tabular format within CIWQS. When electronic submittal of data is required and CIWQS does not provide for entry into a tabular format within the system, the Discharger shall electronically submit the data in a tabular format as an attachment.

10.2.7.2. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the waste discharge requirements; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.

10.3. **Discharge Monitoring Reports (DMRs)**

10.3.1. DMRs are U.S. EPA reporting requirements. The Discharger shall electronically certify and submit DMRs together with SMRs using Electronic Self-Monitoring Reports module eSMR 2.5 or any upgraded version. Electronic DMR submittal shall be in addition to electronic SMR submittal. Information about electronic DMR submittal is available at the DMR website at: <http://www.waterboards.ca.gov/water_issues/programs/discharge_monitoring>.

10.4. **Other Reports**

10.4.1. With the Report of Waste Discharge submitted for reissuance of this Order, the Discharger shall submit a Climate Change Response Hazards and Vulnerabilities Plan.

10.4.2. The Discharger shall report the results of any special studies, acute and chronic toxicity testing, TRE/TIE, and PMP, required by Special Provisions – 6.3. The Discharger shall submit reports with the first monthly SMR scheduled to be submitted on or immediately following the report due date.

ATTACHMENT F – FACT SHEET

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ATTACHMENT F – FACT SHEET

As described in section 2.2 of this Order, the Central Coast Water Board incorporates this Fact Sheet as findings of the Central Coast Water Board supporting the issuance of this Order. This Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

This Order has been prepared under a standardized format to accommodate a broad range of discharge requirements for Dischargers in California. Only those sections or subsections of this Order that are specifically identified as "not applicable" have been determined not to apply to this Discharger. Sections or subsections of this Order not specifically identified as "not applicable" are fully applicable to this Discharger.

1. PERMIT INFORMATION

The following table summarizes administrative information related to the facility.

Table F-1. Facility Information

WDID	3 420107001
Discharger	Montecito Sanitary District
Name of Facility	Montecito Sanitary District Wastewater Treatment Facility
Facility Address	1042 Monte Cristo Lane Santa Barbara, CA 93108 Santa Barbara County
Facility Contact, Title and Phone	Brad Rahrer, General Manager, (805) 969-4200
Authorized Person to Sign and Submit Reports	Brad Rahrer, General Manager, (805) 969-4200
Mailing Address	1042 Monte Cristo Lane, Santa Barbara, CA 93108
Billing Address	Same as mailing address
Type of Facility	POTW
Major or Minor Facility	Major
Threat to Water Quality	2
Complexity	A
Pretreatment Program	No
Recycling Requirements	Yes
Facility Permitted Flow	1.5 million gallons per day (MGD)

Facility Design Flow	1.5 MGD
Watershed	South Coast Hydrologic Unit
Receiving Water	Pacific Ocean
Receiving Water Type	Ocean waters

1.1. The Montecito Sanitary District (hereinafter Discharger) is the owner and operator of the Montecito Wastewater Treatment Facility (hereinafter Facility), a publicly owned treatment works (POTW).

For the purposes of this Order, references to the "discharger" or "permittee" in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

1.2. The Facility discharges wastewater to the Pacific Ocean, a water of the United States. The Discharger was previously regulated by Order No. R3-2012-0016 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0047899, adopted on December 06, 2012, which expired on January 25, 2018. Attachment B provides a map of the area around the Facility. Attachment C provides a flow schematic of the Facility. References in this Order to the "previous Order" mean Order No. R3-2012-0016.

1.3. The Discharger filed a report of waste discharge and submitted an application for reissuance of its waste discharge requirements (WDRs) and NPDES permit on June 09, 2017**.**

1.4. Regulations at title 40 of the Code of Federal Regulations (40 C.F.R.) section 122.46 limit the duration of NPDES permits to a fixed term not to exceed five years. However, pursuant to California Code of Regulations (CCR), title 23, section 2235.4, the terms and conditions of an expired permit are automatically continued pending reissuance of the permit if the Discharger complies with all federal NPDES requirements for continuation of expired permits. Accordingly, the terms of Order No. R3-2012-0016, NPDES Permit No. CA0047899, were administratively continued until the issuance of a new permit.

2. FACILITY DESCRIPTION

2.1. Description of Wastewater and Biosolids Treatment and Controls

The Discharger owns and operates a collection system and wastewater treatment facility, which provides service to Montecito Sanitary District customers. The Facility currently serves a population of approximately 9,000.

Influent enters the headworks of the Facility and is processed through macerators (i.e., channel grinders) and into a wet well. Plant return flows from the belt press and waste stream mix with influent in the wet well. Wastewater is then conveyed to the secondary treatment system, which consists of two 370,000-gallon aeration basins, four rectangular clarifiers, chlorination in two chlorine contact chambers with

sodium hypochlorite, and dechlorination in an effluent channel with sodium bisulfite, prior to discharge through the ocean outfall at Discharge Point 001. The design average dry weather flow rate for the Facility is 1.5 MGD. The average monthly effluent flow rate January 2017 through June 2021 ranged from 0.35 MGD to 1.06 MGD, with a peak instantaneous effluent flow of 7.76 MGD during the same time period.

Less than 35,000 gallons per day (GPD) of effluent from the chlorine contact chambers is used for foam control channel spray, rotary screen spray, plant wash down needs, dissolved air floatation thickener (DAFT) process water, and belt press wash water at the Facility.

The District has installed a small pilot recycled water facility to evaluate producing recycled water in the future. The system operates by sending disinfected secondary effluent water to an ultrafiltration membrane followed by a reverse osmosis membrane to reduce total dissolved solids. The processed water is stored in an onsite reservoir and used for plant processes onsite and water for cleaning operations within the collection system.

Settled sludge from the secondary clarifiers is collected in the Return Activated Sludge (RAS)/Waste Activated Sludge (WAS) Tank. A side stream rotary micro screening process removes rags and foreign materials from the tank prior to WAS being pumped to the DAFT. Thickened sludge is then pumped to an aerobic digester, and the remaining wastewater is combined with DAFT process water prior to flowing to the subnate tank and being combined with the main influent flow prior to the influent pump station. Sludge from the aerobic digesters is dewatered using a belt press, and biosolids are stockpiled in holding bins prior to disposal by composting facility.

Bypass piping also allows for flow configurations related to WAS bypassing the DAFT to the digester, WAS bypassing the DAFT and digester directly to the belt press, and DAFT thickened sludge bypassing the digester to the belt press.

2.2. **Discharge Points and Receiving Waters**

Secondary treated wastewater is discharged to the Pacific Ocean at Discharge Point 001 (34.4133° N latitude; 119.6478° W longitude) within the South Coast Hydrologic Unit. Effluent is discharged from a 1,500-foot outfall/diffuser system at a depth of approximately 35 feet. The diffuser is modeled to achieve a minimum initial dilution of 89 to 1.

2.3. **Summary of Existing Requirements and SMR Data**

Effluent limitations contained in the existing Order for discharges from Discharge Point 001 (Monitoring Location EFF-001) and representative monitoring data from the term of the previous Order are as follows:

Table F-2. Historic Effluent Limitations and Monitoring Data for Conventional and Non-Conventional Pollutants

Parameter	Units	Average Monthly	Average Weekly	Maximum Daily	Highest Average Monthly Discharge	Highest Average Weekly Discharge	Highest Daily Discharge
Daily Dry Weather Flow	Million gallons per day (MGD)	1.5			1.062		
Carbonaceous Biochemical Oxygen Demand 5-day @ 20°C ($CBOD_5$)	Milligram per liter (mg/L)	25	40	85	21	28	616
$CBOD_5$	Pounds per day (lbs/day)	310	500	1,100	78	103	116
$CBOD_5$	Percent removal	≥85			89[1]		
Total Suspended Solids (TSS)	mg/L	30	45	90	16	30	1,262
TSS	lbs/day	380	560	1,100	66	109	109
TSS	Percent removal	≥85			96[1]		
pH	Standard units			6.0 to 9.0[2]			6.32 to 7.76[2]
Oil and Grease	mg/L	25	40	75	17	17	17
Oil and Grease	lbs/day	310	500	940	84	84	84
Settleable Solids	Milliliter per liter (mL/L)	1.0	1.5	3.0	<0.10	0.30	10
Turbidity	Nephelometric Turbidity Units (NTU)	75	100	225	7.6	22	58
Total Coliform Bacteria	Most Probable Number (MPN)/ 100 mL		23[3]	2,300[4]		6.8	3,000

[1] Minimum reported value.
[2] Minimum and maximum reported values.
[3] The 7-day median concentration shall not exceed 23 MPN/100 mL.
[4] No single sample shall exceed 2,300 MPN/100 mL.

Table F-3. Historic Effluent Limitations and Monitoring Data for the Protection of Marine Animal Life

Parameter	Units	6-Month Median	Daily Maximum	Instantaneous Maximum	6-Month Median	Daily Maximum	Instantaneous Maximum
Arsenic, Total Recoverable	Microgram per liter (µg/L)	450	2,600	6,900	1.3	1.3	1.3
Arsenic, Total Recoverable	lbs/day	5.7	33	87	0.0056	0.0056	0.0056
Cadmium, Total Recoverable	µg/L	90	360	900	0.32	0.32	0.32
Cadmium, Total Recoverable	lbs/day	1.1	4.5	11	0.0014	0.0014	0.0014
Chromium (VI), Total Recoverable	µg/L	180	720	1,800	6.8	6.8	6.8
Chromium (VI), Total Recoverable	lbs/day	2.3	9.0	23	0.033	0.033	0.033
Mercury, Total Recoverable	µg/L	3.6	14	36	0.036	0.036	0.036
Mercury, Total Recoverable	lbs/day	0.039	0.17	0.44	0.033	0.33	0.33
Selenium, Total Recoverable	µg/L	1,400	5,400	14,000	2.5	2.5	2.5
Selenium, Total Recoverable	lbs/day	17	68	170	0.012	0.012	0.012
Silver, Total Recoverable	µg/L	49	240	620	0.13	0.13	0.13
Silver, Total Recoverable	lbs/day	0.61	3.0	7.7	0.00064	0.00064	0.00064
Cyanide, Total Recoverable	µg/L	90	360	900	<0.010	<0.010	<0.010
Cyanide, Total Recoverable	lbs/day	1.1	4.5	11			

Parameter	Units	6-Month Median	Daily Maximum	Instantaneous Maximum	6-Month Median	Daily Maximum	Instantaneous Maximum
Total Chlorine Residual	µg/L	180	720	5,400		6,850	
Total Chlorine Residual	lbs/day	2.2	9.0	68		34	
Acute Toxicity	µg/L		3.0			0.51	
Chlorinated Phenolics	lbs/day	90	360	900		<0.30	
Chlorinated Phenolics	µg/L	1.4	4.5	11			
Phenolic Compounds (non-chlorinated)	lbs/day	2,700	11,000	27,000		<0.22	
Phenolic Compounds (non-chlorinated)	µg/L	34	140	340			
Endosulfan	lbs/day	0.81	1.6	2.4		<0.0021	
Endosulfan	µg/L	0.010	0.020	0.030			
Endrin	lbs/day	0.18	0.36	0.54		<0.0013	
Endrin	µg/L	0.0023	0.0045	0.0068			
HCH	lbs/day	0.36	0.72	1.1		<0.0037	
HCH	µg/L	0.0045	0.009	0.014			
Radioactivity	Picocuries per liter (pCi/L)	[1]	[1]	[1]		43	

[1] Radioactivity is not to exceed limits specified in title 17, division 1, chapter 5, subchapter 4, group 3, article 3, section 30253 of the CCR. Reference to section 30253 is prospective including future changes to incorporate provisions of federal law, as the changes take effect.

Table F-4. Historic Effluent Limitations and Monitoring Data for the Protection of Human Health – Non-Carcinogens

Parameter	Units	30-Day Average	Highest 30-Day Average
Acrolein	µg/L	20,000	<0.063
Acrolein	lbs/day	250	
Antimony	µg/L	110,000	0.79
Antimony	lbs/day	1,400	0.0035
Bis(2-chloroethoxy) methane	µg/L	400	<0.25
Bis(2-chloroethoxy) methane	lbs/day	5.0	
Bis(2-chloroisopropyl) ether	µg/L	110,000	<0.38
Bis(2-chloroisopropyl) ether	lbs/day	1,400	
Chlorobenzene	µg/L	51,000	<0.036
Chlorobenzene	lbs/day	640	
Chromium (III)	µg/L	17,000,000	0.71
Chromium (III)	lbs/day	210,000	0.0033
Di-n-butyl phthalate	µg/L	320,000	0.60
Di-n-butyl phthalate	lbs/day	3,900	0.0026
Dichlorobenzenes	µg/L	460,000	<0.063
Dichlorobenzenes	lbs/day	5,700	
Diethyl phthalate	µg/L	2,300,000	<0.15
Diethyl phthalate	lbs/day	37,000	
Dimethyl phthalate	µg/L	74,000,000	<0.18
Dimethyl phthalate	lbs/day	920,000	
4,6-dinitro-2-methylphenol	µg/L	20,000	<0.43
4,6-dinitro-2-methylphenol	lbs/day	250	
2,4-dinitrophenol	µg/L	360	<0.22
2,4-dinitrophenol	lbs/day	4.5	
Ethylbenzene	µg/L	370,000	<0.046
Ethylbenzene	lbs/day	4,600	
Fluoranthene	µg/L	1,400	<0.023
Fluoranthene	lbs/day	17	
Hexachlorocyclopentadiene	µg/L	5,200	<0.24
Hexachlorocyclopentadiene	lbs/day	65	
Nitrobenzene	µg/L	440	<0.36
Nitrobenzene	lbs/day	5.5	
Thallium	µg/L	180	0.13
Thallium	lbs/day	2.3	0.00057

Parameter	Units	30-Day Average	Highest 30-Day Average
Toluene	µg/L	7,700,000	0.65
Toluene	lbs/day	96,000	0.0027
Tributyltin	µg/L	0.13	<0.0013
Tributyltin	lbs/day	0.0016	
1,1,1-trichloroethane	µg/L	49,000,000	<0.053
1,1,1-trichloroethane	lbs/day	610,000	

Table F-5. Historic Effluent Limitations and Monitoring Data for the Protection of Human Health – Carcinogens

Parameter	Units	30-Day Average	Highest 30-Day Average
Acrylonitrile	µg/L	9.0	<0.63
Acrylonitrile	lbs/day	0.11	
Aldrin	µg/L	0.002	<0.00091
Aldrin	lbs/day	0.000025	
Benzene	µg/L	530	<0.13
Benzene	lbs/day	6.6	
Benzidine	µg/L	0.0062	<1.4
Benzidine	lbs/day	0.000078	
Beryllium	µg/L	3.0	0.15
Beryllium	lbs/day	0.037	0.00066
Bis(2-chloroethyl) ether	µg/L	4.1	<0.27
Bis(2-chloroethyl) ether	lbs/day	0.051	
Carbon tetrachloride	µg/L	81	<0.05
Carbon tetrachloride	lbs/day	1.0	
Chlordane	µg/L	0.0021	<0.00043
Chlordane	lbs/day	0.000026	
DDT	µg/L	0.015	<0.0023
DDT	lbs/day	0.00019	
1,4-dichlorobenzene	µg/L	1,600	<0.47
1,4-dichlorobenzene	lbs/day	20	
3,3'-dichlorobenzidine	µg/L	0.73	<0.43
3,3'-dichlorobenzidine	lbs/day	0.0091	
1,2-dichloroethane	µg/L	2,500	<0.044

Parameter	Units	30-Day Average	Highest 30-Day Average
1,2-dichloroethane	lbs/day	32	
1,1-dichloroethylene	µg/L	81	<0.32
1,1-dichloroethylene	lbs/day	1.0	
Dichloromethane	µg/L	41,000	<0.24
Dichloromethane	lbs/day	510	
1,3-dichloropropene	µg/L	800	<0.10
1,3-dichloropropene	lbs/day	10	
Dieldrin	µg/L	0.0036	<0.0015
Dieldrin	lbs/day	0.000045	
2,4-dinitrotoluene	µg/L	230	<0.18
2,4-dinitrotoluene	lbs/day	2.9	
1,2-diphenylhydrazine	µg/L	14	<0.30
1,2-diphenylhydrazine	lbs/day	0.18	
Heptachlor	µg/L	0.0045	<0.0018
Heptachlor	lbs/day	0.000056	
Heptachlor epoxide	µg/L	0.0018	<0.00077
Heptachlor epoxide	lbs/day	0.000023	
Hexachlorobenzene	µg/L	0.019	<0.47
Hexachlorobenzene	lbs/day	0.00024	
Hexachlorobutadiene	µg/L	1,300	<0.45
Hexachlorobutadiene	lbs/day	16	
Hexachloroethane	µg/L	230	<0.43
Hexachloroethane	lbs/day	2.8	
Isophorone	µg/L	66,000	<0.21
Isophorone	lbs/day	820	
N-Nitrosodimethylamine	µg/L	660	<0.47
N-Nitrosodimethylamine	lbs/day	8.2	
N-Nitrosodi-N-Propylamine	µg/L	34	<0.26
N-Nitrosodi-N-Propylamine	lbs/day	0.43	
N-Nitrosodiphenylamine	µg/L	230	<0.19
N-Nitrosodiphenylamine	lbs/day	2.8	
Polycyclic Aromatic Hydrocarbons (PAHs)	µg/L	0.79	<0.05
PAHs	lbs/day	0.0099	
Polychlorinated Biphenyls (PCBs)	µg/L	0.0017	<0.19
PCBs	lbs/day	0.000021	

Parameter	Units	30-Day Average	Highest 30-Day Average
TCDD equivalents	µg/L	3.5E-07	<4.1E-07
TCDD equivalents	lbs/day	4.4E-09	
1,1,2,2-tetrachloroethane	µg/L	210	<0.076
1,1,2,2-tetrachloroethane	lbs/day	2.6	
Tetrachloroethylene	µg/L	180	0.18
Tetrachloroethylene	lbs/day	2.3	0.00078
Toxaphene	µg/L	0.019	<0.044
Toxaphene	lbs/day	0.00024	
Trichloroethylene	µg/L	2,400	<0.050
Trichloroethylene	lbs/day	30	
1,1,2-trichloroethane	µg/L	850	<0.033
1,1,2-trichloroethane	lbs/day	11	
2,4,6-trichlorophenol	µg/L	26	<0.22
2,4,6-trichlorophenol	lbs/day	0.33	
Vinyl chloride	µg/L	3,200	<0.17
Vinyl chloride	lbs/day	41	

2.4. **Compliance Summary**

2.4.1. **Effluent Limitation Compliance Summary.** The Discharger violated its numeric effluent limitations three times from February 2013 through June 2021. In addition to the numeric effluent limitation violations, there was one violation for deficient monitoring in January 2014. A summary of the effluent limitation violations that occurred during the term of the previous Order are listed in Table 5-6, below. The Discharger has taken several corrective actions to address the compliance issues, including installing an Uninterruptible Power Supply unit to the chlorination chemical system.

Table F-6. Compliance Summary

Parameter	Violation Type	Number of Violations	Reported Value Range	Permit Limitation	Units	Date
Chlorine, Total Residual	Instantaneous Maximum	1	6,850	5,400	µg/L	6/21/2014
Total Coliform Bacteria	Weekly Average	1	33	23	MPN/ 100 mL	3/8/2014

Parameter	Violation Type	Number of Violations	Reported Value Range	Permit Limitation	Units	Date
Total Coliform Bacteria	Single Sample Maximum	1	3,000	2,300	MPN/ 100 mL	5/8/2013

2.5. **Planned Changes**

Although the Discharger has no planned changes during the next permit term, master planning efforts for the Facility have included setting aside land for recycled water production in the future.

3. APPLICABLE POLICIES, PLANS, AND REGULATIONS

The requirements contained in this Order are based on the requirements and authorities described in this section.

3.1. **Legal Authorities**

This Order serves as WDRs pursuant to article 4, chapter 4, division 7 of the California Water Code (CWC), commencing with section 13260. This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations promulgated by the U.S. EPA and chapter 5.5, division 7 of the CWC, commencing with section 13370. It shall serve as an NPDES permit authorizing the Discharger to discharge into waters of the United States at the discharge location described in Table 1 subject to the WDRs in this Order.

3.2. **California Environmental Quality Act (CEQA)**

Under CWC section 13389, this action to adopt an NPDES permit is exempt from the provisions of chapter 3 of CEQA, (commencing with section 21100) of division 13 of the Public Resources Code.

This action to adopt new recycling requirements for the Facility if it produces disinfected tertiary recycled wastewater is not exempt from the provisions of CEQA. The Discharger is not currently producing disinfected tertiary recycled wastewater, but if the Discharger decides to do so, it must comply with the provisions of CEQA. The Central Coast Water Board, as a responsible agency under CEQA, will review and consider any EIR or negative declaration prepared by the Discharger, and the Central Coast Water Board will make its own conclusions on whether and how to approve the Disc1harger's project related to the recycling requirements for the Facility.

3.3. **State and Federal Laws, Regulations, Policies, and Plans**

3.3.1. **Water Quality Control Plan.** The Central Coast Water Board adopted the current edition of the Water Quality Control Plan for the *Central Coastal Basin* (hereinafter Basin Plan) in June 2019. The Basin Plan designates beneficial uses,

establishes water quality objectives, and contains implementation programs and policies to achieve those objectives the receiving waters addressed within the Region. To address ocean waters, the Basin Plan incorporates by reference the *Water Quality Control Plan for Ocean Waters of California* (Ocean Plan). The Ocean Plan is discussed in further detail in section 3.3.2 of this Fact Sheet.

Beneficial uses established by the Basin Plan for the Pacific Ocean are presented below.

Table F-7. Basin Plan Beneficial Uses for the Pacific Ocean (from Coal Point to Rincon Point)

Discharge Point	Receiving Water Name	Beneficial Use(s)
001	Pacific Ocean (Coal Oil Point to Rincon Point)	Water Contact Recreation (REC-1); Non-Contact Water Recreation (REC-2); Industrial Service Supply (IND); Navigation (NAV); Marine Habitat (MAR); Shellfish Harvesting (SHELL); Commercial and Sport Fishing (COMM); Rare, Threatened, or Endangered Species (RARE); Wildlife Habitat (WILD)

3.3.2. **Thermal Plan.** The State Water Board adopted the *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California* (Thermal Plan) on January 7, 1971, and amended this plan on September 18, 1975. This plan contains the following temperature objective for existing discharges to enclosed bays and coastal waters of California which is applicable to this Discharger.

Elevated temperature waste discharges shall comply with limitations necessary to assure protection of beneficial uses.

The Ocean Plan defines elevated temperature wastes as:

Liquid, solid, or gaseous material discharged at a temperature higher than the natural temperature of receiving water.

Requirements of this Order implement the Thermal Plan.

3.3.3. **California Ocean Plan.** The State Water Board adopted the *Water Quality Control Plan for the Ocean Waters of California* (Ocean Plan) in 1972 and amended it in 1978, 1983, 1988, 1990, 1997, 2000, 2005, 2009, 2012, 2015, and 2018. The State Water Board adopted the latest amendment on August 7, 2018, and it became effective on February 4, 2019. The Ocean Plan is applicable, in its entirety, to point source discharges to the ocean. The Ocean Plan identifies beneficial uses of ocean waters of the state to be protected as summarized below:

Table F-8. Ocean Plan Beneficial Uses

Discharge Point	Receiving Water Name	Beneficial Use(s)
001	Pacific Ocean	Industrial water supply; water contact and non-contact recreation, including aesthetic enjoyment; navigation; commercial and sport fishing; mariculture; preservation and enhancement of designated Areas of Special Biological Significance (ASBS); rare and endangered species; marine habitat; fish spawning and shellfish harvesting

3.3.4. **Antidegradation Policy.** Federal regulation 40 C.F.R. section 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16 ("Statement of Policy with Respect to Maintaining High Quality of Waters in California"). Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. The Central Coast Water Board's Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. The permitted discharge must be consistent with the antidegradation provision of 40 C.F.R. section 131.12 and State Water Board Resolution No. 68-16.

3.3.5. **Anti-Backsliding Requirements.** Sections 402(o) and 303(d)(4) of the CWA and federal regulations at 40 C.F.R. section 122.44(l) restrict backsliding of effluent limitations in NPDES permits. These anti-backsliding provisions require that effluent limitations in a reissued permit must be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed.

3.3.6. **Endangered Species Act Requirements.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code, §§ 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. §§ 1531 to 1544). This Order requires compliance with effluent limits, receiving water limits, and other requirements to protect the beneficial uses of waters of the state. The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act.

3.3.7. **Sewage Sludge and Biosolids.** This Order does not authorize any act that results in violation of requirements administered by U.S. EPA to implement 40 C.F.R. part 503, Standards for the Use or Disposal of Sewage Sludge. These standards regulate the final use or disposal of sewage sludge that is generated during the treatment of domestic sewage in a municipal wastewater treatment

facility. The Discharger is responsible for meeting all applicable requirements of 40 C.F.R. part 503 that are under U.S. EPA's enforcement authority.

3.4. Impaired Water Bodies on the CWA section 303(d) List

CWA section 303(d) requires states to identify specific water bodies where water quality standards are not expected to be met after implementation of technology-based effluent limitations on point sources. For all 303(d) listed water bodies and pollutants, the Central Coast Water Board must develop and implement Total Maximum Daily Loads (TMDLs) that will specify Waste Load Allocations (WLAs) for point sources and Load Allocations (LAs) for non-point sources.

The U.S. EPA approved the State's 2014-2016 303(d) list of impaired water bodies on April 6, 2018. The 2014-2016 303(d) list identifies no impairments for the Pacific Ocean at East Beach near the mouth of Sycamore Creek, which is approximately a mile west of the outfall.

3.5. Other Plans, Polices and Regulations

3.5.1. **General Permit for Storm Water Discharges Associated with Industrial Activities (State Water Board Order No. 2014-0057-DWQ, NPDES General Permit No. CAS000001, as amended) (Industrial Stormwater General Permit)**. For the control of stormwater discharged from the site of the wastewater treatment and disposal facilities, the Order requires, if applicable, the Discharger to seek authorization to discharge under and meet the requirements of the Industrial Stormwater General Permit. If the Facility conditions change, the Central Coast Water Board may require the Discharger to enroll in the Industrial Stormwater General Permit.

3.5.2. **Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (State Water Board Order No. 2006-0003-DWQ) (Sanitary Sewer Systems General Permit).** The Sanitary Sewer Systems General Permit, applies to all "federal and state agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect or convey untreated or partially treated wastewater to a publicly owned treatment facility in the State of California." The purpose of the Sanitary Sewer Systems General Permit is to promote the proper and efficient management, operation, and maintenance of sanitary sewer systems and to minimize the occurrences and impacts of sanitary sewer overflows. The Discharger is enrolled in the Sanitary Sewer Systems General Permit and must comply with its requirements and any requirements in reissuances of the Sanitary Sewers General Permit.

3.5.3. **State Water Board Recycled Water Policy and State Board Order WQ 2019-0037-EXEC.** The Recycled Water Policy was adopted by the State Water Board on December 11, 2018, and became effective on April 8, 2019. The Recycled Water Policy encourages the safe use of recycled water in a manner that is protective of public health and the environment. State Board Order WQ 2019-0037-EXEC, as amended on January 14, 2020, implements the Recycled Water Policy by amending the monitoring and reporting programs for dischargers

subject to NPDES permits, waste discharge requirements (WDRs), master recycling permits, and water reclamation requirements to require annual reporting of volumetric data on wastewater and, if applicable, recycled water use by volume and category of reuse. Under State Board Order WQ-2019-0037-EXEC applies to the Discharger until the Central Coast Water Board, reissues or otherwise amends the Discharger's MRPs to incorporate the requirements of State Board Order WQ 2019-0037-EXEC.

3.5.4. **Statewide General Water Reclamation Requirements for Recycled Water Use (State Water Board Order No. WQ 2016-0068-DDW).** Water Quality Order WQ 2016-0068-DDW, adopted on June 7, 2016, is applicable to recycled water projects where recycled water is used or transported for non-potable uses. The distribution and offsite reuse of recycled water produced by the Facility is subject to State Water Board Order No. WQ 2016-0068-DDW, or other applicable permit, dependent on final use.

4. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

The CWA requires point source dischargers to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. There are two principal bases for effluent limitations in the Code of Federal Regulations: 40 C.F.R. section 122.44(a) requires that permits include applicable technology-based limitations and standards; and 40 C.F.R. section 122.44(d) requires that permits include water quality-based effluent limitations to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water.

4.1. Discharge Prohibitions

4.1.1. **Discharge Prohibition 3.1. (No discharge at a location or in a manner except as described by the Order).** This prohibition has been retained from the previous Order and is based on 40 C.F.R. section 122.21(a), duty to apply, and CWC section 13260, which requires filing a ROWD before discharges can occur. Discharges not described in the ROWD, and subsequently in this Order, are prohibited.

4.1.2. **Discharge Prohibition 3.2. (The discharge of any waste not specifically regulated by this Permit is prohibited).** This prohibition has been retained from the previous Order and is based on 40 C.F.R. section 122.21(a), duty to apply, and CWC section 13260, which requires filing a ROWD before discharges can occur. Discharges not described in the ROWD, and subsequently in this Order, are prohibited. Because limitations and conditions of the Order have been prepared based on specific information provided by the Discharger and specific wastes described by the Discharger, the limitations and conditions of the Order do not adequately address waste streams not contemplated during drafting of the Order. To prevent the discharge of such waste streams that may be inadequately regulated, the Order prohibits the discharge of any waste that was not described

by the Discharger to the Regional Water Board during the process of permit reissuance.

4.1.3. **Discharge Prohibition 3.3. (At Discharge Point 001, the average monthly effluent flow rate shall not exceed 1.5 MGD).** This provision has been retained from the previous permit and reflects the design treatment capacity of the Facility.

4.1.4. **Discharge Prohibition 3.4** (**The discharge of effluent without a dilution of 89:1 is prohibited**). This prohibition is based on the reported minimum initial dilution for the Discharger's outfall and is necessary to ensure that the water quality-based effluent limitations that have been calculated based on the available dilution of 89:1 (seawater to effluent) are protective of water quality.

4.1.5. **Discharge Prohibition 3.5. (The discharge of any radiological, chemical, or biological warfare agent or high-level radioactive waste to the Ocean is prohibited).** This prohibition has been retained from the previous Order, and restates a discharge prohibition established in chapter III.I.1 of the Ocean Plan.

4.1.6. **Discharge Prohibition 3.6.** (**Pipeline discharge of sludge to the Ocean is prohibited by federal law. The discharge of municipal or industrial waste sludge directly to the Ocean, or into a waste stream that discharges to the Ocean, is prohibited by the California Ocean Plan (Ocean Plan). The discharge of sludge digester supernatant directly to the Ocean or to a waste stream that discharges to the Ocean without further treatment is prohibited).** This prohibition restates a discharge prohibition established in chapter III.I.3 of the Ocean Plan.

4.1.7. **Discharge Prohibition 3.7. (The overflow, bypass, or overspray of wastewater from the Discharger's facilities and the subsequent discharge of untreated or partially treated wastewater, except as provided for in Attachment D, Standard Provision 1.7. (Bypass), is prohibited).** The discharge of untreated or partially treated wastewater from the Discharger's collection, treatment, or disposal facilities represents an unauthorized bypass pursuant to 40 C.F.R. section 122.41(m) or an unauthorized discharge, which poses a threat to human health and/or aquatic life, and therefore, is explicitly prohibited by this Order. This prohibition has been retained from the previous Order.

4.1.8. **Discharge Prohibition 3.8. (Materials and substances that are prohibited).** This prohibition is based on the requirements of chapter III.A.2.b of the Ocean Plan.

4.2. **Technology-Based Effluent Limitations (TBELs)**

4.2.1. **Scope and Authority**

Section 301(b) of the CWA and implementing U.S. EPA permit regulations at 40 C.F.R. section 122.44 require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The discharge authorized by this Order must meet minimum federal technology-based requirements based on secondary treatment standards at 40 C.F.R. part 133.

The Federal Water Pollution Control Act Amendments of 1972 (PL 92-500) established the minimum performance requirements for POTWs [defined in CWA section 304(d)(1)]. CWA section 301(b)(1)(B) of that Act requires that such treatment works must, as a minimum, meet effluent limitations based on secondary treatment as defined by the U.S. EPA Administrator.

40 C.F.R. section 125.3(a)(1) implements CWA section 301(b)(1)(B) and requires NPDES Permits for POTWs to include technology-based effluent limitations for based on secondary treatment standards.

Based on the statutory requirement in CWA section 301(b)(1)(B), U.S. EPA developed secondary treatment regulations, which are specified in 40 C.F.R. part 133. These technology-based regulations apply to all municipal wastewater treatment plants and identify the minimum level of effluent quality attainable by secondary treatment in terms of 5-day carbonaceous biochemical oxygen demand ($CBOD_5$), total suspended solids (TSS), and pH.

Table F-9. Secondary Treatment Requirements

Parameter	Units	30-Day Average	7-Day Average
BOD_5[1,2]	mg/L	30	45
$CBOD_5$[1,2]	mg/L	25	40
TSS[2]	mg/L	30	45
pH	standard units	6.0[3]	9.0[4]

[1] At the option of the permitting authority, effluent limitations for $CBOD_5$ may be substituted for those limitations specified for BOD_5.
[2] The 30-day average percent removal shall not be less than 85 percent.
[3] Instantaneous minimum value.
[4] Instantaneous maximum value.

4.2.2. **Applicable Technology-Based Effluent Limitations**

Section 122.45(f)(1) of 40 C.F.R. requires effluent limitations be expressed in terms of mass, with some exceptions, and 40 C.F.R. section 122.45(f)(2) allows pollutants that are limited in terms of mass to additionally be limited in terms of other units of measurement. This Order includes effluent limitations expressed in terms of mass and concentration. In addition, pursuant to the exceptions to mass limitations provided in 40 C.F.R. section 122.45(f)(1), some effluent limitations are not expressed in terms of mass, such as pH and turbidity, and when the applicable standards are expressed in terms of concentration and mass limitations are not necessary to protect the beneficial uses of the receiving waters.

40 C.F.R section 122.45(d) requires effluent limitations for continuous discharges be stated as average weekly and average monthly unless it is impracticable. In addition to including average weekly and average monthly TBELs, this Order retains maximum daily effluent limitations established in the previous order.

4.2.2.1. **$CBOD_5$ and TSS.** 40 C.F.R. part 133 establishes the minimum weekly and monthly average level of effluent quality attainable by secondary treatment for $CBOD_5$ and TSS. In addition to average weekly and average monthly effluent limitations based on secondary treatment standards, Order No. R3-2012-0084 established maximum daily effluent limitations for $CBOD_5$ and TSS based on best professional judgment (BPJ). Effluent limitations for $CBOD_5$ and TSS have been retained from the previous order, and represent the degree of treatment capable of the Facility.

Additionally, 40 C.F.R. section 133.012, in describing the minimum level of effluent quality attainable by secondary treatment, states that the 30-day average percent removal shall not be less than 85 percent. This Order retains effluent limitations requiring an average of 85 percent removal of $CBOD_5$ and TSS over each calendar month.

4.2.2.2. **Settleable Solids.** Effluent limitations for settleable solids are based on the requirements of Table 4 of the Ocean Plan, and have been retained from the previous order.

4.2.2.3. **Oil and Grease.** Effluent limitations for oil and grease are based on the requirements of Table 4 of the Ocean Plan, and have been retained from the previous Order.

4.2.2.4. **pH.** 40 C.F.R. part 133 establishes TBELs for pH. The secondary treatment standards require the pH of the effluent to be no lower than 6.0 and no greater than 9.0 standard units. This effluent limitation has been retained from the previous Order.

4.2.2.5. **Turbidity.** Effluent limitations for turbidity are based on the requirements of Table 4 of the Ocean Plan, and have been retained from the previous Order.

The following table summarizes technology-based effluent limitations established by this Order at Discharge Point 001.

Table F-10. Technology-Based Effluent Limitations at Discharge Point 001

Parameter	Units	Monthly Average	Weekly Average	Maximum Daily
$CBOD_5$[1]	mg/L	25	40	85
$CBOD_5$	lbs/day[2]	310	500	1,100
TSS[1]	mg/L	30	45	90
TSS	lbs/day[2]	380	570	1,100
Settleable Solids	mL/L	1.0	1.5	3.0
Oil and grease	mg/L	25	40	75
Oil and grease	lbs/day[2]	310	500	940
Turbidity	NTU	75	100	225
pH	standard units	6.0[3]	9.0[4]	

[1] The average monthly percent removal of $CBOD_5$ and TSS, as measured at Monitoring Location EFF-001, shall not be less than 85 percent.

[2] Mass-based effluent limitations were calculated using the following formula:

lbs/day = pollution concentration (mg/L) * Design flow (1.5 MGD) * conversion factor (8.34)

[3] Instantaneous minimum value.

[4] Instantaneous maximum value.

4.3. **Water Quality-Based Effluent Limitations (WQBELs)**

4.3.1. **Scope and Authority**

Section 301(b) of the CWA and 40 C.F.R. section 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

Section 122.44(d)(1)(i) of 40 C.F.R. requires that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, water quality-based effluent limitations (WQBELs) must be established using: (1) U.S. EPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information, as provided in section 122.44(d)(1)(vi).

The process for determining reasonable potential and calculating WQBELs when necessary is intended to protect the designated uses of the receiving water as specified in the Basin Plan, and achieve applicable water quality objectives and criteria that are contained in other state plans and policies, including the Ocean Plan.

4.3.2. **Applicable Beneficial Uses and Water Quality Criteria and Objectives**

Beneficial uses for ocean waters of the Central Coast Region are established by the Basin Plan and Ocean Plan and are described in section 3.3 of this Fact Sheet.

Water quality criteria applicable to ocean waters of the region are established by the Ocean Plan, which includes water quality objectives for bacterial characteristics, physical characteristics, chemical characteristics, biological characteristics, and radioactivity. In addition, Table 3 of the Ocean Plan contains numeric water quality objectives for 83 toxic pollutants for the protection of marine aquatic life and human health. The water quality objectives from the Ocean Plan are implemented as receiving water limitations in this Order, as discussed in section 5 of this Fact Sheet.

4.3.3. **Determining the Need for WQBELs**

Procedures for performing a reasonable potential analysis RPA for ocean dischargers are described in section III.C and Appendix VI of the California Ocean Plan. The procedure is a statistical method that projects an effluent data set while

taking into account the averaging period of water quality objectives, the long-term variability of pollutants in the effluent, limitations associated with sparse data sets, and uncertainty associated with censored data sets. The procedure assumes a lognormal distribution of the effluent data set and compares the 95th percentile concentration at 95 percent confidence of each Table 3 pollutant, accounting for dilution, to the applicable water quality criterion. The RPA results in one of three following endpoints.

Endpoint 1 - There is "reasonable potential." An effluent limitation must be developed for the pollutant. Effluent monitoring for the pollutant, consistent with the monitoring frequency in Ocean Plan Appendix III is required.

Endpoint 2 - There is no "reasonable potential." An effluent limitation is not required for the pollutant. Ocean Plan Appendix III effluent monitoring is not required for the pollutant. However, the Regional Water Board may require occasional monitoring for the pollutant or for whole effluent toxicity as appropriate.

Endpoint 3 - The RPA is inconclusive. Monitoring for the pollutant or whole effluent toxicity testing, consistent with the monitoring frequency in Ocean Plan Appendix III is required. An existing effluent limitation for the pollutant shall remain in the permit; otherwise, the permit shall include a reopener clause to allow for subsequent modification of the permit to include an effluent limitation if the monitoring establishes that the discharge causes, has the reasonable potential to cause, or contribute to an excursion above a Table 3 water quality objective.

The State Water Board has developed a reasonable potential calculator (RPcalc 2.2). RPcalc 2.2 was used in the development of this Order and considers several pathways in the determination of reasonable potential.

4.3.3.1. **First Path.** If available information about the receiving water or the discharge supports a finding of reasonable potential without analysis of effluent data, the Central Coast Water Board may decide that WQBELs are necessary after a review of such information. Such information may include facility or discharge type; solids loading, lack of dilution; history of compliance problems; potential toxic effects; fish tissue data; CWA section 303(d) status of the receiving water; the presence of threatened or endangered species or their critical habitat; or other information.

4.3.3.2. **Second Path.** If any pollutant concentration, adjusted to account for dilution, is greater than the most stringent applicable water quality objective, there is reasonable potential for that pollutant.

4.3.3.3. **Third Path.** If the effluent data contain three or more detected and quantified values (i.e., values that are at or above the minimum level (ML)) and all values in the data set are at or above the ML, a parametric RPA is conducted to project the range of possible effluent values. The 95th percentile concentration is determined at 95 percent confidence for each pollutant and compared to the most stringent applicable water quality objective to determine reasonable potential. A parametric analysis assumes that the range of possible effluent values is distributed log-normally. If the 95th percentile value is greater than the

most stringent applicable water quality objective, there is reasonable potential for that pollutant.

4.3.3.4. **Fourth Path.** If the effluent data contains three or more detected and quantified values (i.e., values that are at or above the ML), but at least one value in the data set is less than the ML, a parametric RPA is conducted according to the following steps.

4.3.3.4.1. If the number of censored values (those expressed as a “less than” value) account for less than 80 percent of the total number of effluent values, calculate the ML (the mean of the natural log of transformed data) and SL (the standard deviation of the natural log of transformed data) and conduct a parametric RPA, as described above for the Third Path.

4.3.3.4.2. If the number of censored values accounts for 80 percent or more of the total number of effluent values, conduct a non-parametric RPA, as described below for the Fifth Path. (A non-parametric analysis becomes necessary when the effluent data is limited, and no assumptions can be made regarding its possible distribution.)

4.3.3.5. **Fifth Path.** A non-parametric RPA is conducted when the effluent data set contains less than three detected and quantified values or when the effluent data set contains three or more detected and quantified values but the number of censored values accounts for 80 percent or more of the total number of effluent values. A non-parametric analysis is conducted by ordering the data, comparing each result to the applicable water quality objective and accounting for ties. The sample number is reduced by one for each tie, when the dilution-adjusted method detection limit (MDL) is greater than the water quality objective. If the adjusted sample number, after accounting for ties, is greater than 15, the pollutant has no reasonable potential to exceed the water quality objective. If the sample number is 15 or less, the RPA is inconclusive, monitoring is required, and any existing effluent limitations in the expiring permit are retained.

In this case, a RPA was conducted using effluent monitoring data from June 2016 until July 2021. The implementation provisions for Table 3 in section III.C of the Ocean Plan specify that the minimum initial dilution is the lowest average initial dilution within any single month of the year. Dilution estimates shall be based on observed waste flow characteristics, observed receiving water density structure, and the assumption that no currents of sufficient strength to influence the initial dilution process flow across the discharge structure. The two previous WDRs regulating the Facility, Order Nos. R3-2006-0084 and R3-2012-0016 determined the minimum initial dilution factor (Dm) for the discharge to be 89 to 1 (seawater to effluent). The Discharger has indicated that no additions or modifications to the Facility have been proposed that would alter the previously determined dilution characteristics. Therefore, the previous Dm of 89 to 1 will be retained from the previous Order and applied to WQBELs established herein. If the actual dilution ratio is found to be different, then the ratio will be recalculated, and this Order may be reopened when and as appropriate.

A summary of the RPA results is provided below.

Table F-11. Summary of RPA Results

Parameter	Units	N[1]	MEC[2,3]	Most Stringent Criteria	Background	RPA Endpoint[4]
Arsenic, Total Recoverable	µg/L	5	1.3	8	3	2
Cadmium, Total Recoverable	µg/L	5	0.32	1	0	2
Chromium (VI), Total Recoverable	µg/L	5	6.8	2	0	2
Copper, Total Recoverable	µg/L	5	31	3	2	2
Lead, Total Recoverable	µg/L	5	1.2	2	0	2
Mercury, Total Recoverable	µg/L	5	0.036	0.04	0.0005	2
Nickel, Total Recoverable	µg/L	5	5.8	5	0	2
Selenium, Total Recoverable	µg/L	5	2.5	15	0	2
Silver, Total Recoverable	µg/L	5	0.13	0.7	0.16	2
Zinc, Total Recoverable	µg/L	5	125	20	8	2
Cyanide, Total Recoverable	µg/L	5	<0.010	1	0	3
Total Chlorine Residual	**µg/L**	**67**	**5,198**	**2**	**0**	**1**
Ammonia, Total as N	µg/L	66	390	600	0	2
Acute Toxicity	TUa	4	0.51	0.3	0	2
Chronic Toxicity	TUc	15	10	1	0	3
Phenolic Compounds (non-chlorinated)	µg/L	5	<0.22	30	0	3
Chlorinated Phenolics	µg/L	5	<0.30	1	0	3
Endosulfan[5]	µg/L	5	<0.0021	0.009	0	3
Endrin	µg/L	5	<0.0013	0.002	0	3
HCH[5]	µg/L	5	<0.0037	0.004	0	3
Radioactivity	pCi/L	5	43	[6]	0	3
Acrolein	µg/L	5	<0.063	220	0	3
Antimony	µg/L	5	0.79	1,200	0	2
Bis(2-chloroethoxy) methane	µg/L	5	<0.25	4.4	0	3
Bis(2-chloroisopropyl) ether	µg/L	5	<0.38	1,200	0	3
Chlorobenzene	µg/L	5	<0.036	570	0	3
Chromium (III)	µg/L	5	0.71	190,000	0	3
Di-n-butyl phthalate	µg/L	5	0.60	3,500	0	3
Dichlorobenzenes[5]	µg/L	5	<0.063	5,100	0	3

Parameter	Units	N[1]	MEC[2,3]	Most Stringent Criteria	Background	RPA Endpoint[4]
Diethyl phthalate	µg/L	5	<0.15	33,000	0	3
Dimethyl phthalate	µg/L	5	<0.18	820,000	0	3
4,6-dinitro-2-methylphenol	µg/L	5	<0.43	220	0	3
2,4-dinitrophenol	µg/L	5	<0.22	4	0	3
Ethylbenzene	µg/L	5	<0.046	4,100	0	3
Fluoranthene	µg/L	5	<0.023	15	0	3
Hexachlorocyclopentadiene	µg/L	5	<0.24	58	0	3
Nitrobenzene	µg/L	5	<0.36	4.9	0	3
Thallium	µg/L	5	0.13	2	0	3
Toluene	µg/L	5	0.65	85,000	0	3
Tributyltin	µg/L	5	<0.0013	0.0014	0	3
1,1,1-trichloroethane	µg/L	5	<0.053	540,000	0	3
Acrylonitrile	µg/L	5	<0.63	0.1	0	3
Aldrin	µg/L	5	<0.00091	0.000022	0	3
Benzene	µg/L	5	<0.13	5.9	0	3
Benzidine	µg/L	5	<1.4	0.000069	0	3
Beryllium	µg/L	5	0.15	0.033	0	3
Bis(2-chloroethyl) ether	µg/L	5	<0.27	0.045	0	3
Bis(2-ethlyhexyl) phthalate	µg/L	5	1.96	3.5	0	3
Carbon tetrachloride	µg/L	5	<0.05	0.9	0	3
Chlordane[5]	µg/L	5	<0.00043	0.000023	0	3
Chlorodibromomethane	µg/L	5	86	8.6	0	2
Chloroform	µg/L	5	72	130	0	2
DDT[5]	µg/L	5	<0.0023	0.00017	0	3
1,4-dichlorobenzene	µg/L	5	<0.47	18	0	3
3,3'-dichlorobenzidine	µg/L	5	<0.43	0.0081	0	3
1,2-dichloroethane	µg/L	5	<0.044	28	0	3
1,1-dichloroethylene	µg/L	5	<0.32	0.9	0	3
Dichlorobromomethane	µg/L	4	56	6.2	0	2
Dichloromethane	µg/L	5	<0.24	450	0	3
1,3-dichloropropene	µg/L	5	<0.10	8.9	0	3
Dieldrin	µg/L	5	<0.0015	0.00004	0	3
2,4-dinitrotoluene	µg/L	5	<0.18	2.6	0	3
1,2-diphenylhydrazine	µg/L	5	<0.30	0.16	0	3

Parameter	Units	N[1]	MEC[2,3]	Most Stringent Criteria	Background	RPA Endpoint[4]
Halomethanes[5]	**µg/L**	**5**	**135**	**130**	**0**	**1**
Heptachlor	µg/L	5	<0.0018	0.00005	0	3
Heptachlor epoxide	µg/L	5	<0.00077	0.00002	0	3
Hexachlorobenzene	µg/L	5	<0.47	0.00021	0	3
Hexachlorobutadiene	µg/L	5	<0.45	14	0	3
Hexachloroethane	µg/L	5	<0.43	2.5	0	3
Isophorone	µg/L	5	<0.21	730	0	3
N-Nitrosodimethylamine	µg/L	5	<0.47	7.3	0	3
N-Nitrosodi-N-Propylamine	µg/L	5	<0.26	0.38	0	3
N-Nitrosodiphenylamine	µg/L	5	<0.19	2.5	0	3
PAHs[5]	µg/L	5	<0.05	0.0088	0	3
PCBs[5]	µg/L	5	<0.19	0.000019	0	3
TCDD equivalents[5]	µg/L	5	<4.1E-07	3.9E-09	0	3
1,1,2,2-tetrachloroethane	µg/L	5	<0.076	2.3	0	3
Tetrachloroethylene	µg/L	5	0.18	2	0	3
Toxaphene	µg/L	5	<0.044	0.00021	0	3
Trichloroethylene	µg/L	5	<0.050	27	0	3
1,1,2-trichloroethane	µg/L	5	<0.033	9.4	0	3
2,4,6-trichlorophenol	µg/L	5	<0.22	0.29	0	3
Vinyl chloride	µg/L	5	<0.17	36	0	3

[1] Number of data points available for the RPA.

[2] If there is a detected value, the highest reported value is summarized in the table. If there are no detected values, if available, the lowest MDL is summarized in the table.

[3] Note that the reported MEC does not account for dilution. The RPA does account for dilution; therefore, it is possible for a parameter with an MEC in exceedance of the most stringent criteria not to present a RP (i.e. Endpoint 1).

[4] End Point 1 – RP determined, limit required, monitoring required
End Point 2 – Discharger determined not to have RP, monitoring may be established.
End Point 3 – RPA was inconclusive, carry over previous limits if applicable, and establish monitoring.

[5] As defined in Attachment A – Definitions.

[6] Criteria for radioactivity is defined at title 17, division 1, chapter 5, subchapter 4, group 3, article 3, section 30253 of the CCR.

Consistent with 40 C.F.R. section 122.44(I)(2)(i)(B), effluent limitations from Order No. R3-2012-0016 will not be retained for constituents for which reasonable potential to cause or contribute to an exceedance of water quality objectives has not been determined. Parameters for which Endpoint 2 was concluded are determined not to have reasonable potential, thus it is inappropriate to establish effluent limitations for these parameters.

For parameters for which Endpoint 3 was concluded, reasonable potential was inconclusive. For parameters for which Endpoint 3 was concluded and effluent limitations had not been established in Order No. R3-2012-0016, effluent limitations were not established in this Order. For parameters for which Endpoint 3 was concluded and effluent limitations had been established in Order No. R3-2012-0016, effluent limitations have been retained.

Reasonable potential to cause or contribute to an exceedance of water quality objectives contained within the Ocean Plan (i.e., Endpoint 1) was determined for total chlorine residual and halomethanes. Effluent limitations for these parameters (based on the initial dilution of 89:1, as discussed below) have been retained from Order No. R3-2012-0016 or established in this Order.

4.3.4. **WQBEL Calculations**

Table 3 of the Ocean Plan includes water quality objectives for the protection of marine aquatic life and these objectives are used to establish effluent limits for discharges from this Facility.

The Ocean Plan considers the "minimum probable initial dilution" in determining effluent limitations for toxic pollutants. Initial dilution is the process that results in the rapid and irreversible turbulent mixing of wastewater with ocean water around the point of discharge. For the purposes of the Ocean Plan, minimum initial dilution is the lowest average initial dilution within any single month of the year. Dilution estimates must be based on observed waste flow characteristics, observed receiving water density structure, and the assumption that no currents of sufficient strength to influence the initial dilution process flow across the discharge structure. This Order retains a dilution credit of 89 to 1 from Order No. R3-2012-0016 for use in calculating WQBELs based on the minimum initial dilution modeled to be achieved by the diffuser at the ocean outfall.

The following equation from section III.C.4.a. of the Ocean Plan was used to calculate all concentration-based, effluent limitations.

$$Ce = Co + Dm\ (Co - Cs)$$

Where: Ce = the effluent concentration limit, µg/L

Co= the concentration (water quality objective) to be met at the completion of initial dilution, µg/L

Cs = background seawater concentration, µg/L

Dm = minimum probable initial dilution expressed as parts seawater per part wastewater.

Table 3 of the Ocean Plan establishes background concentrations for some pollutants to be used when determining reasonable potential (represented as "Cs"). In accordance with Table 3 of the Ocean Plan implementing procedures, Cs equals zero for all pollutants not established in Table 3. The background concentrations provided in Table 5 of the Ocean Plan are summarized below.

Table F-12. Background Concentrations (Cs) – California Ocean Plan (Table 5)

Pollutant	Background Seawater Concertation
Arsenic	3 µg/L
Copper	2 µg/L
Mercury	0.0005 µg/L
Silver	0.16 µg/L
Zinc	8 µg/L

For all other California Ocean Plan Table 3 parameters, Cs=0

As an example, chronic toxicity trigger is determined as follows:

Water quality objectives from the Ocean Plan for chronic toxicity are:

Table F-13. Example Parameter Water Quality Objectives

Parameter	Units	6-Month Median	Daily Maximum	Instantaneous Maximum
Chronic Toxicity	TUc	N/A	1	N/A

Using the equation, Ce = Co + Dm (Co – Cs), the chronic toxicity trigger is calculated as follows.

Chronic Toxicity

Ce = N/A + 89 (N/A – 0) = N/A (6-Month Median)

Ce = 1 + 89 (1 – 0) = 90 (Daily Maximum)

Ce = N/A + 89 (N/A – 0) = N/A (Instantaneous Maximum)

40 C.F.R. 122.45(f)(1) requires effluent limitations be expressed in terms of mass, with some exceptions, and 40 C.F.R. 122.45(f)(2) allows pollutants that are limited in terms of mass to additionally be limited in terms of other units of measurement. This Order includes effluent limitations expressed in terms of mass and concentration. In addition, pursuant to the exceptions to mass limitations provided in 40 C.F.R. 122.45(f)(1), some effluent limitations are not expressed in terms of

mass, such as pH and temperature, and when the applicable standards are expressed in terms of concentration (e.g., California Toxics Rule (CTR) criteria and maximum contaminant levels (MCLs)) and mass limitations are not necessary to protect the beneficial uses of the receiving water. Mass-based effluent limitations were computed based on the average dry weather design flow rate (1.5 MGD) for average annual flow.

Mass-based effluent limitations were calculated using the following equation:

lbs/day = permitted flow (MGD) x pollutant concentration (mg/L) x 8.34

4.3.5. **Indicator Bacteria**

4.3.5.1 **Total Coliform**

The 7-day median total coliform effluent limitation (23 MPN/100 mL) and the maximum daily limitation (2,300 MPN/100 mL) were first established in Order No. 01-116 and have been retained in subsequent Orders. These limitations were established on the basis of the California Department of Health Services' Uniform Guidelines for Wastewater Disinfection. Consistent with previous Orders regulating the discharge and with anti-backsliding provisions, this Order retains these limitations for total coliform bacteria.

4.3.6. **Whole Effluent Toxicity (WET)**

WET limitations protect receiving water quality from the aggregated toxic effect of a mixture of pollutants in the effluent. WET tests measure the degree of response of exposed aquatic test organisms to an effluent. The WET approach allows for protection of the narrative "no toxics in toxic amounts" criterion while implementing numeric criteria for toxicity. There are two types of WET tests - acute and chronic. An acute toxicity test is conducted over a short time period and measures mortality. A chronic toxicity test is conducted over a longer period of time and may measure mortality, reproduction, and growth.

The RPA results, summarized in Table F-11 of this Fact Sheet, indicate that there is no reasonable potential for acute toxicity or chronic toxicity to exceed water quality objectives. Section III.C.4.c of the Ocean Plan requires a Discharger to conduct chronic toxicity testing for discharges of the effluent is below 100:1 at the edge of the mixing zone. However, annual monitoring for both acute and chronic toxicity have been retained from Order No. R3-2012-0016 in accordance with Appendix III.7 of the Ocean Plan to evaluate compliance with the applicable acute and chronic toxicity triggers based on the available dilution for the discharge of 89:1.

The Discharger must also develop, maintain, and, if required, implement a Toxicity Reduction Evaluation (TRE) Workplan, as described in section 6.3.2.2 of the Order. The TRE Workplan shall describe steps that the Discharger intends to follow in the event that the chronic toxicity trigger is exceeded. When monitoring measures WET in the effluent above the trigger established by the Order, the Discharger must resample, if the discharge is continuing, and retest. The Central

Coast Water Board Executive Officer will then determine whether to initiate enforcement action, require the Discharger to implement a toxicity reduction evaluation, or to implement other measures.

4.4. **Final Effluent Limitation Considerations**

4.4.1. **Anti-Backsliding Requirements**

Sections 402(o) and 303(d)(4) of the CWA and federal regulations at 40 C.F.R. section 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. The effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order, with the exception of effluent limitations for arsenic, cadmium, chromium (VI), mercury, selenium, silver, acute toxicity, and antimony. Effluent data over the previous permit term indicate that discharges from Discharge Point 001 no longer have a reasonable potential to cause or contribute to an exceedance of water quality criteria for these pollutants. Based on this new information, effluent limitations for total recoverable arsenic, total recoverable cadmium, total recoverable chromium (VI), total recoverable mercury, total recoverable selenium, total recoverable silver, acute toxicity, and antimony have not been retained in this Order. This is consistent with State and federal anti-backsliding requirements, including CWA section 402(o)(2)(B)(i).

4.4.2. **Antidegradation Policies**

Provisions of the Order are consistent with the anti-degradation policies expressed by NPDES regulations at 40 C.F.R. 131.12 andby State Water Board Resolution No. 68-16. Limitations and conditions of the Order assure maintenance of the existing quality of receiving waters and do not authorize increased rates of discharge or increased pollutant loadings that are anticipated to result in the degradation of the receiving water.

4.4.3. **Stringency of Requirements for Individual Pollutants**

This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. The TBELs consist of restrictions on $CBOD_5$, TSS, oil and grease, turbidity, pH, and settleable solids. Restrictions on $CBOD_5$, TSS, oil and grease, turbidity, pH, and settleable solids are discussed in section 4.2 of this Fact Sheet. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. In addition, this Order contains effluent limitations more stringent than the minimum, federal technology-based requirements that are necessary to meet water quality standards. These requirements include no limitations that are more stringent than required by the CWA.

In addition, this Order contains applicable California-specific technology-based requirements established in the Ocean Plan in 1978. Under the EPA-approved Ocean Plan, inclusion of the TBELs in permits issued to all POTWs discharging to the ocean is mandatory; therefore, consideration of the factors in CWC section 13241 will not influence the inclusion of the Ocean Plan effluent limitations in this

Order. Nevertheless, the factors in CWC section 13241 have been considered throughout this Order.

4.4.4. **Summary of Final Effluent Limitations – Discharge Point 001**

4.4.4.1. The Discharger shall maintain compliance with the above effluent limitations at Discharge Point 001 with compliance measured at Monitoring Location EFF-001 as described in the Monitoring and Reporting Program, Attachment E:

Table F-14. Effluent Limitations for Conventional Pollutants

Parameter	Units	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
$CBOD_5$	mg/L	25	40	85		
$CBOD_5$	lbs/day[1]	310	500	1,100		
TSS	mg/L	30	45	90		
TSS	lbs/day[1]	380	560	1,100		
pH[2]	standard units				6.0	9.0
Oil and Grease	mg/L	25	40			75
Oil and Grease	lbs/day[1]	310	500			940
Settleable Solids	mL/L	1.0	1.5			3.0
Turbidity	NTU	75	100			225

[1] Mass loading limits were calculated using the following formula: lbs/day = pollutant concentration (mg/L) * permitted flow (1.5 MGD) * conversion factor (8.34)

[2] When the Discharger continuously monitors effluent pH, levels shall be maintained within specified ranges 99 percent of the time. To determine 99 percent compliance, the following conditions shall be met:

- The total time during which pH is outside the range of 6.0 – 9.0 shall not exceed 7 hours and
- 26 minutes in any calendar month;
- No single excursion from the range of 6.0 – 9.0 shall exceed 30 minutes;
- No single excursion shall fall outside the range of 6.0 – 9.0; and
- When continuous monitoring is not being performed, standard compliance guidelines shall be
- followed (i.e., between 6.0 – 9.0 at all times, measured daily).

Table F-15. Effluent Limitations for the Protection of Marine Aquatic Life

Parameter	Units	6-Month Median[1]	Daily Maximum[2]	Instantaneous Maximum[3]
Cyanide, Total Recoverable [4]	µg/L	90	360	900
Cyanide, Total Recoverable [4]	lbs/day[5]	1.1	4.5	11
Total Chlorine Residual	µg/L	180	720	5,400
Total Chlorine Residual	lbs/day[5]	2.3	9.0	68
Phenolic Compounds (non-chlorinated)	µg/L	2,700	11,000	27,000
Phenolic Compounds (non-chlorinated)	lbs/day[5]	34	140	340
Chlorinated Phenolics	µg/L	90	360	900
Chlorinated Phenolics	lbs/day[5]	1.1	4.5	11
Endosulfan[6]	µg/L	0.81	1.6	2.4
Endosulfan[6]	lbs/day[5]	0.010	0.020	0.030
Endrin	µg/L	0.18	0.36	0.54
Endrin	lbs/day[5]	0.0023	0.0045	0.0068
HCH[6]	µg/L	0.36	0.72	1.1
HCH[6]	lbs/day[5]	0.0045	0.0090	0.014
Radioactivity	pCi/L	[7]	[7]	[7]

[1] The six-month median shall apply as a moving median of daily values for any 180-day period in which daily values represent flow weighted average concentrations within a 24-hour period. For intermittent discharges, the daily value shall be considered equal to zero for days on which no discharge occurred. The six-month median limit on daily mass emissions shall be determined using the six-month median effluent concentration Ce and the observed flow rate, Q, in MGD.

[2] The daily maximum shall apply to flow weighted 24-hour composite samples. The daily maximum mass emission shall be determined using the daily maximum effluent concentration limit as Ce and the observed flow rate, Q, in MGD.

[3] The instantaneous maximum shall apply to grab sample determinations.

[4] If a Discharger can demonstrate to the satisfaction of the Central Coast Water Board (subject to U.S. EPA approval) that an analytical method is available to reliably distinguish between strongly and weakly complexed cyanide, effluent limitations for cyanide may be met by the combined measurement of free cyanide, simple alkali metal cyanides, and weakly complexed organometallic cyanide complexes. In order for the analytical method to be acceptable, the recovery of free cyanide from metal

complexes must be comparable to that achieved by the approved method in 40 C.F.R. 136.

[5] Mass loading limits were calculated using the following formula: lbs/day = pollutant concentration (mg/L) * permitted flow (1.5 MGD) * conversion factor (8.34)

[6] As defined in Attachment A – Definitions.

[7] Radioactivity is not to exceed limits specified in title 17, division 1, chapter 5, subchapter 4, group 3, article 3, section 30253 of the CCR. Reference to section 30253 is prospective including future changes to incorporate provisions of federal law, as the changes take effect.

Table F-16. Effluent Limitations for the Protection of Human Health – Non-Carcinogens

Parameter	Unit	30-day Average
Acrolein	µg/L	20,000
Acrolein	lbs/day[1]	250
Bis(2-chloroethoxy) methane	µg/L	400
Bis(2-chloroethoxy) methane	lbs/day[1]	5.0
Bis(2-chloroisopropyl) ether	µg/L	110,000
Bis(2-chloroisopropyl) ether	lbs/day[1]	1,400
Chlorobenzene	µg/L	51,000
Chlorobenzene	lbs/day[1]	640
Chromium (III)	µg/L	17,000,000
Chromium (III)	lbs/day[1]	210,000
Di-n-butyl phthalate	µg/L	320,000
Di-n-butyl phthalate	lbs/day[1]	3,900
Dichlorobenzenes[2]	µg/L	460,000
Dichlorobenzenes[2]	lbs/day[1]	5,700
Diethyl phthalate	µg/L	2,300,000
Diethyl phthalate	lbs/day[1]	37,000
Dimethyl phthalate	µg/L	74,000,000
Dimethyl phthalate	lbs/day[1]	920,000
4,6-dinitro-2-methylphenol	µg/L	20,000
4,6-dinitro-2-methylphenol	lbs/day[1]	250
2,4-dinitrophenol	µg/L	360
2,4-dinitrophenol	lbs/day[1]	4.5
Ethylbenzene	µg/L	370,000
Ethylbenzene	lbs/day[1]	4,600

Parameter	Unit	30-day Average
Fluoranthene	µg/L	1,400
Fluoranthene	lbs/day[1]	17
Hexachlorocyclopentadiene	µg/L	5,200
Hexachlorocyclopentadiene	lbs/day[1]	65
Nitrobenzene	µg/L	440
Nitrobenzene	lbs/day[1]	5.5
Thallium	µg/L	180
Thallium	lbs/day[1]	2.3
Toluene	µg/L	7,700,000
Toluene	lbs/day[1]	96,000
Tributyltin	µg/L	0.13
Tributyltin	lbs/day[1]	0.0016
1,1,1-trichloroethane	µg/L	49,000,000
1,1,1-trichloroethane	lbs/day[1]	610,000

[1] Mass loading limits were calculated using the following formula:
lbs/day = pollutant concentration (mg/L) * permitted flow (1.5 MGD) * conversion factor (8.34)

[2] As defined in Attachment A – Definitions.

Table F-17. Effluent Limitations for the Protection of Human Health – Carcinogens

Parameter	Unit	30-day Average
Acrylonitrile	µg/L	9.0
Acrylonitrile	lbs/day[1]	0.11
Aldrin	µg/L	0.0020
Aldrin	lbs/day[1]	0.000025
Benzene	µg/L	530
Benzene	lbs/day[1]	6.6
Benzidine	µg/L	0.0062
Benzidine	lbs/day[1]	0.000078
Beryllium	µg/L	3.0
Beryllium	lbs/day[1]	0.037
Bis(2-chloroethyl) ether	µg/L	4.1

Parameter	Unit	30-day Average
Bis(2-chloroethyl) ether	lbs/day[1]	0.051
Carbon tetrachloride	µg/L	81
Carbon tetrachloride	lbs/day[1]	1.0
Chlordane[2]	µg/L	0.0021
Chlordane[2]	lbs/day[1]	0.000026
DDT[2]	µg/L	0.015
DDT[2]	lbs/day[1]	0.00019
1,4-dichlorobenzene	µg/L	1,600
1,4-dichlorobenzene	lbs/day[1]	20
3,3'-dichlorobenzidine	µg/L	0.73
3,3'-dichlorobenzidine	lbs/day[1]	0.0091
1,2-dichloroethane	µg/L	2,500
1,2-dichloroethane	lbs/day[1]	32
1,1-dichloroethylene	µg/L	81
1,1-dichloroethylene	lbs/day[1]	1.0
Dichloromethane	µg/L	41,000
Dichloromethane	lbs/day[1]	510
1,3-dichloropropene	µg/L	800
1,3-dichloropropene	lbs/day[1]	10
Dieldrin	µg/L	0.0036
Dieldrin	lbs/day[1]	0.000045
Halomethanes[2]	µg/L	12,000
Halomethanes[2]	lbs/day[1]	150
2,4-dinitrotoluene	µg/L	230
2,4-dinitrotoluene	lbs/day[1]	2.9
1,2-diphenylhydrazine	µg/L	14
1,2-diphenylhydrazine	lbs/day[1]	0.18
Heptachlor	µg/L	0.0045
Heptachlor	lbs/day[1]	0.000056
Heptachlor epoxide	µg/L	0.0018
Heptachlor epoxide	lbs/day[1]	0.000023
Hexachlorobenzene	µg/L	0.019
Hexachlorobenzene	lbs/day[1]	0.00024
Hexachlorobutadiene	µg/L	1,300
Hexachlorobutadiene	lbs/day[1]	16
Hexachloroethane	µg/L	230

Parameter	Unit	30-day Average
Hexachloroethane	lbs/day[1]	2.8
Isophorone	µg/L	66,000
Isophorone	lbs/day[1]	820
N-Nitrosodimethylamine	µg/L	660
N-Nitrosodimethylamine	lbs/day[1]	8.2
N-Nitrosodi-N-Propylamine	µg/L	34
N-Nitrosodi-N-Propylamine	lbs/day[1]	0.43
N-Nitrosodiphenylamine	µg/L	230
N-Nitrosodiphenylamine	lbs/day[1]	2.8
PAHs[2]	µg/L	0.79
PAHs[2]	lbs/day[1]	0.0099
PCBs[2]	µg/L	0.0017
PCBs[2]	lbs/day[1]	0.000021
TCDD equivalents[2]	µg/L	3.5E-07
TCDD equivalents[2]	lbs/day[1]	4.4E-09
1,1,2,2-tetrachloroethane	µg/L	210
1,1,2,2-tetrachloroethane	lbs/day[1]	2.6
Tetrachloroethylene	µg/L	180
Tetrachloroethylene	lbs/day[1]	2.3
Toxaphene	µg/L	0.019
Toxaphene	lbs/day[1]	0.00024
Trichloroethylene	µg/L	2,400
Trichloroethylene	lbs/day[1]	30
1,1,2-trichloroethane	µg/L	850
1,1,2-trichloroethane	lbs/day[1]	11
2,4,6-trichlorophenol	µg/L	26
2,4,6-trichlorophenol	lbs/day[1]	0.33
Vinyl chloride	µg/L	3,200
Vinyl chloride	lbs/day[1]	41

[1] Mass loading limits were calculated using the following formulas: lbs/day = pollutant concentration (mg/L) * permitted flow (1.5 MGD) * conversion factor (8.34)

[2] As defined in Attachment A – Definitions.

4.4.4.2**. Percent Removal**: The average monthly percent removal of CBOD 5-day 20°C and total suspended solids shall not be less than 85 percent.

4.4.4.3. **Dry Weather Flow:** The average dry weather effluent flow shall not exceed a monthly average of 1.5 MGD.

4.4.4.4. **Total Coliform Bacteria**

Effluent total coliform organisms shall not exceed the following:

4.4.4.4.1 A median of 23 MPN/100 mL as determined from the last 7 days of sampling results for which analyses have been completed; and

4.4.4.4.2. No sample shall exceed 2,300 MPN/100 mL.

4.5. **Interim Effluent Limitations – Not Applicable**

4.6. **Land Discharge Specifications – Not Applicable**

4.7. **Recycling Specifications**

The Order allows the production and use of disinfected tertiary recycled wastewater in compliance with applicable state and local requirements regarding the production and use of reclaimed wastewater, including those requirements established by the Division of Drinking Water at title 22, sections 60301 - 60355 of the CCR, Water Recycling Criteria. The Order includes water reclamation requirements for the Facility pursuant to the State Water Board's Division of Drinking Water recommendations submitted to the Central Coast Water Board. The Order requires the Discharger to adhere to the requirements outlined in section 4.3 and any additional conditions pursuant to specifications in updated title 22 engineering reports approved by the State Water Board's Division of Drinking Water, including any updated disinfection conditions.

5. RATIONALE FOR RECEIVING WATER LIMITATIONS

5.1. Surface Water

The Ocean Plan contains numeric and narrative water quality objectives applicable to the coastal waters of California. Water quality objectives include an objective to maintain the high-quality waters pursuant to federal regulations (section 131.12) and State Water Board Resolution No. 68-16. Receiving water limitations in this Order are included to ensure protection of beneficial uses of the receiving water and are based on the water quality objectives contained in the Ocean Plan.

5.2. Groundwater – Not Applicable

6. RATIONALE FOR PROVISIONS

6.1. Standard Provisions

Standard Provisions, which apply to all NPDES permits in accordance with 40 C.F.R. section 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 C.F.R. section 122.42, are provided in Attachment D.

Sections 122.41(a)(1) and (b) through (n) of 40 C.F.R. establish conditions that apply to all state-issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in the Order. Section 123.25(a)(12) of 40 C.F.R. allows the state to omit or modify conditions to impose more stringent requirements. In accordance with 40 C.F.R. section 123.25, this Order omits federal conditions that address enforcement authority specified in 40 C.F.R. sections 122.41(j)(5) and (k)(2) because the enforcement authority under the CWC is more stringent. In lieu of these conditions, this Order incorporates by reference CWC section 13387(e).

6.2. Special Provisions

6.2.1. Reopener Provisions

The Order may be modified in accordance with the requirements set forth at 40 C.F.R. parts 122 and 124, to include appropriate conditions or limits based on newly available information, or to implement any, new State water quality objectives that are approved by the U.S. EPA. As effluent is further characterized through additional monitoring, and if a need for additional effluent limitations becomes apparent after additional effluent characterization, the Order will be reopened to incorporate such limitations.

6.2.2. Special Studies and Additional Monitoring Requirements

6.2.2.1. **Toxicity Reduction Requirements.** The requirements in section 6.3.2.1 through 6.3.2.4 of this Order address requirements necessary to ensure compliance with Ocean Plan objectives for toxicity. The requirement to develop and maintain a TRE Workplan is retained in this Order from the Order No. R3-2012-0016. When toxicity monitoring measures acute or chronic toxicity in the effluent above the trigger established by this Order, the Discharger is required to resample and retest, if the discharge is continuing. When all monitoring results are available, the Central Coast Water Board Executive Officer can determine whether to initiate enforcement action, whether to require the Discharger to implement TRE requirements, or whether other measures are warranted.

6.2.2.2. **Ocean Outfall and Diffuser Monitoring.** The Order requires the Discharger to conduct visual inspections of the outfall and diffuser system every three years. This requirement is necessary to assess the structural integrity of the entire outfall structure and to determine whether there are leaks, potential leaks, or malfunctions.

6.2.3. Best Management Practices and Pollution Prevention

6.2.3.1. **Pollutant Minimization Program.** The 2019 Ocean Plan establishes requirements for a Pollutant Minimization Program (PMP) to reduce all potential sources of a pollutant through pollutant minimization control strategies. PMP language from section III.C.9 of the Ocean Plan is included in this Order to provide guidance in the event that a PMP must be developed and implemented by the Discharger. The Discharger is required to develop a PMP when there is

evidence and effluent conditions present pursuant to section 6.3.3.1 or if required to do so in writing by the Central Coast Water Board Executive Officer.

6.2.4. **Construction, Operation, and Maintenance Specifications**

Section 6.1.1 of the Order requires the Discharger to comply with standard NPDES permit provisions based on federal and State regulations. The Facility shall be operated as specified under Standard Provisions, Attachment D. These requirements have been retained from Order No. R3-2012-0016.

6.2.5. **Special Provisions for Publicly-Owned Treatment Works (POTWs)**

6.2.5.1. **Biosolids Management.** The use and disposal of biosolids is regulated under federal and State laws and regulations, including permitting requirements and technical standards included in 40 C.F.R. part 503. The Discharger is required to comply with the standards and time schedules contained in 40 C.F.R. part 503, which is enforceable by U.S. EPA because California has not been delegated the authority to implement this program.

Title 27, CCR, division 2, subdivision 1, section 20005 establishes approved methods for the disposal of collected screenings, residual sludge, biosolids, and other solids removed from liquid wastes. Requirements to ensure the Discharger disposes of solids in compliance with State and federal regulations have been included in this Order. These requirements have been retained from the previous Order.

6.2.5.2. **General Permit for Storm Water Discharges Associated with Industrial Activities (**State Water Board Order No. 2014-0057-DWQ, NPDES General Permit No. CAS000001) (Industrial Stormwater General Permit)**.** Discharges of stormwater from POTWs with a design capacity greater than 1.0 MGD are eligible for coverage under the Industrial Stormwater General Permit.

6.2.5.3. **Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (State Water Board Order No. 2006-0003-DWQ) (Sanitary Sewer Systems General Permit).** The Order requires enrollment in and compliance with applicable provisions of Sanitary Sewer Systems General Permit. This General Permit, adopted on May 2, 2006, is applicable to all “federal and state agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility in the State of California.” The purpose of the Sanitary Sewers General Permit is to promote the proper and efficient management, operation, and maintenance of sanitary sewer systems and to minimize the occurrences and impacts of sanitary sewer overflows. The Discharger has obtained coverage under the State Water Board Order No. 2006-0003-DWQ.

6.2.6. **Other Special Provisions**

6.2.6.1. **Loss of Disinfection.** As soon as possible after learning of a significant loss of disinfection, and no more than 12 hours after the Discharger becomes aware of the disinfection loss, the Discharger shall notify the California Department of Public Health’s (CDPH) Preharvest Shellfish Protection and Marine Biotoxin

Monitoring Program (510-412- 4638), the Santa Barbara County Public Health Services (805-681-5100), the Central Coast Water Board (805-549-3147), and any shellfish leaseholders with active shellfish growing operations in the area of the discharge, as set forth in a list to be obtained from CDPH, and regularly updated. The requirement to conduct monitoring for bacteria in the receiving water in accordance with section 8.1 of the monitoring and reporting program is necessary to ensure compliance with water quality criteria for shellfish harvesting in the Ocean Plan.

6.2.6.2. **Climate Change Adaptation Program.** The Central Coast Water Board is addressing the threats of climate change and flooding by including provisions in new orders that ensure climate change mitigation and adaptation strategies are implemented. There is widespread scientific consensus that climate change is occurring and will continue at an accelerating rate into the future. Extreme weather events, including drought, high-intensity precipitation, flooding, and extreme heat have occurred through much of California in the recent years and are projected to increase in frequency, extent, or intensity due to climate change. The climate change adaptation program in this order requires the Discharger to submit a coastal hazards monitoring plan, life expectancy analysis, and climate change adaptation plan. The climate change adaptation program is imperative to ensure continued function and viability of the Facility in a manner that is protective of water quality.

Climate change has the potential to impact discharging facilities through inundation, storm impacts, and erosion, increasing the risk of accidental discharge that results in discharge permit violations. These events have significant implications for wastewater treatment and operations, such as increased corrosion, deposition of solids, infiltration, overflows, inundation of facilities, impairment of treatment processes, and disruption of power or electrical components. Due to the long-term nature of these risks, there is a need to avoid piecemeal or reactionary adaptation and instead undertake proactive, long-term planning with consideration of various adaptation strategies that both keep facilities safe, maintain safe discharging practices, and avoid impacts to resources.

6.2.7. **Compliance Schedules – Not Applicable**

7. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

CWA section 308 and 40 C.F.R. sections 122.41(h), (j)-(l), 122.44(i), and 122.48 require that all NPDES permits specify monitoring and reporting requirements. CWC sections 13267 and 13383 also authorize the Central Coast Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. The Monitoring and Reporting Program (MRP), Attachment E of this Order establishes monitoring, reporting, and recordkeeping requirements that implement federal and state requirements. The following provides the rationale for the monitoring and reporting requirements contained in the MRP for this facility.

7.1. **Influent Monitoring**

Monitoring requirements for $CBOD_5$ and TSS have been retained from Order No. R3-2012-0016 to determine compliance with the Order's percent removal requirement for these pollutants. This permit also retains influent monitoring requirements for total daily flow volume to aid in the compliance determination with Facility's design flow.

7.2. **Effluent Monitoring**

Effluent monitoring is necessary to determine compliance with effluent limitations and evaluate compliance with applicable water quality objectives and criteria. Most effluent monitoring requirements have been retained from Order No. R3-2012-0016.

Effluent monitoring frequency for halomethanes, bromoform, bromomethane, and chloromethane was increased from once per year to once per quarter to determine compliance with newly established effluent limitations for halomethanes.

7.3. **Whole Effluent Toxicity Testing Requirements**

Whole effluent toxicity (WET) limitations protect receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. Acute toxicity testing measures mortality in 100 percent effluent over a short test period and chronic toxicity testing is conducted over a longer period of time and may measure mortality, reproduction, and or growth. Acute and chronic toxicity monitoring requirements are necessary to determine compliance with the toxicity triggers, and have been retained from the previous Order.

7.4. **Recycled Water Monitoring**

The State Water Board Recycled Water Policy requires that this Order include recycled water monitoring and reporting requirements. The Recycled Water Policy specifies wastewater treatment plant and recycled water producer annual reporting of monthly volumes of influent, wastewater produced, and effluent, including treatment level and discharge type, as well as annual reporting of recycled water use by volume and category of reuse. Recycling water monitoring requirements in this Order are based on title 22 criteria and the title 22 engineering report approved by the State Water Board's Division of Drinking Water.

7.5. **Receiving Water Monitoring**

7.5.1. **Surface Water**

Receiving water monitoring requirements are necessary to evaluate compliance with water quality objectives and the protection of beneficial uses.

Near shore monitoring is necessary to assess bacteriological conditions in areas used for body-contact sports (e.g., surfing) and where shellfish may be harvested for human consumption and to assess aesthetic conditions for general recreational uses (e.g., picnicking, boating, etc.). Ocean monitoring is necessary to evaluate the impacts of the discharge on the receiving water and to determine compliance with surface water limitations. Surface water receiving water

monitoring requirements are consistent with other ocean discharge permits within the Central Coast Region.

Benthic monitoring is necessary to assess the temporal and spatial occurrence of pollutants in local marine sediments and to evaluate the physical and chemical quality of the sediments in relation to the outfall. Monitoring frequency is consistent with other similar municipal wastewater treatment facilities permitted to discharge to ocean waters in the Central Coast Region.

Receiving water monitoring requirements have been retained from the previous Order.

7.5.2. **Groundwater – Not Applicable**

7.6. **Other Monitoring Requirements**

7.6.1. **Discharge Monitoring Report-Quality Assurance (DMR-QA) Study Program**

Under the authority of section 308 of the CWA (33 U.S.C. § 1318), U.S. EPA requires major and selected minor dischargers under the NPDES Program to participate in the annual DMR-QA Study Program. The DMR-QA Study evaluates the analytical ability of laboratories that routinely perform or support self-monitoring analyses required by NPDES permits. There are two options to satisfy the requirements of the DMR-QA Study Program: (1) The Discharger can obtain and analyze a DMR-QA sample as part of the DMR-QA Study; or (2) Per the waiver issued by U.S. EPA to the State Water Board, the Discharger can submit the results of the most recent Water Pollution Performance Evaluation Study from its own laboratories or its contract laboratories. A Water Pollution Performance Evaluation Study is similar to the DMR-QA Study. Thus, it also evaluates a laboratory's ability to analyze wastewater samples to produce quality data that ensure the integrity of the NPDES Program. The Discharger shall ensure that the results of the DMR-QA Study or the results of the most recent Water Pollution Performance Evaluation Study are submitted annually to the State Water Board. The State Water Board's Quality Assurance Program Officer will send the DMR-QA Study results or the results of the most recent Water Pollution Performance Evaluation Study to U.S. EPA's DMR-QA Coordinator and Quality Assurance Manager.

7.6.2. **Biosolids Monitoring**

Biosolids monitoring shall be reported in the annual report in accordance with 40 C.F.R. 503. Biosolids monitoring requirements have been retained from the previous Order.

7.6.3. **Ocean Outfall and Diffuser Inspection**

This Order requires the Discharger to conduct annual visual inspections of the outfall and diffuser structure and provide a report of this inspection to the Central

Coast Water Board regarding the system's physical integrity. This monitoring requirement has been retained from the previous Order.

8. PUBLIC PARTICIPATION

The Central Coast Water Board considered the issuance of WDRs that will serve as an NPDES permit for the Montecito Sanitary District Wastewater Treatment Facility. As a step in the WDR adoption process, the Central Coast Water Board staff developed tentative WDRs and encouraged public participation in the WDR adoption process.

8.1. Notification of Interested Parties

The Central Coast Water Board notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and provided an opportunity to submit written comments and recommendations. Notification was provided through posting on the Central Coast Water Board website.

The public had access to the agenda and any changes in dates and locations through the Central Coast Water Board's website at: http://www.waterboards.ca.gov/centralcoast/

8.2. Written Comments

The comment period for this draft order opened **July 6, 2022.** Interested persons were invited to submit written comments concerning tentative WDRs as provided through the notification process. Comments were due either in person or by mail to the Executive Office at the Central Coast Water Board at: http://www.waterboards.ca.gov/centralcoast/

To be fully responded to by staff and considered by the Central Coast Water Board, the written comments were due at the Central Coast Water Board office by 5:00 p.m. on **August 5, 2022**.

8.3. Public Hearing

The Central Coast Water Board held a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date:	August 25, 2022
Time:	9:00 am
Location:	Via video and teleconference. Information about participating in the remote meeting can be found at: https://www.waterboards.ca.gov/centralcoast/board_info/remote_meeting/index.html. Any changes to the hearing location, e.g., to add a physical location, will be included in the Central Coast Water Board's meeting agenda.

Interested persons were invited to attend. At the public hearing, the Central Coast Water Board heard testimony pertinent to the discharge, WDRs, and permit. For accuracy of the record, important testimony was requested in writing.

8.4. Reconsideration of Waste Discharge Requirements

Any person aggrieved by this action of the Central Coast Water Board may petition the State Water Board to review the action in accordance with CWC section 13320 and CCR, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., within 30 calendar days of the date of adoption of this Order at the following address, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day:

State Water Resources Control Board
Office of Chief Counsel
P.O. Box 100, 1001 I Street
Sacramento, CA 95812-0100
Or by email at waterqualitypetitions@waterboards.ca.gov

For instructions on how to file a petition for review, see:
<http://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instr.shtml>

8.5. Information and Copying

The Report of Waste Discharge, other supporting documents, and comments received are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Central Coast Water Board by calling (805) 549-3147.

8.6. Register of Interested Persons

Any person interested in being placed on the mailing list for information regarding the WDRs and NPDES permit should contact the Central Coast Water Board**,** reference this facility, and provide a name, address, and phone number.

8.7. Additional Information

Requests for additional information or questions regarding this permit should be directed to Peter von Langen at 805-549-3688 or the Central Coast email inbox at centralcoast@waterboards.ca.gov.

PROFESSIONAL SERVICES AGREEMENT
FOR DESIGN PROFESSIONALS

(Montecito Sanitary District / *[Company or Individual]*)

1. IDENTIFICATION

This PROFESSIONAL SERVICES AGREEMENT ("Agreement") is entered into by and between the Montecito Sanitary District, a California Special District ("District"), and _____, a _____ ("Consultant").

2. RECITALS

2.1. District has determined that it requires the following professional services from a consultant: **[enter description of consultant's services]**

2.2. Consultant represents that it is fully qualified to perform such professional services by virtue of its experience and the training, education and expertise of its principals and employees. Consultant further represents that it is willing to accept responsibility for performing such services in accordance with the terms and conditions set forth in this Agreement.

2.3. Consultant represents that it has no known relationships with third parties, District Board members, or employees of the District which would (1) present a conflict of interest with the rendering of services under this Agreement under Government Code Section 1090, the Political Reform Act (Government Code Section 81000 *et seq.*), or other applicable law, (2) prevent Consultant from performing the terms of this Agreement, or (3) present a significant opportunity for the disclosure of confidential information.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions herein contained, District and Consultant agree as follows:

3. DEFINITIONS

3.1. "Design Professional": A Design Professional is any individual satisfying one or more of the following: (1) licensed as an architect pursuant to Business and Professions Code 5500 et seq., (2) licensed as a landscape architect pursuant to Business and Professions Code 5615 et seq., (3) licensed as a professional land surveyor pursuant to Business and Professions Code 8700 et seq., or (4) registered as a professional engineer pursuant to Business and Professions Code 6700 et seq.

3.2. "Scope of Services": Such professional services as are set forth in Consultant's **[enter consultant's proposal date]** proposal to District attached hereto as Exhibit A and incorporated herein by this reference.

3.3. "Agreement Administrator": The Agreement Administrator for this project is [Name and title]. The Agreement Administrator shall be the principal point of

contact at the District for this project. All services under this Agreement shall be performed at the request of the Agreement Administrator. The Agreement Administrator will establish the timetable for completion of services and any interim milestones. District reserves the right to change this designation upon written notice to Consultant

3.4. "Approved Fee Schedule": Consultant's compensation rates are set forth in the fee schedule attached hereto as Exhibit B and incorporated herein by this reference. This fee schedule shall remain in effect for the duration of this Agreement unless modified in writing by mutual agreement of the parties.

3.5. "Maximum Amount": The highest total compensation and costs payable to Consultant by District under this Agreement. The Maximum Amount under this Agreement is _____ Dollars ($_____).

3.6. "Commencement Date": [date].

3.7. "Termination Date": [date]

4. TERM

The term of this Agreement shall commence at 12:00 a.m. on the Commencement Date and shall expire at 11:59 p.m. on the Termination Date unless extended by written agreement of the parties or terminated earlier under Section 18 ("Termination") below. Consultant may request extensions of time to perform the services required hereunder. Such extensions shall be effective if authorized in advance by District in writing and incorporated in written amendments to this Agreement.

5. CONSULTANT'S DUTIES

5.1. **Services**. Consultant shall perform the services identified in the Scope of Services. District shall have the right to request, in writing, changes in the Scope of Services. Any such changes mutually agreed upon by the parties, and any corresponding increase or decrease in compensation, shall be incorporated by written amendment to this Agreement.

5.2. **Coordination with District**. In performing services under this Agreement, Consultant shall coordinate all contact with District through its Agreement Administrator.

5.3. **Budgetary Notification**. Consultant shall notify the Agreement Administrator, in writing, when fees and expenses incurred under this Agreement have reached eighty percent (80%) of the Maximum Amount. Consultant shall concurrently inform the Agreement Administrator, in writing, of Consultant's estimate of total expenditures required to complete its current assignments before proceeding, when the remaining work on such assignments would exceed the Maximum Amount.

5.4. **Professional Standards.** Consultant shall perform all work to the highest standards of Consultant's profession and in a manner reasonably satisfactory to District. Consultant shall keep itself fully informed of and in compliance with all local, state, and federal laws, rules, and regulations in any manner affecting the performance of this Agreement, including all Cal/OSHA requirements, the conflict of interest provisions of Government Code § 1090 and the Political Reform Act (Government Code § 81000 et seq.).

5.5. **Campaign Contributions.** This Agreement is subject to Government Code Section 84308, as amended by SB 1439. Consultant shall disclose any contribution in an amount of more than two hundred fifty dollars ($250) made within the preceding 12 months by the party or the party's agent. Consultant shall provide a signed copy of the attached Campaign Contribution Disclosure Form to the District prior to, or concurrent with, the Consultant's execution of this Agreement.

5.6. **Avoid Conflicts.** During the term of this Agreement, Consultant shall not perform any work for another person or entity for whom Consultant was not working at the Commencement Date if such work would present a conflict interfering with performance under this Agreement. However, District may consent in writing to Consultant's performance of such work.

5.7. **Appropriate Personnel.** Consultant has, or will secure at its own expense, all personnel required to perform the services identified in the Scope of Services. All such services shall be performed by Consultant or under its supervision, and all personnel engaged in the work shall be qualified to perform such services. [Name of Project Manager] shall be Consultant's project administrator and shall have direct responsibility for management of Consultant's performance under this Agreement. No change shall be made in Consultant's project administrator without District's prior written consent.

5.8. **Substitution of Personnel.** Any persons named in the proposal or Scope of Services constitutes a promise to the District that those persons will perform and coordinate their respective services under this Agreement. Should one or more of such personnel become unavailable, Consultant may substitute other personnel of at least equal competence upon written approval of District. If District and Consultant cannot agree as to the substitution of key personnel, District may terminate this Agreement for cause.

5.9. **Permits and Approvals.** Consultant shall obtain, at its sole cost and expense, all permits and regulatory approvals necessary for Consultant's performance of this Agreement. This includes, but shall not be limited to, professional licenses, encroachment permits and building and safety permits and inspections.

5.10. **Notification of Organizational Changes.** Consultant shall notify the Agreement Administrator, in writing, of any change in name, ownership or control of

Consultant's firm or of any subcontractor. Change of ownership or control of Consultant's firm may require an amendment to this Agreement.

5.11. **Records.** Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to District under this Agreement for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to Consultant under this Agreement. All such documents shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of District. In addition, pursuant to Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds ten thousand dollars, all such documents and this Agreement shall be subject to the examination and audit of the State Auditor, at the request of District or as part of any audit of District, for a period of three (3) years after final payment under this Agreement.

5.12. **Skilled and Trained Workforce Requirement.** When the use of a skilled and trained workforce is required to complete a contract pursuant to existing law, this contract is subject to such requirement and Contractor agrees to use a skilled and trained workforce.

6. SUBCONTRACTING

6.1. **General Prohibition.** This Agreement covers professional services of a specific and unique nature. Except as otherwise provided herein, Consultant shall not assign or transfer its interest in this Agreement or subcontract any services to be performed without amending this Agreement.

6.2. **Consultant Responsible.** Consultant shall be responsible to District for all services to be performed under this Agreement.

6.3. **Identification in Fee Schedule.** All subcontractors shall be specifically listed and their billing rates identified in the Approved Fee Schedule, Exhibit B. Any changes must be approved by the Agreement Administrator in writing as an amendment to this Agreement.

7. COMPENSATION

7.1. **General.** District agrees to compensate Consultant for the services provided under this Agreement, and Consultant agrees to accept payment in accordance with the Fee Schedule in full satisfaction for such services. Compensation shall not exceed the Maximum Amount. Consultant shall not be reimbursed for any expenses unless provided for in this Agreement or authorized in writing by District in advance.

7.2. **Invoices.** Consultant shall submit to District an invoice, on a monthly basis or as otherwise agreed to by the Agreement Administrator, for services performed

pursuant to this Agreement. Each invoice shall identify the Maximum Amount, the services rendered during the billing period, the amount due for the invoice, and the total amount previously invoiced. All labor charges shall be itemized by employee name and classification or position with the firm, the corresponding hourly rate, the hours worked, a description of each labor charge, and the total amount due for labor charges.

7.3. **Taxes.** District shall not withhold applicable taxes or other payroll deductions from payments made to Consultant except as otherwise required by law. Consultant shall be solely responsible for calculating, withholding, and paying all taxes.

7.4. **Disputes.** The parties agree to meet and confer at mutually agreeable times to resolve any disputed amounts contained in an invoice submitted by Consultant.

7.5. **Additional Work.** Consultant shall not be reimbursed for any expenses incurred for work performed outside the Scope of Services unless prior written approval is given by the District through a fully executed written amendment. Consultant shall not undertake any such work without prior written approval of the District.

7.6. **District Satisfaction as Precondition to Payment.** Notwithstanding any other terms of this Agreement, no payments shall be made to Consultant until District is satisfied that the services are satisfactory.

7.7. **Right to Withhold Payments.** If Consultant fails to provide a deposit or promptly satisfy an indemnity obligation described in Section 11, District shall have the right to withhold payments under this Agreement to offset that amount.

8. PREVAILING WAGES

Consultant is aware of the requirements of California Labor Code Section 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 16000, et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects including the design and preconstruction phases of a covered public works project. Consultant shall defend, indemnify, and hold the District, its elected officials, officers, employees, and agents free and harmless form any claim or liability arising out of any failure or alleged failure of Consultant to comply with the Prevailing Wage Laws.

9. OWNERSHIP OF WRITTEN PRODUCTS

All reports, documents or other written material, and all electronic files, including computer-aided design files, developed by Consultant in the performance of this Agreement (such written material and electronic files are collectively known as "written products") shall be and remain the property of District without restriction or limitation upon its use or dissemination by District except as provided by law. Consultant may take and retain copies of such written products as desired, but no such written products shall be the subject of a copyright application by Consultant.

10. RELATIONSHIP OF PARTIES

10.1. **General.** Consultant is, and shall at all times remain as to District, a wholly independent contractor.

10.2. **No Agent Authority.** Consultant shall have no power to incur any debt, obligation, or liability on behalf of District or otherwise to act on behalf of District as an agent. Neither District nor any of its agents shall have control over the conduct of Consultant or any of Consultant's employees, except as set forth in this Agreement. Consultant shall not represent that it is, or that any of its agents or employees are, in any manner employees of District.

10.3. **Independent Contractor Status.** Under no circumstances shall Consultant or its employees look to the District as an employer. Consultant shall not be entitled to any benefits. District makes no representation as to the effect of this independent contractor relationship on Consultant's previously earned California Public Employees Retirement System ("CalPERS") retirement benefits, if any, and Consultant specifically assumes the responsibility for making such a determination. Consultant shall be responsible for all reports and obligations including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers' compensation, and other applicable federal and state taxes.

10.4. **Indemnification of CalPERS Determination.** In the event that Consultant or any employee, agent, or subcontractor of Consultant providing services under this Agreement claims or is determined by a court of competent jurisdiction or CalPERS to be eligible for enrollment in CalPERS as an employee of the District, Consultant shall indemnify, defend, and hold harmless District for the payment of any employee and/or employer contributions for CalPERS benefits on behalf of Consultant or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of District.

11. INDEMNIFICATION

11.1. **Definitions.** For purposes of this Section 11, "Consultant" shall include Consultant, its officers, employees, servants, agents, or subcontractors, or anyone directly or indirectly employed by either Consultant or its subcontractors, in the performance of this Agreement. "District" shall include District, its board, officials, officers, agents, employees and volunteers.

11.2. **Consultant to Indemnify District.** Where the services to be provided by Consultant under this Agreement are design professional services, as that term is defined under Civil Code Section 2782.8, Consultant agrees to indemnify, defend and hold harmless, the District, its officers, officials, employees and volunteers from any and all claims, demands, costs or liability that actually or allegedly arise out of, or pertain to, or relate to the negligence, recklessness or willful misconduct

of Consultant and its agents in the performance of services under this contract, but this indemnity does not apply to liability for damages for bodily injury, property damage or other loss, arising from the sole negligence, active negligence or willful misconduct by the District, its officers, official employees, and volunteers. If it is finally adjudicated that liability is caused by the comparative active negligence or willful misconduct of the District, then Consultant's indemnification and defense obligations shall be reduced in proportion to the established comparative liability of the District and shall not exceed Consultant's proportionate percentage of fault.

11.3. As respects all acts or omissions which do not arise directly out of the performance of design professional services, including but not limited to those acts or omissions normally covered by general and automobile liability insurance, and to the full extent permitted by law, Consultant agrees to indemnity, defend and hold harmless the District, its board, officers, officials, agents, employees, and volunteers from and against any claims, demands, losses, liability of any kind or nature (including liability for claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including attorney's fees and costs, court costs, interest, defense costs, and expert witness fees) where the same arise out of, are in connection with, are a consequence of, or are in any way attributable to, in whole or in part, the performance of this Agreement by Consultant or by any individual or entity for which Consultant is legally liable, including but not limited to officers, agents, employees or sub-contractors of Consultant, excepting those which arise out of the active negligence, sole negligence or willful misconduct of the District, its board, officers, officials, employees and volunteers.

11.4. **Scope of Indemnity.** Personal injury shall include injury or damage due to death or injury to any person, whether physical, emotional, consequential or otherwise, Property damage shall include injury to any personal or real property. Consultant shall not be required to indemnify District for such loss or damage as is caused by the sole active negligence or willful misconduct of the District. If it is finally adjudicated that liability is caused by the comparative negligence or willful misconduct of an indemnified party, then Consultant's indemnification obligation shall be reduced in proportion to the established comparative liability.

11.5. **Attorneys Fees.** Such costs and expenses shall include reasonable attorneys' fees for counsel of District's choice, expert fees and all other costs and fees of litigation. Consultant shall not be entitled to any refund of attorneys' fees, defense costs or expenses in the event that it is adjudicated to have been non-negligent.

11.6. **Defense Deposit.** The District may request a deposit for defense costs from Consultant with respect to a claim. If the District requests a defense deposit, Consultant shall provide it within 15 days of the request.

11.7. **Waiver of Statutory Immunity.** The obligations of Consultant under this Section 11 are not limited by the provisions of any workers' compensation act or similar act. Consultant expressly waives its statutory immunity under such statutes or laws as to District.

11.8. **Indemnification by Subcontractors.** Consultant agrees to obtain executed indemnity agreements with provisions identical to those set forth here in this Section 11 from each and every subcontractor or any other person or entity involved in the performance of this Agreement on Consultant's behalf.

11.9. **Insurance Not a Substitute.** District does not waive any indemnity rights by accepting any insurance policy or certificate required pursuant to this Agreement. Consultant's indemnification obligations apply regardless of whether or not any insurance policies are determined to be applicable to the claim, demand, damage, liability, loss, cost or expense.

11.10. **Civil Code.** The parties are aware of the provisions of Civil Code 2782.8 relating to the indemnification and the duty and the cost to defend a public agency by a Design Professional and agree that this Section 11 complies therewith.

12. INSURANCE

12.1. **Insurance Required.** Consultant shall maintain insurance as described in this section and shall require all of its subcontractors, consultants, and other agents to do the same. Approval of the insurance by the District shall not relieve or decrease any liability of Consultant Any requirement for insurance to be maintained after completion of the work shall survive this Agreement.

12.2. **Documentation of Insurance.** District will not execute this agreement until it has received a complete set of all required documentation of insurance coverage. However, failure to obtain the required documents prior to the work beginning shall not waive the Consultant's obligation to provide them. Consultant shall file with District:

- Certificate of Insurance, indicating companies acceptable to District, with a Best's Rating of no less than A:VII showing. The Certificate of Insurance must show the Montecito Sanitary District, its board of directors, commissions, officers, and employees of Montecito Sanitary District as additional insured parties. The Certificate of Insurance must include the following reference: [insert project name]
- Documentation of Best's rating acceptable to the District.
- Original endorsements effecting coverage for all policies required by this Agreement.
- Complete, certified copies of all required insurance policies, including endorsements affecting the coverage.

12.3. **Coverage Amounts.** Insurance coverage shall be at least in the following minimum amounts:

- Professional Liability Insurance: $1,000,000 per occurrence
  $2,000,000 aggregate

- General Liability:
  - General Aggregate: $2,000,000
  - Products Comp/Op Aggregate $2,000,000
  - Personal & Advertising Injury $1,000,000
  - Each Occurrence $1,000,000
  - Fire Damage (any one fire) $ 50,000
  - Medical Expense (any 1 person) $ 5,000

- Workers' Compensation:
  - Workers' Compensation Statutory Limits
  - EL Each Accident $1,000,000
  - EL Disease - Policy Limit $1,000,000
  - EL Disease - Each Employee $1,000,000

- Automobile Liability
  - Any vehicle, combined single limit
    $1,000,000

Any available insurance proceeds broader than or in excess of the specified minimum insurance coverage requirements or limits shall be available to the District as additional insured. Furthermore, the requirements for coverage and limits shall be the greater of (1) the minimum coverage and limits specified in this Agreement, or (2) the broader coverage and maximum limits of coverage of any insurance policy or proceeds available to the named insured

12.4. **General Liability Insurance.** Commercial General Liability Insurance shall be no less broad than ISO form CG 00 01. Coverage must be on a standard Occurrence form. Claims-Made, modified, limited or restricted Occurrence forms are not acceptable.

12.5. **Worker's Compensation Insurance.** Consultant is aware of the provisions of Section 3700 of the Labor Code which requires every employer to carry Workers' Compensation (or to undertake equivalent self-insurance), and Consultant will comply with such provisions before commencing the performance of the work of this Agreement. If such insurance is underwritten by any agency other than the State Compensation Fund, such agency shall be a company authorized to do business in the State of California.

12.6. **Automobile Liability Insurance.** Covered vehicles shall include owned if any, non-owned, and hired automobiles and, trucks.

12.7. **Professional Liability Insurance or Errors & Omissions Coverage.** The deductible or self-insured retention may not exceed $50,000. If the insurance is on a Claims-Made basis, the retroactive date shall be no later than the commencement of the work. Coverage shall be continued for two years after the completion of the work by one of the following: (1) renewal of the existing policy; (2) an extended reporting period endorsement; or (3) replacement insurance with a retroactive date no later than the commencement of the work under this Agreement.

12.8. **Claims-Made Policies.** If any of the required policies provide coverage on a claims-made basis the Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work. Claims-Made Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract of work. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a Retroactive Date prior to the contract effective date, the Consultant must purchase "extended reporting" coverage for a minimum of five (5) years after completion of contract work.

12.9. **Additional Insured Endorsements.** The District, its Board of Directors, Commissions, officers, and employees of the District must be endorsed as an additional insured for each policy required herein, other than Professional Errors and Omissions, for liability arising out of ongoing and completed operations by or on behalf of the Consultant. Consultant's insurance policies shall be primary as respects any claims related to or as the result of the Consultant's work. Any insurance, pooled coverage or self-insurance maintained by the District, its elected or appointed officials, directors, officers, agents, employees, volunteers, or consultants shall be non-contributory. All endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. General liability coverage can be provided using an endorsement to the Consultant's insurance at least as broad as ISO Form CG 20 10 11 85 or both CG 20 10 and CG 20 37.

12.10. **Failure to Maintain Coverage.** In the event any policy is canceled prior to the completion of the project and the Consultant does not furnish a new certificate of insurance prior to cancellation, District has the right, but not the duty, to obtain the required insurance and deduct the premium(s) from any amounts due the Consultant under this Agreement. Failure of the Consultant to maintain the insurance required by this Agreement, or to comply with any of the requirements of this section, shall constitute a material breach of this Agreement.

12.11. **Notices.** Consultant shall provide immediate written notice if (1) any of the required insurance policies is terminated; (2) the limits of any of the required policies are reduced; (3) or the deductible or self-insured retention is increased. Consultant shall provide no less than 30 days' notice of any cancellation or

material change to policies required by this Agreement. Consultant shall provide proof that cancelled or expired policies of insurance have been renewed or replaced with other policies providing at least the same coverage. Such proof will be furnished at least two weeks prior to the expiration of the coverages. The name and address for Additional Insured Endorsements, Certificates of Insurance and Notices of Cancellation is: Montecito Sanitary District, Attn: John Weigold, General manager, 1042 Monte Cristo Lane, Santa Barbara, CA 93108.

12.12. **Consultant's Insurance Primary.** The insurance provided by Consultant, including all endorsements, shall be primary to any coverage available to District. Any insurance or self-insurance maintained by District and/or its officers, employees, agents or volunteers, shall be in excess of Consultant's insurance and shall not contribute with it.

12.13. **Waiver of Subrogation.** Consultant hereby waives all rights of subrogation against the District. Consultant shall additionally waive such rights either by endorsement to each policy or provide proof of such waiver in the policy itself.

12.14. **Report of Claims to District.** Consultant shall report to the District, in addition to the Consultant's insurer, any and all insurance claims submitted to Consultant's insurer in connection with the services under this Agreement.

12.15. **Premium Payments and Deductibles.** Consultant must disclose all deductibles and self-insured retention amounts to the District. The District may require the Consultant to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within retention amounts. Ultimately, District must approve all such amounts prior to execution of this Agreement.

12.16. District has no obligation to pay any premiums, assessments, or deductibles under any policy required in this Agreement. Consultant shall be responsible for all premiums and deductibles in all of Consultant's insurance policies. The amount of deductibles for insurance coverage required herein are subject to District's approval.

12.17. **Duty to Defend and Indemnify.** Consultant's duties to defend and indemnify District under this Agreement shall not be limited by the foregoing insurance requirements and shall survive the expiration or early termination of this Agreement.

13. MUTUAL COOPERATION

13.1. **District Cooperation in Performance.** District shall provide Consultant with all pertinent data, documents and other requested information as is reasonably available for the proper performance of Consultant's services under this Agreement.

13.2. **Consultant Cooperation in Defense of Claims.** If any claim or action is brought against District relating to Consultant's performance in connection with this

Agreement, Consultant shall render any reasonable assistance that District may require in the defense of that claim or action.

14. NOTICES

Any notices, bills, invoices, or reports required by this Agreement shall be deemed received on: (i) the day of delivery if delivered by hand, electronic mail or overnight courier service during Consultant's and District's regular business hours; or (ii) on the third business day following deposit in the United States mail if delivered by mail, postage prepaid, to the addresses listed below (or to such other addresses as the parties may, from time to time, designate in writing).

If to District
Montecito Sanitary District
Attn: John Weigold
General Manager
1042 Monte Cristo Lane
Santa Barbara, CA 93108

If to Consultant
[Name]
[Address]
[Address]
Telephone:
Email:

With courtesy copy to:

Aleks R. Giragosian, Esq.
Montecito Sanitary District General Counsel
Colantuono, Highsmith & Whatley, PC
790 E. Colorado Blvd.., Ste. 850
Pasadena, Angeles, CA 91101
Telephone: (213) 542-5700
Email: agiragosian@chwlaw.us

15. SURVIVING COVENANTS

The parties agree that the covenants contained in paragraph 5.11 (Records), paragraph 10.4 (Indemnification of CalPERS Determination), Section 11 (Indemnity), paragraph 12.8 (Claims-Made Policies), paragraph 13.2 (Consultant Cooperation in Defense of Claims), paragraph 12.13 (Waiver of Subrogation), paragraph 12.6 (Automobile Liability Insurance), Section 15 (Surviving Covenants), Section 17 (Interpretation of Agreement), and Section 18 (General Provisions) of this Agreement shall survive the expiration or termination of this Agreement, subject to the provisions and limitations of this Agreement and all otherwise applicable statutes of limitations and repose.

16. TERMINATION

16.1. **District Termination.** District may terminate this Agreement for any reason on five calendar days' written notice to Consultant. Consultant agrees to cease all work under this Agreement on or before the effective date of any notice of termination. All District data, documents, objects, materials or other tangible

things shall be returned to District upon the termination or expiration of this Agreement.

16.2. **Consultant Termination.** Consultant may terminate this Agreement for a material breach by the District of this Agreement upon 30 days' notice.

16.3. **Compensation Following Termination.** Upon termination, Consultant shall be paid based on the work satisfactorily performed at the time of termination. In no event shall Consultant be entitled to receive more than the amount that would be paid to Consultant for the full performance of the services required by this Agreement. The District shall have the benefit of such work as may have been completed up to the time of such termination.

16.4. **Remedies.** District retains any and all available legal and equitable remedies for Consultant's breach of this Agreement.

17. INTERPRETATION OF AGREEMENT

17.1. **Governing Law.** This Agreement shall be governed and construed in accordance with the laws of the State of California.

17.2. **Integration of Exhibits.** All documents referenced as exhibits in this Agreement are hereby incorporated into this Agreement. In the event of any material discrepancy between the provisions of this Agreement and its exhibits, the provisions of this Agreement shall prevail. This instrument contains the entire Agreement between District and Consultant with respect to the transactions contemplated herein. No other prior oral or written agreements are binding upon the parties. Amendments hereto or deviations herefrom shall be effective and binding only if made in writing and executed on by District and Consultant.

17.3. **Headings.** The headings and captions appearing at the commencement of the sections hereof, and in any paragraph thereof, are descriptive only and for convenience in reference to this Agreement. Should there be any conflict between such heading, and the section or paragraph thereof at the head of which it appears, the language of the section or paragraph shall control and govern in the construction of this Agreement.

17.4. **Pronouns.** Masculine or feminine pronouns shall be substituted for the neuter form and vice versa, and the plural shall be substituted for the singular form and vice versa, in any place or places herein in which the context requires such substitution(s).

17.5. **Severability.** If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, then such term or provision shall be amended to, and solely to the extent necessary to, cure such invalidity or unenforceability, and shall be enforceable in its amended form. In such event, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those

as to which it is held invalid or unenforceable, shall not be affected, and each term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.

17.6. **No Presumption Against Drafter.** Each party had an opportunity to consult with an attorney in reviewing and drafting this agreement. Any uncertainty or ambiguity shall not be construed for or against any party based on attribution of drafting to any party.

18. GENERAL PROVISIONS

18.1. **Confidentiality.** All data, documents, discussion, or other information developed or received by Consultant for performance of this Agreement are deemed confidential and Consultant shall not disclose it without prior written consent by District. District shall grant such consent if disclosure is legally required. All District data shall be returned to District upon the termination or expiration of this Agreement.

18.2. **Conflicts of Interest.** Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Consultant further agrees to file, or shall cause its employees or subcontractor to file, a Statement of Economic Interest with the District's Filing Officer if required under state law in the performance of the services. For breach or violation of this warranty, District shall have the right to rescind this Agreement without liability. For the term of this Agreement, no member, officer, or employee of District, during the term of his or her service with District, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

18.3. **Non-assignment.** Consultant shall not delegate, transfer, subcontract or assign its duties or rights hereunder, either in whole or in part, without District's prior written consent, and any attempt to do so shall be void and of no effect. District shall not be obligated or liable under this Agreement to any party other than Consultant.

18.4. **Binding on Successors.** This Agreement shall be binding on the successors and assigns of the parties.

18.5. **No Third-Party Beneficiaries.** Except as expressly stated herein, there is no intended third-party beneficiary of any right or obligation assumed by the parties.

18.6. **Time of the Essence.** Time is of the essence for each and every provision of this Agreement.

18.7. **Non-Discrimination.** Consultant shall not discriminate against any employee or applicant for employment because of race, sex (including pregnancy, childbirth, or related medical condition), creed, national origin, color, disability as defined by law, disabled veteran status, Vietnam veteran status, religion, age (40 and above), medical condition (cancer-related), marital status, ancestry, or sexual orientation. Employment actions to which this provision applies shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; or in terms, conditions or privileges of employment, and selection for training. Consultant agrees to post in conspicuous places, available to employees and applicants for employment, the provisions of this nondiscrimination clause.

18.8. **Waiver.** No provision, covenant, or condition of this Agreement shall be deemed to have been waived by District or Consultant unless in writing signed by one authorized to bind the party asserted to have consented to the waiver. The waiver by District or Consultant of any breach of any provision, covenant, or condition of this Agreement shall not be deemed to be a waiver of any subsequent breach of the same or any other provision, covenant, or condition.

18.9. **Excused Failure to Perform.** Consultant shall not be liable for any failure to perform if Consultant presents acceptable evidence, in District's sole judgment, that such failure was due to causes beyond the control and without the fault or negligence of Consultant.

18.10. **Remedies Non-Exclusive.** Each right, power and remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise shall be cumulative and shall be in addition to every other right, power, or remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise. The exercise, the commencement of the exercise, or the forbearance from the exercise by any party of any one or more of such rights, powers or remedies shall not preclude the simultaneous or later exercise by such party of any or all of such other rights, powers or remedies.

18.11. **Attorneys' Fees.** If legal action shall be necessary to enforce any term, covenant or condition contained in this Agreement, the prevailing party shall be entitled to an award of reasonable attorneys' fees and costs expended in the action.

18.12. **Venue.** The venue for any litigation shall be Santa Barbara County, California and Consultant hereby consents to jurisdiction in Santa Barbara County for purposes of resolving any dispute or enforcing any obligation arising under this Agreement.

18.13. **Counterparts; Electronic Signatures.** This Agreement may be signed in one or more counterparts, each of which shall be deemed an original, but all of which together shall be deemed one and the same instrument. The parties acknowledge and agree that this Agreement may be executed by electronic signature, which shall be considered as an original signature for all purposes and shall have the

same force and effect as an original signature. Without limitation, "electronic signature" shall include faxed or emailed versions of an original signature, electronically scanned and transmitted versions (e.g., via pdf) of an original signature, or a digital signature.

TO EFFECTUATE THIS AGREEMENT, the parties have caused their duly authorized representatives to execute this Agreement on the dates set forth below.

"DISTRICT"	"CONSULTANT"
Montecito Sanitary District	[Name of Company or Individual]
Authorized Signatories:	
Signature:_____	Signature:_____
Printed:_____	Printed:_____
Title: _____	Title: _____
Date: _____	Date: _____

Attest:

Signature:_____

Printed:_____

Title: District Clerk

Date: _____

Approved as to Form:

Signature:_____

Printed:_____

Title: District Counsel

Date: _____

EXHIBIT A
SCOPE OF SERVICES

EXHIBIT B
FEE SCHEDULE

2945 Towngate Road, Suite 200
Thousand Oaks, CA 91361
805.914.1500 phone
805.914.1501 fax

March 1, 2024

Montecito Sanitary District
Attention: Bryce Swetek, PE
Engineering Manager
1042 Monte Cristo Lane
Santa Barbara, CA 93108

RE: Proposal to Provide Consultant Services for Preparation of a Coastal Hazards Monitoring Plan

Dear Bryce:

Preparation of the Coastal Hazards Monitoring Plan (CHMP) is the first major step in developing the Montecito Sanitary District's (District's) Climate Change Adaptation Program (CCAP), so it is important that the process be done in collaboration with a firm experienced in addressing flooding and erosion hazards and related conditions caused by sea-level rise (SLR). Environmental Science Associates (ESA) is that skilled partner the District needs, and we are eager to get started supporting you on the start of this important journey.

ESA is well-prepared for the scope of work required for this project, having conducted numerous coastal vulnerability assessments for wastewater agencies to inform the preparation of climate adaptation plans, including ESA's recent work to prepare the Goleta Sanitary District's Climate Adaptation Plan (CAP) and City of Santa Barbara's SLR Vulnerability Assessment Update and Adaptation Plan. ESA will efficiently and effectively prepare the District's CHMP by leveraging and extending the same hazard mapping and assessment methodology we successfully applied for these projects. We will also build off our current efforts preparing the City of Santa Barbara's Wastewater and Water Systems CAP and the Regional Coastal Adaptation Monitoring Program (RCAMP) we are currently developing for the Santa Barbara-Ventura County coastline for the Beaches Erosion Authority for Clean Oceans and Nourishment (BEACON). Based on our unparalleled experience and expertise with SLR hazard analyses, vulnerability assessments, adaptation planning, and coastal monitoring plans in the vicinity and for multiple other wastewater districts (e.g., South San Luis Obispo County Sanitation District, West Basin Municipal Water District, San Francisco Public Utilities Commission, Carmel Area Wastewater District, and Union Sanitary District), ESA is uniquely situated to prepare a CHMP by May 4, 2024, that will be readily accepted by the Regional Water Quality Control Board (RWQCB).

We have partnered with the civil engineering firm MNS Engineers, Inc. (MNS) to provide wastewater engineering support based on their additional ongoing and completed work for the District. ESA and MNS successfully partnered in these roles for the Goleta Sanitary District's CAP and are ready to provide the same services together to complete the District's CHMP.

ESA offers an expert team led by **Project Manager Amber Inggs, PE,** a civil and coastal engineer whose over 10 years of experience includes serving as deputy project manager on the Goleta Sanitary District CAP and as ESA's project manager for the ongoing preparation of the City of Santa Barbara Wastewater and Water Systems CAP and BEACON RCAMP. **Nick Garrity, PE,** will serve as **Project Director**. He has over 20 years of experience leading projects addressing SLR and other effects of climate change, including directing the Goleta Sanitary District CAP, City of Santa Barbara SLR Adaptation Plan, BEACON RCAMP, as well as SLR vulnerability assessments and adaptation plans for the cities of Malibu, Manhattan Beach, Oceanside, and Del Mar.

Experience and Qualifications

Brief History

Founded in 1969 by three scientists in San Francisco, ESA has grown to become a 100%-employee-owned, multi-disciplinary environmental planning, engineering, and design firm with more than 700 professionals located in offices across the West Coast and Southeastern United States. The work will technically be led from our Thousand Oaks office, which is ESA's closest location to the District as of the proposal submittal date (ESA is planning to open our Santa Barbara office later this year), but practically led by Amber Inggs, PE, who works out of Carpinteria, less than 10 miles from the District Headquarters. For more than 54 years, ESA's team of environmental planners and technical specialists have provided thousands of clients with a full suite of environmental planning and design services to successfully complete all stages of project planning, design, and implementation—everything from small stand-alone technical memoranda to large-scale coastal development and restoration projects requiring federal and state approvals. ESA first assessed the effects of SLR for projects starting in the 1980s and has since continued to develop our preeminent practice and expertise in SLR planning, having prepared dozens of SLR hazard analyses, vulnerability assessments, and adaptation and monitoring plans.

Throughout our history, we have benefited from organic growth and growth by acquisition. ESA has always been named as such but has acquired other firms along the way. As asked for in the Request for Proposals (RFP) and in the spirit of full disclosure, within the last five years, ESA has acquired two firms that *did* go by other names and are now known as ESA: Sitka Technology Group in 2021 (Portland, OR) and Janicki Environmental in 2024 (Tampa, FL).

General Information on ESA's Qualifications

ESA is known for leading multi-objective projects that integrate coastal hazard analyses, vulnerability assessments, climate change planning, resource management, adaptation, planning, and design to benefit clients, infrastructure, the environment, and entire communities. The breadth of our services and our depth of staff allow us to provide comprehensive and scientifically sound reports and responsive client services while meeting project budgets and schedule requirements.

Our firm's range of capabilities stems from a coastal engineering, planning, and science team composed of civil and coastal engineers, geomorphologists, technical modelers, and policy and regulatory experts with decades of technical- and policy-oriented experience. We offer tailored knowledge and expertise in helping agencies and communities understand and manage their risks to the threat of SLR and associated flooding and erosion. We work with our clients to develop innovative and effective solutions to protect key infrastructure and build resilient, thriving, livable communities along the coast. Our results-driven approach applies analytical methods and a risk management framework in the areas of SLR, climate hydrology, hydrodynamic modeling, monitoring, and engineering to develop and evaluate adaptation alternatives based on a growing portfolio of success along the nation's West Coast.

ESA helps our clients solve complex coastal issues at both regional and site-specific levels and regularly perform the following services along California's coast:

- SLR impact and vulnerability assessments related to climate change
- Coastal hazard mapping and flood management studies
- Shoreline erosion assessment and management
- Modeling of coastal lagoon opening and closure dynamics and flooding
- Development, screening, and economic analyses of SLR adaptation strategies
- Design/implementation of coastal protection, revetments, beach nourishment, and natural infrastructure solutions

- Close collaboration with the California Coastal Commission (CCC) and RWQCB, including studies for and preparation of Coastal Development Permits (CDPs), Local Coastal Programs (LCPs), and National Pollutant Discharge Elimination System (NPDES) permits.
- Land use permitting in the coastal zone
- Public presentations and communication of technical analyses and planning approaches
- Geographic information systems (GIS) analysis and cartography

Below are descriptions of ESA work performed for wastewater agencies that is similar to what is required for preparing the District's CHMP.

Goleta Sanitary District | Goleta Sanitary District CAP

ESA, working with our proposed subconsultant MNS Engineers, conducted a study to examine the Goleta Sanitary District's vulnerabilities to SLR and identify potential adaptation measures to reduce vulnerabilities. We compiled available regional datasets on coastal hazards and performed site-specific hazard analyses for Goleta Slough. ESA then assessed the exposure of the District-owned and other wastewater assets around Goleta Slough, including Santa Barbara Airport wastewater assets. Several adaptation measures were identified and described to increase the resilience of the District to SLR, while three specific measures were examined in detail, including conceptual cost estimates.

Proposal Team Staff involved in Project: Amber Inggs, PE, Nick Garrity, PE, James Jackson, PE, Nick Panofsky, PE, QSD (MNS)

City of Santa Barbara | Wastewater and Water Systems CAP

The City of Santa Barbara is preparing a Wastewater and Water Systems CAP to meet a RWQCB NPDES permit requirement and improve the resiliency of the City's systems. This project includes development of a Wastewater and Water Systems Climate Vulnerability and Adaptation Options Report to identify alternatives for relocating, flood proofing, and/or hardening of major sewer mains and water lines located under the beach and in the SLR area and mid- and long-term options and thresholds for action for El Estero Water Resource Center and other portions of the wastewater and water systems. The report will also consider, at a lower level of detail, potential impacts from other climate changes including: 1) increased flooding frequency resulting to changes in rainfall patterns; 2) changes to groundwater levels; and 3) impacts from increased levels of drought, extreme heat, and wildfire. As a subconsultant and integral member of the project's consultant team, ESA has completed hazard analyses and vulnerability assessments for beach erosion and outfall and sewer lines, as well as flooding of the El Estero Water Resource Center, its services area, and the Charles E. Meyer Desalination Plant. ESA is currently assisting with identifying and developing flood and erosion adaptation measures. This project and our efforts build off the comprehensive City-wide SLR Adaptation Plan completed by ESA.

Proposal Team Staff involved in Project: Amber Inggs, PE, Nick Garrity, PE, James Jackson, PE, Louis White, PE

City of Santa Barbara | City of Santa Barbara SLR Adaptation Plan for the LCP Update

ESA assisted the City of Santa Barbara with preparing its SLR Adaptation Plan and updating its LCP to comply with CCC guidance. ESA evaluated alternative strategies to adapt to SLR and assisted the City with draft policy language, including outreach and coordination with the public, a steering committee, and the CCC. We developed SLR scenarios consistent with the State's SLR guidance and developed linkages to the previously developed CoSMoS (by the US Geological Survey [USGS]) and Santa Barbara County Coastal Resilience (by ESA) flood and erosion hazard mapping.

ESA completed a vulnerability analysis, which updated prior work by others by incorporating the SLR guidance and recent assessments of the City's assets and infrastructure. This project built upon prior work for the County of Santa Barbara, which entailed mapping coastal flooding and erosion for the entire county, focusing on the city in more detail.

ESA completed an adaptation plan that identified different adaptation strategies for the City as the basis for its policy updates and critical next steps to make the City more resilient, including a monitoring plan. These strategies would improve protection in the near-term, mid-term, and long-term. ESA worked with the City to develop criteria for evaluating these strategies. The City's SLR Adaptation Plan was reviewed by the City, the City's SLR Adaptation Plan Subcommittee, and the CCC. The plan was unanimously adopted by the City Council in February 2021.

Proposal Team Staff involved in Project: Amber Inggs, PE, Nick Garrity, PE, James Jackson, PE, Louis White, PE

South San Luis Obispo County Sanitation District | SLR Analysis for Wastewater Treatment Plant Redundancy Project

The South San Luis Obispo County Sanitation District (SSLOCSD) is undertaking a project to address redundancy and improvements to its wastewater treatment plant (WWTP) in Oceano, California. The WWTP Redundancy Project will upgrade and install new facilities to provide redundancy or backup infrastructure so that major wastewater facility components can be removed from service for routine maintenance or be shut down in case of mechanical failure or emergency, while maintaining operations without risking violation of Regional Water Quality Control Board effluent permit limits. The project also requires a CDP from the CCC, which was approved at the commission's hearing on May 10, 2017.

ESA prepared an SLR analysis that was included in the CDP application to the CCC for the project and assisted the SSLOCSD with preparations for the CCC hearing. In accordance with the CCC's 2015 SLR Policy Guidance, ESA evaluated the potential flood impacts to the WWTP, which is located in a low-lying area adjacent to a coastal lagoon, for existing and future conditions with SLR. ESA conducted hydrologic and hydraulic modeling of the lagoon and creek systems to diagnose the flooding mechanisms and identify triggering events that damage the WWTP. The study found that by 2050, most impacts to the WWTP will be limited primarily to flooding of access roads, and more severe flooding of the site could occur between 2070 and 2100. Because the access impacts are considered manageable by the SSLOCSD, the CCC approved the CDP with the requested amendment to extend the duration of the permit from 10 to 30 years. Following approval of the CDP, ESA worked with the SSLOCSD to prepare a CHMP that the CDP required.

Proposal Team Staff involved in Project: Louis White, PE

West Basin Municipal Water District | Ocean Water Desalination Project

ESA completed a Draft Environmental Impact Report (EIR) for the West Basin Municipal Water District (West Basin) that evaluates the potential environmental impacts associated with implementing its proposed Ocean Water Desalination Project. The desalination facility would be located at the existing El Segundo Generating Station (ESGS) on the Pacific coast within the city of El Segundo and would produce 20 million gallons per day (MGD) of potable drinking water that would provide approximately 10 percent of West Basin's water demand, relieving pressure on its heavily constrained supply of imported water. The new water source would increase the overall water supply reliability, drought resiliency, local control, and water security in the region.

The ESA team conducted several supplemental technical studies for the Final EIR, including a site-specific coastal hazards analysis that assessed the potential exposure of the site to extreme coastal flood events for existing and future conditions with SLR. The technical analysis used state-of-the-art methods and complied with current state SLR guidance. ESA estimated the 100- and 500-year elevations and landward extents of wave runup using a response-based wave runup modeling approach, for which ESA extended the record of the annual maximum wave events using available historical wave hindcasts and a new wave transformation model. For evaluating future conditions, ESA selected SLR amounts through 2130 using the Ocean Protection Council's State SLR Guidance (OPC 2018) and the Coastal Commission's SLR Policy Guidance (CCC 2018). To guide the understanding of time horizons that can be related to site improvements and expected design life of the proposed desalination structures, the supplemental study looked at four time frames representing a range of SLR values associated with mid-century, late-century, next-century, and beyond

2130. Calculations of future hazards accounted for the geomorphic response of the shore to SLR using a geometric shore response model, which indicated significant narrowing of the beach by mid-century. While this area is not currently mapped in a 100-year flood hazard zone by FEMA, the results of the supplemental study indicate that wave overtopping onto the ESGS property during extreme events may occur and confirms the inland extent of the potential flooding of the ESGS project sites that is presented in the EIR. It also provides a profile of the potential extreme wave runup bore to inform and support development of strategies to minimize and mitigate exposure to these hazards, including minor modifications to the desalination facility site plan.

Proposal Team Staff involved in Project: James Jackson, PE, Louis White, PE

Carmel Area Wastewater District | SLR Vulnerability Assessment

ESA worked with the Carmel Area Wastewater District (CAWD) to evaluate the potential impacts of SLR and climate change on its wastewater treatment plant and collection system, and to identify potential adaptation measures that would manage future risk. This study was required by the CCC as part of a CDP application for site improvements at the WWTP.

The WWTP is located in a low-lying area adjacent to the Carmel River Lagoon, and its collection system extends several miles to the north and south, serving the community of Carmel-by-the-Sea and outlying County areas. ESA assessed the potential impacts of climate change resulting from SLR and future changes in precipitation and streamflow. We developed a hydrologic model of the Carmel River Lagoon that simulates the geomorphology of the beach berm and its effect on peak water levels in the lagoon for existing and future conditions with SLR. The vulnerability of CAWD's wastewater infrastructure to the future water levels and coastal erosion was evaluated using a GIS-based overlay approach and a threshold analysis. The final impacts analysis will serve as the foundation for developing adaptation alternatives to manage the future risk to CAWD's wastewater treatment plant and collection system.

Proposal Team Staff involved in Project: James Jackson, PE, Louis White, PE

San Francisco Public Utilities Commission | Ocean Beach Climate Change Adaptation Project: Coastal Study

ESA is supporting the City and County of San Francisco with a range of environmental review and permitting services for its proposed Ocean Beach Climate Change Adaptation Project. The project includes SLR adaptation elements, including construction of a low-profile seawall and a long-term beach nourishment program.

As a focused technical analysis for the EIR, ESA is conducting a modeling study to assess the potential effects of the proposed project on coastal resources. Specifically, the study addresses potential effects of the proposed low-profile wall on the beach erosion in the vicinity of the project, and the potential effects of the wall and beach nourishment program on the nearshore sand bars that are used for surfing. ESA is using the US Army Corps of Engineers (USACE) modeling platform Coastal Modeling System (CMS) to simulate the coastal flood hydraulics and sediment transport of the system. We are applying the WAVE and FLOW modules of CMS to the project site to evaluate a range of hydraulic and geomorphic conditions. The study builds on earlier work completed by the USACE that was used to assess the performance of a conceptual beach nourishment program at Ocean Beach. The model simulates coastal hydraulic and sediment transport for baseline (no project) and project conditions for a range of storm conditions. The model output will be used to assess the project's potential effects on coastal erosion up and down coast as well as on nearshore sandbars important for surfing.

ESA is coordinating closely with the USGS, which is implementing a large-scale and long-term monitoring effort at Ocean Beach. We are using the USGS observational data to verify the model results and improve the quality of the simulations.

Proposal Team Staff involved in Project: James Jackson, PE, Louis White, PE

Union Sanitary District SLR Vulnerability and Adaptation Plan Study

ESA prepared an SLR Vulnerability Assessment and Adaptation Plan for the Union Sanitary District, which serves Fremont, Newark, and Union City. We used available flood and SLR hazard mapping products from USGS and others to assess the vulnerability of the District's facilities along the shore of South San Francisco Bay and to estimate of the potential timing of flood impacts from permanent tidal inundation and temporary extreme storms. ESA worked with the District staff and our team of engineers and planners to develop a range of adaptation actions that could be implemented in the near term, mid-term (2050-2070), and long-term (2070-2100) to increase resilience of the District facilities to SLR hazards. To prioritize adaptation actions, we conducted a benefit-cost analysis that illustrated the cost savings (i.e., benefits) that the District could achieve by implementing specific actions over time. ESA engineers' familiarity with the available tools, hazard maps, and GIS methods, led to the development of a comprehensive report that distilled complex information into actionable steps.

Proposal Team Staff involved in Project: Louis White, PE

City of Eureka | Elk River WWTP Feasibility Study

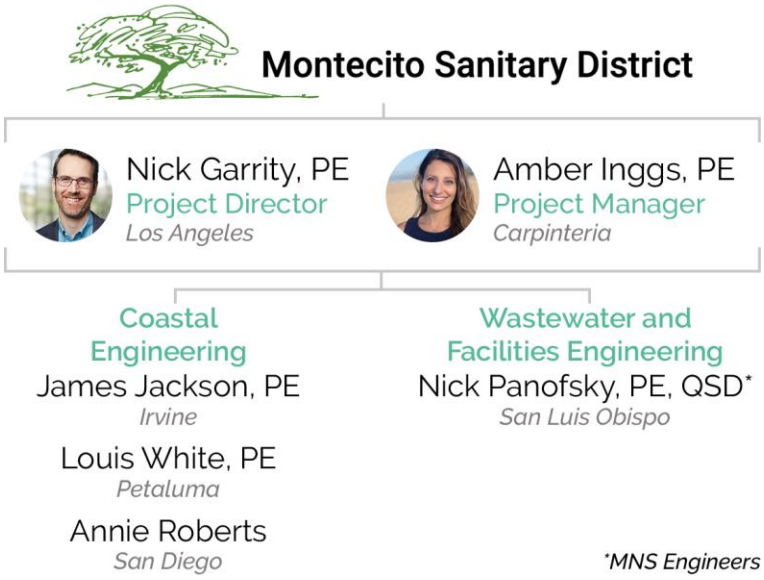
The City of Eureka conducted a feasibility study to evaluate the compliance of the Elk River WWTP outfall with the Enclosed Bays and Estuaries Policy. As part of this compliance feasibility study, ESA prepared a climate change readiness study, which assessed the vulnerability of the Elk River wastewater system to existing and future coastal hazards. ESA used existing SLR hazard mapping to determine the exposure of the WWTP's collection system assets for existing and future conditions. The analysis identified the quantity of collection system assets, including force mains, gravity lines, pumps, and more that were located in areas of future tidal and flood hazards. Using detailed information on the elevations and vulnerabilities of the treatment plant assets, we conducted a threshold analysis to determine when different assets may be exposed to future permanent or temporary flooding. The study was required by the RWQCB as part of updates to compliance with the NPDES permits, and negotiations regarding compliance are ongoing.

Proposal Team Staff involved in Project: James Jackson, PE, Louis White, PE

Project Team

The organizational chart below shows the structure of our carefully assembled project team, which is composed of ESA's expert in-house staff and our trusted subconsultant MNS Engineers. Brief staff biographies follow. Two-page resumes are included in *Attachment A: Resumes.*

Figure 1: Organizational Chart



Subconsultant

MNS ENGINEERS

Established in 1962, MNS provides high-quality infrastructure consulting services to the transportation, water resources, and government service markets throughout California. Specializing in the core services of engineering, construction management, and land surveying, MNS's reputation is built on clear and direct communication and high-quality services. The firm understand the technical, environmental, and regulatory aspects required for the types of improvements that may be recommended as part of the analysis conducted for the CHMP. MNS is experienced with and knowledgeable of federal funding, permitting, and multi-agency coordination. The firm is invested in the community, with employees residing in the District's service area and being served by the infrastructure to be analyzed. In addition to its relationships and recent and ongoing project work with the Montecito Sanitary District, MNS also has extensive experience with other agencies in the area presiding over public infrastructure, including the City of Santa Barbara and the County of Santa Barbara.

Proposed Staff

Amber Inggs, PE | Project Manager

Amber is a professional civil and coastal engineer and Santa Barbara County resident with over 10 years of experience focusing on coastal adaptation, flood management, and ecological restoration. Her expertise in hydrology and hydraulics includes the analyses and modeling of coastal flooding and erosion, waves, lagoons, tidal inlets, fluvial channels, and watersheds, as well as developing site-wide coastal hydrodynamic models. Experienced in resiliency, her skill encompasses assessing SLR and flood hazard risks as well as addressing coastal flooding and erosion, including shoreline mapping and wave and run-up

studies. Amber, together with her team, applies the results from analyses to design and draft engineering plans through project completion. Amber is also a lead in field data collection and monitoring efforts.

As project manager, Amber will oversee and lead work tasks and schedule and budget adherence. She will maintain close contact and communication with the District, ensuring that ESA provides high-quality deliverables to meet key project objectives while keeping the effort on schedule and within budget.

Nick Garrity, PE | Project Director

Nick is a licensed professional civil engineer specializing in coastal engineering and has more than 20 years of experience working with coastal, estuarine, and river systems. He has developed and continually innovates his approaches to the evaluation of coastal flood and erosion risks. His technical experience includes hydrodynamic modeling, flood hazard studies, coastal adaptation and restoration planning and design, geomorphic assessments, environmental impact and vulnerability assessments, and monitoring. Nick's work focuses on incorporating SLR adaptation into project planning and design. He also specializes in navigating and communicating complex technical analyses and planning processes in coordination with diverse stakeholder groups, including the public and regulatory agencies.

As project director, Nick will work on tasks, set the team's strategic direction, and provide Amber with as-needed guidance. Nick will also lead our rigorous quality assurance/quality control (QA/QC) program further described on page 16 In his position as ESA's Southern California Environmental Hydrology and Design Director, Nick has the authority to dedicate and adjust project staffing to commit appropriate and adequate staff resources to meet specific project needs as technical requirements and workload demands evolve.

James Jackson, PE | Coastal Engineer

James is a civil and coastal engineer with a background in hydraulics, hydrology, coastal and fluvial geomorphology, and engineering design. He has more than 11 years of experience in coastal hazard modeling and vulnerability assessments, shoreline management and restoration, and climate change/SLR adaptation analysis and design. James has modeled coastal hazards all along California's coast, including Santa Barbara, Ventura, Los Angeles, and Monterey counties, giving him an exceptional technical foundation and grasp of SLR vulnerability to develop informed adaptation planning. For this project, James will lead the coastal hazard assessment and CHMP development by building on the approach we developed with MNS for the Goleta Sanitary District's CAP.

Louis White, PE | Coastal Engineer

Louis is a civil and coastal engineer with over 17 years of experience in planning and design of coastal management, restoration, and SLR adaptation projects. He applies strong project management and technical skills to complex, multi-objective projects and has been instrumental in the success of several major climate change adaptation projects. He has direct experience preparing SLR vulnerability and adaptation assessments for local agencies and special districts, including at wastewater facilities in Eureka, San Francisco, Oceano, and El Segundo, where the work complied with state guidance and was used for permitting. By combining a technical base in coastal hydrology and engineering with an understanding of the regulatory and environmental processes, Louis helps clients navigate projects through key stages of planning, permitting, design, and implementation. For this project, Louis will provide technical oversight and senior review of ESA's coastal hazards analysis and CHMP.

Annie Roberts | Coastal Hydrologist

Annie is an engineer and coastal hydrologist with over three years of experience working on projects in coastal resilience and wetlands restoration. Her experience involves hydrologic and hydraulic modeling, stormwater management, and civil engineering design. She also has professional experience supporting government agencies in determining development guidelines and preparing technical documents, including drainage reports and hydrogeologic studies. For this project, Annie will conduct the coastal hazards mapping and exposure analysis.

Nick Panofsky, PE, QSD | MNS Water Resources Engineer

Nick has over 17 years of professional consulting experience in the water resources industry. He has advanced his expertise through a variety of municipal infrastructure design projects, including potable water, recycled water, wastewater, and stormwater. Nick has been involved in every stage of the design and construction process, such as planning, analysis, design, construction management, and operational assistance. For this project, Nick will provide high-level wastewater engineering input on the overall system exposure (level of threat) to SLR. He will identify control measures to protect and accommodate the facility and potential flooding and erosion thresholds to establish needed facility changes and inform the CHMP.

Client References

The following references can speak to ESA's high-quality of work on similar projects.

GOLETA SANITARY DISTRICT | CAP

June 2021 – December 2023

ESA conducted a study to examine the Goleta Sanitary District's vulnerabilities to SLR and identify adaptation measures to reduce vulnerabilities and develop three priority adaptation project conceptual designs and cost estimates.

Steve Wagner, PE, CSDM, General Manager, Goleta Sanitary District, 805.967.4519, swagner@goletasanitary.org

Laura Romano DeFazio, MPPA, IPMA-CP, Senior Management Analyst, Goleta Sanitary District, 805.967.4519, lromano@goletasanitary.org

UNION SANITARY DISTRICT | SLR VULNERABILITY AND ADAPTATION PLAN STUDY

February 2022 – December 2022

ESA prepared an SLR Vulnerability Assessment and Adaptation Plan for the Union Sanitary District, which serves Fremont, Newark, and Union City.

Kevin Chun, PE, Associate Engineer, Union Sanitary District, 510.477.7608, kevinch@unionsanitary.ca.gov

CITY OF SANTA BARBARA | WASTEWATER AND WATER SYSTEMS CAP

June 2023 – Ongoing

ESA is assisting the City with coastal hazards analyses and characterization and a wastewater systems alternatives study that evaluates the vulnerabilities and adaptation options to the sewer collection system, El Estero Resources Center, the potable water system, and the recycled water system.

Melissa Hetrick, Resilience Program Supervisor, City of Santa Barbara, 805.564.5470 ext. 4556, mhetrick@santabarbaraca.gov

BEACH EROSION AUTHORITY FOR CLEAN OCEANS AND NOURISHMENT (BEACON) | SANTA BARBARA REGIONAL COASTAL ADAPTATION MONITORING PROGRAM (RCAMP)

December 2022 – Ongoing

ESA is supporting BEACON, which is working in cooperation with the City of Santa Barbara, to develop a RCAMP that will identify and pilot regional coastal monitoring to inform adaptation planning and decision-making by cities, counties, and others within the counties of Santa Barbar and Ventura. This project involves a board range of interested stakeholders, agency representatives, technical reviewers, and members of the public.

Marc Beyler, Executive Director of BEACON, 510.316.6095, beyeler@beacon.ca.gov

Project Understanding and Approach

ESA understands that the District needs to prepare and submit a draft Coastal Hazard Monitoring Program (CHMP) to the Executive Officer of the California Regional Water Quality Control Board Central Coast Region by May 4, 2024. As described in Resolution No. 2017-0012 and Order No. R3-2022-0010, the District must develop a Climate Change Adaptation Program (CCAP) that provides a long-term plan to ensure that necessary wastewater treatment functions are not vulnerable to coastal hazards and climate change. The CHMP is the first step the District will take towards developing a CCAP. The CHMP will identify coastal hazards in the District's service area and the risks posed to the existing wastewater treatment system, determine future impact thresholds and potential adaptation measures for the treatment system, and establish a coastal hazards monitoring plan.

ESA and MNS are prepared to support the District with this first phase of work and has the capability and experience to complete the work needed for the District's CCAP through the second and third phases identified in the RFP.

ESA and MNS will prepare the CHMP by building off our partnership formed on the Goleta Sanitary District Climate Adaptation Plan. Through the following tasks, ESA and MNS has tailored this tested approach to specifically assist the District to achieve the objectives outlined in the RFP. Our proposed scope expands on the RFP to detail the necessary technical tasks to develop the CHMP.

Task 1: Project Management, Quality Assurance/Quality Control, Meetings, and Site Visits

Task 1.1 Project Management

ESA will manage the project through diligent monitoring of the technical work, budget, and schedule as well as coordination with the District, MNS, and stakeholder agencies. ESA will provide monthly invoices that include a summary of work progress and schedule.

Deliverables:

- Monthly invoices with progress summaries.

Task 1.2 Quality Control/Quality Assurance

ESA has a rigorous QA/QC program in place that we will apply to all deliverables prior to submittal to the District. See the summary description of our procedure in the QA/QC section below.

Task 1.3 Meetings

ESA will participate in up to four meetings with District staff. For each meeting, ESA will prepare an agenda, lead the meeting, and prepare and distribute meetings summaries. The following meetings are assumed:

Meeting 1. Project kick-off meeting and site visit with District staff (on site)

At a kick-off meeting with District staff, ESA will review the project scope and confirm the District's needs and expectations. ESA will also prepare and present a schedule for completion of the CHMP to be discussed at the meeting, including milestone dates for submittals and review meetings. ESA may also request to visit specific District infrastructure that are potentially at risk to SLR based on a preliminary review of hazard mapping.

Meeting 2. Draft Exposure Assessment review (virtual)

ESA and MNS will meet with District staff to review the hazard exposure assessment maps and findings to discuss and identify potential thresholds at which adaptation actions are needed to maintain treatment operations.

Meeting 3. Draft Coastal Hazards Monitoring Plan review meeting (virtual)

After providing a draft CHMP to District staff and review is complete, ESA will host a virtual meeting to review the Districts comments, answer questions from District staff, and discuss revisions as needed.

Meeting 4. Final Coastal Hazards Monitoring Plan review and next steps (virtual)

Once a final CHMP is delivered to the District, ESA will host a virtual meeting to review the final findings and discuss next steps for the overall project.

Deliverables:

- Up to four meetings (one in-person, three virtual) including preparation, coordination, and summaries

Assumptions:

- District's Project Manager will coordinate access to assets within the study area as needed.

Task 2: Coastal Hazard Monitoring Plan

ESA will develop a draft and final CHMP in coordination with the District by following the process outlined by the subtasks below.

Task 2.1 SLR Scenarios

ESA will define the planning horizons and SLR scenarios for the District's CHMP following the best available science as well as recently released draft guidance from the State of California. We propose to use SLR scenarios from the newest California Ocean Protection Council's (OPC) State of Californian SLR Guidance (OPC 2024 Draft Update), which applies NOAA 2022 updated SLR scenarios. In addition to existing conditions, ESA anticipates up to three (3) future SLR scenarios will be sufficient to evaluate the District's facilities in the near-, mid- and long-term planning timeframes. ESA will document the scenarios in a brief SLR Scenarios Memorandum that will serve as a section in the CHMP.

Deliverable:

- SLR Scenarios Memorandum

Assumptions:

- Future planning horizons will be 30, 60 and 100 years or similar
- SLR scenarios will be based on the California Ocean Protection Council's (OPC) State of Californian SLR Guidance (OPC 2024 Draft Update), which follows NOAA's 2022 SLR Technical Report projections.

Task 2.2. Coastal Hazards Mapping

ESA will gather available data on coastal flood and erosion hazards with SLR for the extent of the District's coastal assets. Hazards will be assembled for existing conditions and future SLR scenarios determined in Task 2.1. ESA will gather these data as follows:

- *Coastal inundation, flooding and erosion*: ESA will gather tidal inundation, coastal storm flooding, beach and bluff erosion, and groundwater hazard data with SLR from the USGS' Coastal Storm Modeling System (CoSMoS) 3.0. CoSMoS erosion projections include increased erosion rates with SLR.
- *Coastal storm wave runup*: ESA will gather wave runup hazard data from the Santa Barbara County Coastal Resilience data prepared by ESA. This information is useful to supplement CoSMoS hazard mapping in order to identify areas with high velocity wave hazards (similar to FEMA VE zones).

ESA has successfully applied this same method and the above data sets for the City of Santa Barbara SLR Vulnerability Assessment Update and Adaptation Plan. ESA will compile and map the above hazard data in GIS. Hazard maps will be included in the draft and final CHMP in Task 2.7.

Assumption:

— ESA will use available data from CoSMoS 3.0 (USGS) and Santa Barbra Coastal Resilience (ESA).

Task 2.3. Precipitation Changes

ESA will estimate increased precipitation associated with climate change to evaluate the potential associated increases in infiltration and inflow. ESA will use publicly available Global Circulation Model (GCM) outputs for precipitation intensity to select projections that are consistent with the emissions scenarios, dates, and probabilities/risk aversion scenarios associated with the SLR scenarios selected in Task 2.1. ESA will analyze projected precipitation changes for a typical design event to be confirmed with the District (e.g., 10-year 24-hr). Findings will be documented in the draft and final CHMP.

Assumption:

— ESA will analyze precipitation changes for one design event.

Task 2.4. Asset Inventory

ESA will compile an inventory of the District's coastal assets that include manholes, mains, laterals, pump stations, discharge and other important treatment WWTP facilities that could be impacted by coastal hazards. These data will be used to map and quantify exposures from coastal hazards with GIS in Task 2.5. ESA will prepare an asset map for review and confirmation with City staff (e.g. asset layers and aerial image, to aid interpretation of exposure maps developed in Task 2.5). ESA will also request additional information, such as as-builts, for key infrastructure that could be affected by coastal hazards.

Deliverables:

— Asset map in PDF format

Assumptions:

— The District will provide asset data in GIS format.

— ESA will not field verify the asset location data.

Task 2.5. Hazard Exposure Assessment

ESA and MNS will evaluate the level of threat posed to District wastewater facilities by examining the potential exposure of wastewater infrastructure to coastal hazards with SLR and precipitation changes associated with climate change. Using coastal hazard and asset data compiled in GIS, ESA will summarize exposure with PDF maps that show exposed assets using the same approach ESA implemented for the City of Santa Barbara SLR Vulnerability Assessment Update and Adaptation Plan and the Goleta Sanitary District Climate Adaptation Plan. ESA will provide a Hazard Exposure Memorandum with the exposure maps, which will be incorporated into the CHMP (Task 2.6). To inform potential

adaptation strategies developed in Task 2.6, ESA and MNS will also qualitatively describe potential changes to infiltration and inflow associated with increased groundwater levels as well as precipitation changes.

Deliverables:

- A total of 8 exposure maps in PDF format: four sets (timeframes) of two hazard maps (hazard type)
  - Four timeframes: existing conditions and up to three future SLR scenarios;
  - Two hazard categories: (1) groundwater levels, and (2) tides, storm flooding/waves, and erosion
- Hazard Exposure Memorandum documenting exposure maps as well as description of potential issues associated with the hazards analyzed.

Task 2.6. Develop Draft and Revised Coastal Hazard Monitoring Plan

ESA will develop a draft Coastal Hazard Monitoring Plan (CHMP) that includes the above technical analyses and specifically identifies the following elements that will inform the CCAP.

Impact Thresholds: Based on the hazard exposure analysis above, the ESA team will assess the vulnerability of District assets to coastal hazards with SLR and climate change to identify important thresholds of impact to the District. ESA and MNS will assess asset vulnerability using the exposure maps and, if available, record drawings for key critical assets. ESA will meet with the District to review asset exposure maps and discuss potential vulnerabilities to key system components and the system as a whole (see **Meeting 2** Task 1.3). Based on District coordination and professional judgement, ESA and MNS will document specific impact thresholds (i.e. bluff erosion distances/offsets, SLR amounts, depth to groundwater) that may warrant adaptation (i.e. modifications or re-location) of facilities so the District can ensure continued wastewater treatment and protection of human health and the environment.

Monitoring Plan: ESA will develop a coastal hazards monitoring plan that establishes a framework and parameters for monitoring coastal hazards including tidal inundation, elevated groundwater, coastal erosion, and coastal flooding and wave run-up as well as increase precipitation intensity. To align the District's monitoring efforts with the regional efforts, ESA will build on the Regional Coastal Adaptation Monitoring Program (RCAMP) we are currently developing for the Santa Barbara-Ventura County coastline with Beaches Erosion Authority for Clean Oceans and Nourishment (BEACON). The District's Monitoring Plan will identify relevant metrics that may include:

- Long-term beach and bluff shoreline change: the CHMP will consider surveys as well as available data to monitor beach and bluff shoreline change. The CHMP will consider leveraging the USGS' ongoing shoreline profile surveys, which include biannual shoreline transect surveys near Butterfly Beach and Miramar Beach. Monitoring will also consider CoastSat shoreline change information (https://www.wrl.unsw.edu.au/research/coastsat), which provides shoreline change rates based on analysis of satellite imagery for a portion of the shoreline within the District's service area as shown below.

- Storm event documentation: the CHMP will consider surveys before the winter storm season and after major storm events to document storm erosion; cameras to monitor wave runup and storm conditions at locations of potentially vulnerable infrastructure; and documentation of plant flows and operations during storm events. The CHMP will also consider tracking and documenting available tide gage readings from Santa Barbara Harbor, wave buoy readings, precipitation gage measurements, and storm frequency.
- Shallow groundwater rise: the CHMP will consider available and/or additional shallow groundwater wells to monitor and track groundwater levels over time.

Adaptation measures: ESA and MNS will develop a list of potential adaptation measures that could be implemented to protect and/or accommodate the existing wastewater collection and treatment facilities to allow uninterrupted function of wastewater treatment for the District. ESA anticipates the list of adaptation measures will include options to protect and accommodate in the near-term and potentially relocate vulnerable infrastructure in the long-term with higher amounts of SLR. ESA will identify adaptation measures that may include:

- Anchoring or reinforcing underground storage tanks or other below-grade facilities to address the potential effects of rising groundwater levels leading to buoyancy forces on below-grade facilities.
- Armoring and/or floodproofing facilities in flood zones (e.g. lift station): exposure of the beach lift station to wave run-up will likely require fortifying and or floodproofing to protect facilities from the impacts of floodwaters during extreme wave run-up events.
- Collection system I&I management (e.g. manholes, pipes, junctions): the potential for increased I&I to cause excessive influent flows to the WWTP could require the need for installation of an equalization basin at the plant to help regulate peak flows, or modifications to collection system components to reduce I&I.
- Relocation and reconfiguration of collection system in erosion hazard areas: this is potenitally the District's most significant risk and concern. If the beach lift station needs to be relocated, the collection system will need to be modified to allow for wastewater to move from beach front homes uphill to a higher elevation collection system facility. MNS has discussed achieving this though low-pressure collection systems, requiring installation of individual grinder pump stations at each residence. Alternatively, a vacuum collection system could be used to extract wastewater from individual homes, thereby reducing the impact of new pumping infrastructure on private property.

Draft and Revised Report: ESA will document and provide a Draft CHMP to the District for review. The draft shall be provided in Word (.doc) format to facilitate comment and edit tracking, as well as PDF. ESA will provide a revised CHMP in response to District comments received following **Meeting 3** (see Task 1.3). The revised CHMP will be signed by a Professional Engineer registered in the State of California.

Deliverables:

— Draft CHMP and revised CHMP (in MS Word and PDF formats)

Assumptions:

— ESA assumes two weeks for District review of draft report.

— District will provide one set of consolidated comments on the Draft CHMP for ESA to incorporate in the revised CHMP.

Optional Task 2.7. Approved Regional Water Quality Board Coastal Hazards Monitoring Plan Revised Final Report

Revised Final Report: In the event the RWQCB has comments and or additions to the CHMP, ESA will provide a Revised Final CHMP Report to the District. The Revised Final CHMP will address one round of RWQCB comments received following the CHMP submission on May 4. The Revised Final CHMP will be signed by a Professional Engineer registered in the State of California.

Deliverables:

- Revised Final CHMP (in MS Word and PDF formats)

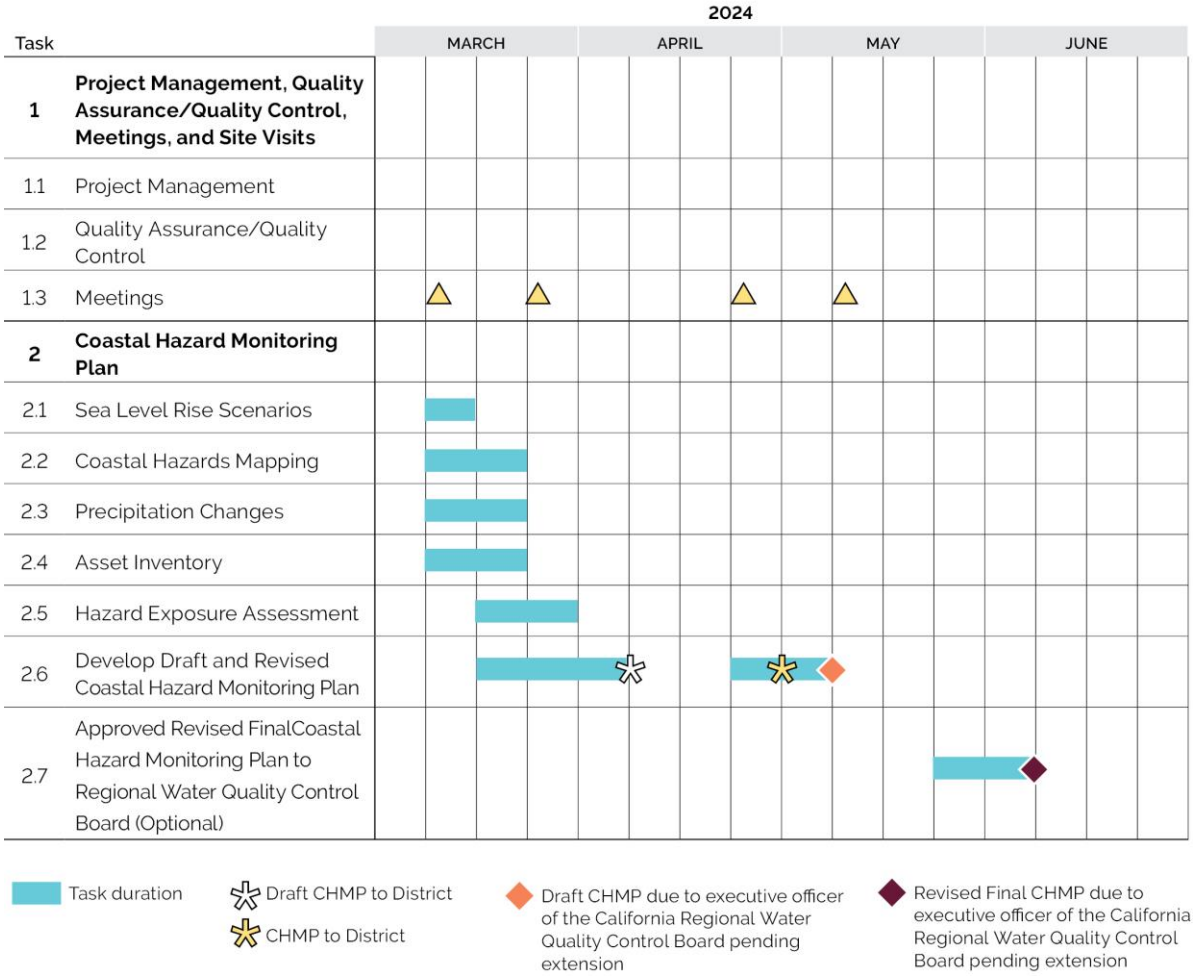
Assumptions:

- RWQCB or the District will provide one set of consolidated comments on the CHMP for ESA to incorporate in the Revised Final CHMP.

Estimated Schedule

ESA understands that the District is required to submit a draft CHMP to the Executive Officer of the Central Coast Water Regional Quality Board by May 4, 2024. We are committed to keeping the project on schedule to meet that deadline. To address schedule maintenance, ESA has provided a schedule graphic (**Figure 2**) that includes technical tasks and subtasks. The proposed schedule is our estimate based on the information available to ESA at the time of this proposal. Please note that this schedule is subject to change and could be affected by elements beyond ESA's control. ESA's Project Manager, Amber Inggs, PE, will continuously track progress to determine if there is any deviation from the planned schedule at any point in the process.

Figure 2. Proposed Project Schedule



Estimated Level of Effort

Attachment B: Cost Summary includes a table listing the personnel involved in the project, anticipated hours, and the cost of each task as well as the anticipated total cost. ESA's rate sheet is also included.

Conflicts

ESA has no conflicts that will affect our ability to perform the scope of services in a timely fashion over the duration of the contract for this project.

QA/QC

All ESA work products are subject to a stringent QA/QC Program consisting of multiple levels of review, each requiring a sign-off from the manager in charge:

1. Independent Technical Peer Review
2. Project Manager Assembly and Review of Work Product
3. Editorial Review of Work Product
4. Project Director Review and Approval

This approach provides for preparation of documents that have received reviews from senior technical leaders for accuracy of content, the overall Project Manager for compliance of task objectives, a technical editor for style and readability, and a Project Director to ensure documents are technically accurate and tailored to meet client needs.

Assumptions and Additional Comments

Task specific assumptions are detailed in the proposed scope of work above. Additional assumptions and notes are explained below.

ESA scope of work includes draft and final draft CHMP that ESA understands the District will submit as a draft to the RWQCB by May 4th, 2024. For additional scope and budget, ESA can assist the District with additional revisions to the CHMP as needed based on RWQCB review.

Also, note that the impact thresholds and list of potential adaptation measures developed in Task 2.6 for the CHMP will provide an initial basis for development of the CHMP. In Phase 2, Life Expectancy Analysis, and Phase 3, Climate Change Adaptation Plan, of the CCAP subsequent to the CHMP, vulnerabilities, impacts, life expectancy, and the adaptation plan will need to be further developed and refined. ESA and MNS can provide additional services in Phase 2 and Phase 3 of the CCAP to support the District to complete the Life Expectancy Analysis and Climate Change Adaptation Plan.

Contract Requirements

ESA accepts the terms of the Professional Services Agreement (PSA) that was included as Attachment B in the RFP. We understand that terms of the PSA are not subject to change.

Best Regards,

Amber Inggs, PE
Project Manager

Nick Garrity, PE
Project Director

Attachments

A. Resumes
B. Cost Summary

Attachment A

Resumes

Amber Inggs, PE

Project Manager

EDUCATION

BSc, Environmental Engineering, University of Central Florida

10 YEARS' EXPERIENCE

CERTIFICATIONS/ REGISTRATION

PE License, Civil Engineering. California BPELSG: CA 89811, 2018

CERPIT Certification. Certified Ecological Restoration Practitioner, Society of Ecological Restoration

PADI Divemaster

Motorboat Operator

PROFESSIONAL AFFILIATIONS

Past-President of LERS, the Large Scale Ecosystem Restoration section of the Society of Ecological Restoration (SER)

MODEL/SOFTWARE EXPERIENCE

AutoCAD, MatLab, GIS

HEC-RAS 1D/2D

SMS and CMS-FLOW/WAVE

XBeach/Wave98

Amber Inggs is a professional civil and coastal engineer and Santa Barbara County resident with over 10 years of experience focusing on coastal adaptation, flood management, and ecological restoration. Her expertise in hydrology and hydraulics includes the analyses and modeling of coastal flooding and erosion, waves, lagoons, tidal inlets, fluvial channels, and watersheds, as well as developing site-wide coastal hydrodynamic models. Experienced in resiliency, her skill encompasses assessing SLR, flood hazard risks, and addressing coastal flooding and erosion, including shoreline mapping and wave and run-up studies. Amber, together with her team, applies the results from analyses to design and draft engineering plans through to project completion. Amber is also a lead in field data collection and monitoring efforts.

Relevant Experience

City of Santa Barbara, Wastewater and Water Systems Climate Adaptation Plan, Santa Barbara, CA. *ESA Project Manager.* The City's wastewater and water systems are threatened by SLR and climate change. Building upon the City of SB SLR AP, the project is evaluating vulnerabilities and adaptation options to the sewer collection system, El Estero Resources Center, the potable water system, and the recycled water system. As a subconsultant to Water Systems Consulting, Inc, ESA is assisting the City with hazards analyses and characterization and adaptation plans.

Goleta Sanitary District, Climate Adaptation Plan, Goleta, CA. *Civil Engineer.* The Goleta Sanitary District is conducting a study to examine the District's vulnerabilities to sea level rise and identify potential adaptation measures to reduce vulnerabilities. To assess vulnerability, ESA compiled available regional datasets on coastal hazards as well as updated its Quantified Conceptual Model of lagoon flooding for Goleta Slough. ESA then assessed the exposure of the District's and other wastewater assets around Goleta Slough. Several adaptation measures were identified and described to increase the resilience of the District to sea level rise, while three specific measures were examined in detail including conceptual cost estimates. Amber developed adaptation and river restoration measures for the District.

City of Santa Barbara, City of Santa Barbara SLR Adaptation Plan for the LCP Update, Santa Barbara, CA. *Coastal Engineer.* ESA assisted the City of Santa Barbara to address SLR in their Local Coastal Program update. This included updating the existing SLR Vulnerability Assessment and developing an SLR Adaptation Plan. Amber helped with the development of the adaptation plan.

Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) Regional Coastal Adaptation Monitoring Program (RCAMP), Santa Barbara, CA. *Project Manager.* BEACON and the City of Santa Barbara, working cooperatively, are developing a RCAMP to support coordinated regional monitoring in the Santa Barbara littoral cell and local adaptation planning and decision-making. ESA is leading the RCAMP development, which includes identifying, evaluating, and recommending regional monitoring needs

and methods. This project involves a board range of interested stakeholders, agency representatives, technical reviewers, and members of the public. Once the draft RCAMP is complete, ESA will perform pilot monitoring studies to test and refine the RCAMP.

City of Santa Barbara, Santa Barbara Airport Sea Level Rise Adaptation Plan, Santa Barbara, CA. *Project Manager.* The Santa Barbara Airport has experienced flooding and damage during major rain events for several decades. Its coastal location, proximity to flood-prone Goleta Slough, and the threat of SLR creates the immediate need for adaptation planning to protect its assets. ESA is assisting the City and Airport with preparing a vulnerability assessment and adaptation plan, community engagement, and Local Coastal Program (LCP) update for the Airport Segment of the City of Santa Barbara's Coastal Zone.

The Nature Conservancy, Coastal Adaptation Vision at Naval Base Ventura County (NBVC) Point Mugu, Ventura County, CA. *Hydrologist.* The Nature Conservancy and partners in California require engineering and geomorphology guidance to adapt to coastal hazards. The potential sites (partners) are (1) vicinity of Mugu Naval Base (US Navy and Caltrans) and (2) Elkhorn Slough (Caltrans). In addition, TNC is interested in developing design guidelines for coastal adaptation that includes nature-based approaches such as landward redevelopment. ESA is working for TNC to provide engineering and geomorphology services in support of these initiatives. This work is related to, and builds upon prior partnering between ESA and TNC in Ventura and Monterey Bay, as well as pending grant applications for design guidelines and multi-criteria decision analysis. Amber performed a coastal hazard vulnerability analysis for the Naval Base Ventura County and developed strategies for shoreline adaptation on the Pacific coast portion of the Base.

City of Ventura/BEACON, Surfers Point Shoreline Restoration, Ventura, CA. *Coastal Engineer/Project Manager.* ESA assisted the City of Ventura to design and implement a managed shoreline retreat and coastal trail project at Surfers Point. ESA led the shore restoration components, including recommending appropriate infrastructure setback distances that consider flooding, erosion, and SLR, and prepared the construction documents. ESA assisted the City to place buried cobble and grade sand dunes, which were seeded using a volunteer-based approach led by Surfrider Foundation. Amber assisted the City with design and construction, and has conducted monitoring per condition of the Coastal Development Permit. This project received the 2012 American Society of Engineers Region 9 Outstanding Bikeways & Trails Project Award.

San Francisco Public Utilities Commission, Coastal Processes Study for the Ocean Beach Climate Change Adaptation Project, San Francisco, CA. *Coastal Engineer.* ESA is supporting the City and County of San Francisco with a range of environmental review and permitting services for the proposed project. The project includes infrastructure planning and SLR adaptation elements, including construction of a low-profile seawall and a long-term beach nourishment program. As a focused technical analysis for the EIR, ESA's coastal team conducted a modeling study to assess the potential effects of the proposed project on coastal resources, including bluff erosion and changes to the morphology of the surf zone. Amber assisted the team apply a numerical wave model using the USACE's Coastal Modeling System, which was used to inform the effects of coastal erosion and changes in morphology.

Caltrans, Coastal Hazards Assessment for the Ventura Overhead Bridge Replacement Project at Emma Wood, Ventura County, CA. *Coastal Engineer.* ESA assisted Caltrans to evaluate alternatives for replacing the Ventura Overhead Bridge by performing a coastal condition analysis to estimate the extreme landward wave runup extents and extreme runup elevations. Amber was involved in data collection and performing wave runup analyses to inform design. Amber also performed a hazard analysis and developed mapping for the site considering SLR and maximum wave runup extent and heights.

Nicholas J. Garrity, PE

Project Director

EDUCATION

MS, Civil and Environmental Engineering, University of California at Berkeley

BS, Geology–Physics/Mathematics, Brown University

20 YEARS' EXPERIENCE

CERTIFICATIONS/ REGISTRATION

Civil Engineer, State of California, C72603

Nick Garrity is a licensed professional civil engineer specializing in coastal engineering and has more than 20 years of experience working with coastal, estuarine, and river systems. He has developed and continually innovates his approaches to the evaluation of coastal flood and erosion risks. His technical experience includes hydrodynamic modeling, flood hazard studies, coastal adaptation and restoration planning and design, geomorphic assessments, environmental impact and vulnerability assessments, and monitoring. Nick's work focuses on incorporating SLR adaptation into project planning and design. He also specializes in navigating and communicating complex technical analyses and planning processes in coordination with diverse stakeholder groups, including the public and regulatory agencies.

Relevant Experience

Goleta Sanitary District, Climate Adaptation Plan, Goleta, CA. *Project Director.* ESA completed this plan for the Goleta Sanitary District to examine the District's vulnerabilities to SLR and identify potential adaptation measures. Several nature-based, traditional, and hybrid adaptation measures were identified and described to increase the resilience of the District to SLR, while three specific measures were examined in detail including conceptual cost estimates.

City of Santa Barbara, Wastewater and Water Systems Climate Adaptation Plan, Santa Barbara, CA. *ESA Project Director.* The City's wastewater and water systems are threatened by SLR and climate change. Building upon the City of SB SLR AP, the project aims to evaluate vulnerabilities and adaptation options to the sewer collection system, El Estero Resources Center, the potable water system, and the recycled water system. As a subconsultant to Water Systems Consulting, Inc, ESA is assisting the City with hazards analyses and characterization and adaptation plans.

City of Santa Barbara, City of Santa Barbara Sea Level Rise Adaptation Plan for the Local Coastal Program Update, Santa Barbara, CA. *Project Director.* ESA assisted the City of Santa Barbara to address SLR in their Local Coastal Program update. ESA completed a vulnerability analysis, which updated previous efforts with more recent assessments of the City's assets and infrastructure. This project built on prior (2015) ESA work for the County of Santa Barbara, which included both a countywide coastal flooding and erosion mapping effort and a more detailed analysis specifically for the City of Santa Barbara. ESA worked with the City to develop criteria for evaluating adaptation strategies (including non-economic criteria) and identified the monetary costs of SLR, coastal erosion, and flooding, and the benefits conveyed via the adaptation scenarios.

Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) Regional Coastal Adaptation Monitoring Program (RCAMP), Santa Barbara, CA. *Project Director.* BEACON and the City of Santa Barbara, working cooperatively, are developing a RCAMP to support coordinated regional monitoring in the Santa Barbara littoral cell and local adaptation planning and decision-making. ESA is leading the RCAMP development, which

includes identifying, evaluating, and recommending regional monitoring needs and methods. This project involves a board range of interested stakeholders, agency representatives, technical reviewers, and members of the public. Once the draft RCAMP is complete, ESA will perform pilot monitoring studies to test and refine the RCAMP.

City of Santa Barbara, Santa Barbara Airport Sea Level Rise Adaptation Plan, Santa Barbara, CA. *Project Director.* The Santa Barbara Airport has experienced flooding and damage during major rain events for several decades. Its coastal location, proximity to flood-prone Goleta Slough, and the threat of SLR creates the immediate need for adaptation planning to protect its assets. ESA is assisting the City and Airport with preparing a vulnerability assessment and adaptation plan, community engagement, and LCP update for the Airport Segment of the city's coastal zone.

San Diego Unified Port District, Bayside Park Emergency Shoreline Stabilization, San Diego, CA. *Project Manager.* ESA developed the design for the emergency shoreline stabilization at Bayside Park to restore the public beach and protect the park from coastal erosion. ESA's design utilized a nature-based approach by setting back the beach and placing a rounded river cobble berm and sand to dissipate wave energy and erosion. This approach allowed the project to meet public access objectives and permit requirements. ESA performed a topographic beach survey of the eroded beach and developed design plans and quantity estimates for construction within two weeks to meet the schedule for the emergency stabilization. ESA coordinated with Port engineers to assist throughout the construction bidding process and selection of cobble and sand materials for construction. The shoreline stabilization project was successfully implemented within a one-month timeframe and has performed well since.

City of Ventura, Ventura Water Pure Project Sea Level Rise Analysis, Ventura, CA. *Task Director.* This indirect potable reuse project proposes to beneficially reuse highly treated effluent that is currently being discharged to the Santa Clara River. Nick oversaw the SLR Analysis for the project, which analyzed the potential long-term vulnerability of the proposed treatment plan, pipelines, and outfall and identified adaptation strategies to reduce these vulnerabilities. ESA worked with the City's water/wastewater engineer, prepared a study report, and responded to comments from the Coastal Commission on the report.

City of Manhattan Beach, Manhattan Beach Climate Resiliency Program, Manhattan Beach, CA. *Project Director.* Nick oversaw the development of a climate action and adaptation plan, SLR vulnerability assessment and adaptation plan, and an LCP update for the City. The project is intended to inform the update to the City's safety element and local hazard mitigation plan. In addition to directing the overall project, Nick provided technical oversight for preparation of the SLR vulnerability assessment and adaptation plan and the public outreach presentations.

Caltrans, Coastal Hazards Assessment for the Ventura Overhead Bridge Replacement Project at Emma Wood, Ventura County, CA. *Project Director.* ESA is assisting Caltrans to evaluate alternatives for replacing the Ventura Overhead Bridge by performing coastal condition analysis to estimate the extreme landward wave runup extents and extreme runup elevations. Nick is responsible for coordinating and overseeing the coastal hazards assessment and managing the work for the team with ESA's prime and Caltrans.

City of Oceanside, Comprehensive Update of the Land Use Plan of the City of Oceanside Local Coastal Program, Oceanside, CA. *Project Director.* ESA is assisting the City of Oceanside in preparing an update to the Local Coastal Program to address SLR, storm-surge, and coastal flooding. ESA analyzed the potential impacts of SLR and coastal flooding and supported the City in creating polices and regulations to manage the City's coastline and to protect public health and safety. Nick oversaw the development of the Vulnerability Assessment and the Adaptation Plan, and the public outreach associated with the reports. The Adaptation Plan included an economic analysis of the potential impacts due to SLR and the costs of adaptation.

James Jackson, PE

Coastal Engineer

EDUCATION

MS, Environmental Engineering, University of California, Berkeley

BS, Civil and Environmental Engineering, University of California, Berkeley

11 YEARS' EXPERIENCE

CERTIFICATIONS/ REGISTRATION

Professional Engineer, State of California, #C84033

PROFESSIONAL AFFILIATIONS

American Society of Civil Engineers

American Shore and Beach Preservation Association

James Jackson is a civil and coastal engineer with a background in hydraulics, hydrology, coastal and fluvial geomorphology, and engineering design. He has more than 11 years of experience in coastal hazard modeling and vulnerability assessments, shoreline management and restoration, and climate change/SLR adaptation analysis and design. James has modeled coastal hazards all along California's coast, including Santa Barbara, Ventura, Los Angeles, and Monterey counties, giving him an exceptional technical foundation and grasp of SLR vulnerability to develop informed adaptation planning. For this project, James will lead the coastal hazard assessment and CHMP development by building on the approach we developed with MNS for the Goleta Sanitary District's Climate Adaptation Plan.

Relevant Experience

Goleta Sanitary District, Climate Adaptation Plan, Goleta, CA. *Project Manager.* The Goleta Sanitary District is conducting a study to examine the District's vulnerabilities to SLR and identify potential adaptation measures to reduce vulnerabilities. To assess vulnerability, ESA compiled available regional datasets on coastal hazards as well as updated its Quantified Conceptual Model of lagoon flooding for Goleta Slough. ESA then assessed the exposure of the District's and other wastewater assets around Goleta Slough. Several adaptation measures were identified and described to increase the resilience of the District to SLR, while three specific measures were examined in detail including conceptual cost estimates. James managed the project, led the vulnerability assessment and developed adaptation measures for the District.

City of Santa Barbara, Wastewater and Water Systems Climate Adaptation Plan, Santa Barbara, CA. *Coastal Engineer.* The City's wastewater and water systems are threatened by SLR and climate change. Building upon the City of SB SLR AP, the project is evaluating vulnerabilities and adaptation options to the sewer collection system, El Estero Resources Center, the potable water system, and the recycled water system. As a subconsultant to Water Systems Consulting, Inc, ESA is assisting the City with hazards analyses and characterization and adaptation plans.

City of Santa Barbara, City of Santa Barbara SLR Adaptation Plan for the LCP Update, Santa Barbara, CA. *Coastal Engineer.* ESA assisted the City of Santa Barbara to address SLR in their Local Coastal Program update. This included updating the existing SLR Vulnerability Assessment and developing an SLR Adaptation Plan. James helped with the development of the adaptation plan.

West Basin Municipal Water District, West Basin MWD Ocean Desalination Draft EIR, El Segundo CA. *Coastal Engineer.* ESA prepared an EIR and supplemental studies for a proposed ocean water desalination project on the shore of Santa Monica Bay. As part of the supplemental study of site-specific coastal hazards, James analyzed coastal hydrology and geomorphology, and conducted detailed wave run-up modeling for existing and

future conditions with sea-level rise, which was used by the design team to locate facilities and describe future adaptation.

City of Manhattan Beach, Manhattan Beach Coastal Resiliency Program, Manhattan Beach, CA. *Coastal Engineer.* ESA prepared a climate action and adaptation plan, SLR vulnerability assessment and adaptation plan, and a Local Coastal Program update for the City of Manhattan Beach. The project is intended to inform the update to the City's safety element and local hazard mitigation plan. James supported the climate adaptation and SLR tasks. He developed beach nourishment and adaptation solutions and supported the development of the LCP.

Carmel Area Wastewater District, SLR Vulnerability and Climate Change Impacts and Alternatives Study Phase 1, Carmel, CA. *Coastal Engineer.* ESA worked with CAWD on a study to evaluate potential impacts of sea-level rise and climate change on their wastewater treatment plant, located in a low-lying area adjacent to Carmel River Lagoon. ESA's work included developing a hydrologic model of the lagoon to assess existing and future water levels with sea-level rise and under various geomorphic conditions.

City of Malibu, Coastal Vulnerability Assessment, Malibu, CA. *Project Director.* Nick is directing the preparation of a Coastal Vulnerability Assessment and developing adaptation strategies to address SLR, storm surge, and coastal flooding in the city of Malibu. ESA is analyzing the potential impacts of SLR and coastal flooding, and supporting the City in developing adaptation measures to manage Malibu's coastline and protect public health and safety.

City of Ventura, Water Supply Projects and Indirect Potable Reuse Program EIR, Ventura, CA. *Coastal Engineer.* Ventura is proposing to divert discharges from the Santa Clara River Estuary (SCRE) and beneficially reuse the treated effluent to support an Indirect Potable Reuse Project. The project will provide multiple benefits, including providing a new water supply to help meet the City's dry-year potable water demands and reducing wastewater discharges into the SCRE. ESA assisted in evaluating the impacts of the reduced discharge into the estuary. The EIR analyzed the construction of a new advanced water treatment facility, pipelines and pump stations, injection wells, and a concentrate disposal pipeline, including a new ocean outfall. James led the SLR Analysis for the *VenturaWaterPure* recycled water project. The analysis (conducted to satisfy the Coastal Development Permit) examined coastal vulnerabilities for the project areas and elements using existing hazard mapping data supplemented with site specific analyses of coastal erosion and storm wave runup. Adaptation measures were then developed to reduce the identified vulnerabilities.

City of Oceanside, Loma Alta Slough Wetlands Enhancement Project, Oceanside, CA. *Civil Engineer*. Funded by the State Coastal Conservancy, the City of Oceanside has hired ESA to provide planning, design, permitting, and environmental review for the restoration of wetland habitat in the Loma Alta Slough. ESA performed technical studies including hydrodynamics, biology, cultural resources, and sediment and water quality, and preparing three restoration designs. ESA is also coordinating work with a Technical Advisory Committee made up of agency staff, City staff, and technical experts and leading public engagement through a series of public workshops. James is leading preparation of the engineering design documents for the project.

San Diego Unified Port District, Pond 20 Mitigation Banking, Imperial Beach, CA. *Civil Engineer.* ESA is assisting the Great Ecology team in designing a salt marsh restoration for the Pond 20 salt pond in South San Diego Bay. ESA has conducted a topographic survey, prepared an existing conditions drainage and flooding analysis, provided design guidelines for target salt marsh habitat elevations and tidal channel sizing, completed hydraulic modeling that includes a bridge scour analysis, prepared 30% and 60%-complete design drawings and Basis of Design Report. James led preparation of the restoration design drawings and quantity estimates for the project.

Louis White, PE

Coastal Engineer

EDUCATION

M.S., Ocean Engineering, College of Marine and Earth Studies, University of Delaware

B.S., Environmental Resources Engineering, Humboldt State University

17 YEARS' EXPERIENCE

CERTIFICATIONS/ REGISTRATION

Civil Engineer, State of California, C76509

PROFESSIONAL AFFILIATIONS

American Shore & Beach Preservation Association

Surfrider Foundation

PUBLICATIONS

Huq, P., Carrillo, A., White, L.A., Redondo, J., Dharmavaram, S., and Hanna, S.R., 2007, "The Shear Layer Above and in Urban Canopies," Journal of Applied Meteorology and Climatology, 46(3), pp. 368-376.

Louis White is a civil and coastal engineer with over 17 years of experience in planning and design of coastal management, restoration, and SLR adaptation projects. He applies strong project management and technical skills to complex, multi-objective projects, and has been instrumental in the success of several major climate change adaptation projects. He has direct experience preparing SLR vulnerability and adaptation assessments for local agencies and special districts, including at wastewater facilities in Eureka, San Francisco, Oceano, and El Segundo, California, where the work complied with state guidance and was used for permitting. By combining a technical base in coastal hydrology and engineering with an understanding of the regulatory and environmental processes, Louis helps clients navigate projects through key stages of planning, permitting, design, and implementation.

Relevant Experience

Union Sanitary District, Sea-Level Rise Vulnerability and Adaptation Plan Study, Alameda County, CA. *Project Manager*. ESA is working with the Union Sanitary District to prepare a Sea Level Rise Vulnerability Assessment and Adaptation Plan Study. The Study will evaluate potential impacts of sea level rise to their wastewater treatment infrastructure, located in low-lying areas along the San Francisco Bay waterfront between Fremont and Union City. Potential future sea level rise hazards to the District's infrastructure include elevated bay and groundwater levels, increased wave energy, saltwater inundation, and shoreline erosion, among others. Louis is managing the project team to develop short- and long-term adaptation strategies and to prepare adaptation recommendations that the District may use to implement in future planning efforts.

South San Luis Obispo County Sanitation District, Sea Level Rise Analysis for Wastewater Treatment Facility Redundancy Project, Oceano, CA. *Project Manager*. Louis managed ESA's SLR analysis that was included in a CDP application to the California Coastal Commission for a WWTF Redundancy Project and assisted the SSLOCSD with preparation for the CCC hearing. The CDP was approved at the commission hearing in May 2017.

West Basin Municipal Water District, Coastal Hazards Analysis for Ocean Water Desalination Project, El Segundo, CA. *Project Engineer*. ESA prepared an EIR and supplemental studies for a proposed ocean water desalination project on the shore of Santa Monica Bay. Louis led the preparation of a site-specific coastal hazards analysis, and a supplemental study that included assessment of extreme wave runup extents for existing and future conditions with SLR. The coastal hazards analysis approach used a response-based model of annual maximum coincident wave and water level conditions at the site to estimate future conditions. ESA assessed short- and long-term erosion and shore change, as well as computation of the tsunami hazards for existing and future

conditions with SLR using methods that comply with ASCE 7 guidelines. Louis led the technical work and presented the findings to the District and project designers.

Carmel Area Wastewater District, SLR Vulnerability and Climate Change Impacts and Alternatives Study Phase 1, Carmel, CA. *Project Manager.* ESA worked with CAWD on a study to evaluate potential impacts of sea-level rise and climate change on their wastewater treatment plant, located in a low-lying area adjacent to Carmel River Lagoon. ESA's work included developing a hydrologic model of the lagoon to assess existing and future water levels with sea-level rise and under various geomorphic conditions. Louis oversaw the technical work and preparation of reporting.

San Francisco Public Utilities Commission, Ocean Beach Climate Change Adaptation Project, San Francisco, CA. *Project Engineer*. Over the past 10 years, ESA has supported the San Francisco Public Utilities Commission (SFPUC) and City and County of San Francisco (City) with a range of engineering, environmental review, permitting, and monitoring services as part of the Ocean Beach Climate Change Adaptation Project. The project aims to address vulnerabilities to critical wastewater infrastructure while improving recreational and ecological objectives by progressing concepts developed during the earlier Ocean Beach Master Plan. As part of the long-term project, which is currently in the design phase, Louis led a coastal processes technical study to assess potential impacts of the project on sand bars offshore of the project site and to adjacent bluffs. Louis continues to support the SFPUC on permitting, monitoring, and other technical matters for the project.

City of Eureka and GHD, Elk River Wastewater Treatment Plant Enclosed Bays and Estuaries Compliance Feasibility Study, Eureka, CA. *Project Engineer*. ESA prepared a climate change readiness study, which assessed the vulnerability of the Elk River wastewater system to existing and future coastal hazards. ESA conducted a high-level intersection analysis of collection system assets under future tidal and coastal flood conditions; followed by a threshold analysis of treatment plant assets to determine when different assets may be exposed to future permanent or temporary flooding. The study was required by the Regional Water Quality Control Board as part of updates to compliance with the NPDES permits. Louis managed the technical work and oversaw the preparation of reporting and communications.

City of Santa Barbara, Wastewater and Water Systems Climate Adaptation Plan, Santa Barbara, CA. *Senior Technical Support.* The City's wastewater and water systems are threatened by SLR and climate change. Building upon the City of SB SLR AP, the project is evaluating vulnerabilities and adaptation options to the sewer collection system, El Estero Resources Center, the potable water system, and the recycled water system. As a subconsultant to Water Systems Consulting, Inc, ESA is assisting the City with hazards analyses and characterization and adaptation plans.

City of Santa Barbara, City of Santa Barbara SLR Adaptation Plan for the LCP Update, Santa Barbara, CA. *Coastal Engineer.* ESA assisted the City of Santa Barbara to address SLR in their Local Coastal Program update. This included updating the existing SLR Vulnerability Assessment and developing an SLR Adaptation Plan. Louis helped with the development of the adaptation plan.

Nick Panofsky, PE, QSD

Wastewater and Facilities Engineering Lead

Firm
- MNS Engineers, Inc.

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

Years of Experience
- 17

Licensing
- Professional Civil Engineer, CA No. 75006

Certification
- Qualified SWPPP Developer, CA No. 75006

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

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

Awards
- 2018 California Central Coast APWA Young Professional of the Year

Nick has over 17 years of professional consulting experience in the water resources industry. Nick has advanced his expertise through a variety of municipal infrastructure design projects including potable water, recycled water, wastewater, and stormwater. He has been involved in every stage of the design process, including planning, analysis, design, construction management, and operational assistance. He actively manages projects to meet or exceed client expectations while also achieving technical and financial goals. His experience includes:

Preparation of a Climate Adaptation Plan, Goleta Sanitary District, CA. *Civil Lead.* As a subconsultant to ESA, MNS supported preparation of a climate adaptation plan. Work included impact analysis of sea level rise and other impacts to district facilities, and conceptual design of mitigation measures to address potential impacts.

US 101 Sewer Main Crossing, Montecito Sanitary District, CA. *QA/QC Manager.* The District's collection system includes a 12-inch diameter VCP sewer main which crosses US 101 north to south from North Jameson Lane to Posilipo Road, terminating at the Posilipo lift station. The 12-inch VCP gravity sewer main conveys all wastewater collected from the eastern portion of the District. Planned construction for the US 101 High Occupancy Vehicle Lanes project requires the relocation of the existing sewer pipe. MNS designed a new replacement pipeline across US 101 to be installed within a casing pipe installed by auger boring.

On-Call Engineering and Support Services, Montecito Sanitary District, CA. *Principal Engineer.* MNS provides as-needed engineering, land surveying, and construction management support to the District. The civil engineering scope covers a range of services that may include: review of plans, specifications, and cost estimates; review of environmental, geotechnical, or other engineering reports; contractor bid analysis; review scopes of work for district projects; permitting support; environmental/CEQA consultation; review of district standards; drafting support (civil 3D); project feasibility/alternative evaluations; site visits; grant applications; meetings with district staff and other project stakeholders; and discussions (virtual meetings or calls) with district staff to provide general consultation. Land surveying services may include surveys, map books, and other survey-related documents; discussions with District Staff regarding approaches to survey needs; and cost estimates. Construction management services may

include developing responses to contractor RFIs; reviewing contractor submittals; and constructability reviews.

Engineering Services for GIS Data Management, Goleta West Sanitary District, CA. *Project Manager.* Responsibilities include updating and maintaining the City's Sanitary District Geographic Information Systems (GIS) database, correcting known inaccuracies, and adding new developments based on CAD files. The project included the creation of an atlas map book and large format wall map for the District.

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

Inflow and Infiltration Master Plan, Ojai Valley Sanitary District, CA. *Lead Engineer.* As a result of an aging and deteriorated collection system, the District experiences high peak wastewater flow rates during wet weather. Responsibilities included researching, documenting, writing and completing a master plan to evaluate the inflow and infiltration (I&I) issues within the District's service area. The end product documented the areas experiencing the highest levels of I&I within the service area, as well as developed anticipated construction costs to mitigate these issues.

Traffic Way Sewer Main Replacements, City of Atascadero, CA. *Project Manager.* The project included replacement of two sections of existing sewer main including approximately 1,400 feet of 8-inch polyvinyl chloride (PVC) pipeline, upgraded to 15-inch PVC from San Jacinto Avenue to Lift Station No. 6, and approximately 2,500 feet of 10-inch VCP pipeline, upgraded to 15-inch PVC, and 1,500 feet of 12-inch PVC pipeline upgraded to 18- and 21-inch PVC. The project included modifications to Lift Station No. 6, and other miscellaneous repairs.

Santa Ana Bridge Force Main Realignment, Ojai Valley Sanitary District, CA. *Project Manager.* This project was initiated as a result of the County of Ventura Public Works Agency planning to replace the bridge crossing the Ventura River at Santa Ana Boulevard. As part of the bridge replacement, the wastewater force main was replaced. A new steel casing was designed to be incorporated into the bridge construction documents. Approximately 1,400 linear feet of 14-inch HDPE DR 17 IPS force main was installed concurrently with bridge construction including approximately 400 linear feet within the box girders of the new bridge.

Engineering for Lift Stations 1, 2, and 30 Rehabilitation, City of Oxnard, CA. *QA/QC Engineer*. As part of the City's effort to ensure the reliability of its wastewater collection system, the City desired to implement improvements at Lift Stations 1, 2, and 30. MNS prepared complete contract documents suitable for public bid for rehabilitation of the three lift stations.

Lake Casitas Recreational Area Sewer Implementation Plan, Casitas Municipal Water District, CA. *Project Manager.* As part of the Lake Casitas Recreational Area (LCRA) operations, sewage is generated from the camping area restrooms, administrative buildings, shower buildings, recreational vehicle holding tanks, on-site stores, and a restaurant. Since they are not connected to a common collection system, the sewage is collected by a 3,500-gallon pumper truck from storage pits at various sites throughout the recreational area. This project developed a clear plan for implementation of a wastewater collection and transmission scheme through preparation of a LCRA Sewer Implementation Plan. Key elements included summary and development of existing wastewater generation sources and quantities; summary of previous studies; conceptual design of proposed infrastructure; implementation phasing; Ojai Valley Sanitary District connection alternatives; analysis of electrical requirements; phased implementation construction budgets; funding opportunities; and permitting requirements.

Attachment B

Cost Summary

ESA Labor Detail and Expense Summary

	Employee Names	N. Garrity	L. White	J. Jackson	A. Inggs	A. Roberts		
	Labor Category	**Principal Consultant 3**	**Managing Consultant 4**	**Senior Consultant 5**	**Senior Consultant 4**	**Consultant 6**	**Total Hours**	**Labor Price**
Task #	**Task Name/Description**	**$265**	**$256**	**$233**	**$212**	**$169**		
1	**Project Management, Quality Assurance/Quality Control, Meetings, and Site Visits**						-	$ -
1.1	Project Management	4		8	16		28.00	$ 6,316
1.2	Quality Assurance/Quality Control		2	4			6.00	$ 1,444
1.3	Meetings	4		4	12		20.00	$ 4,536
2	**Coastal Hazard Monitoring Plan**						-	$ -
2.1	Sea Level Rise Scenarios	2		2	4	8	16.00	$ 3,196
2.2	Coastal Hazards Mapping	2		6	4	24	36.00	$ 6,832
2.3	Precipitation Changes	2			8	8	18.00	$ 3,578
2.4	Asset Inventory	2		2	4	10	18.00	$ 3,534
2.5	Hazard Exposure Assessment	2		4	8	18	32.00	$ 6,200
2.6	Develop Draft and Final Coastal Hazard Monitoring Plan	4	2	4	18	18	46.00	$ 9,362
2.7	**The Regional Water Control Board Approved CHMP**	2	1	4	8	8	23.00	$ 4,766
							-	$ -
							-	$ -
							-	$ -
							-	$ -
							-	$ -
Total Hours		24	5	38	82	94	**243**	
Total Labor Costs		**$ 6,360**	**$ 1,280**	**$ 8,854**	**$ 17,384**	**$ 15,886**		**$ 49,764**

PROJECT COST ESTIMATE SUMMARY TABLE

ESA Labor Cost		**$**	**49,764**
**ESA Labor Technology and Data Management Fee ----------> **	**3%**	**$**	**1,493**
ESA Non-Labor Expenses			
Reimbursable Expenses		$	-
ESA Equipment Usage		$	-
Subtotal ESA Non-Labor Expenses		**$**	**-**
Subconsultant Costs (see Attachment A for detail)		**$**	**5,750**
PROJECT TOTAL		**$**	**57,007**

Montecito Sanitary District
1042 Monte Cristo Lane
Santa Barbara, CA 93108
A Public Service Agency
Phone: (805) 969-4200
www.montsan.org

MONTECITO SANITARY DISTRICT

STAFF REPORT – 5C

DATE: March 14, 2024

TO: BOARD OF DIRECTORS

FROM: John Weigold, General Manager

SUBJECT: Discussion on Frequency of Regular Board Meetings

RECOMMENDATION:

It is recommended the Board:

i) Discuss the frequency of regularly held Board Meetings; and
ii) Take any such additional, related action that may be desirable.

DISCUSSION:

At the December 14, 2023 Regular Board Meeting District organizational decisions were made. Included in those decisions was to hold Regular Board Meetings on the 2nd and 4th Thursday of each month at 12:00pm. It requires an action of the Board to change the standing day and time of regular meetings to make a change, if desired.

Attachments: None

Montecito Sanitary District
1042 Monte Cristo Lane
Santa Barbara, CA 93108
A Public Service Agency
Phone: (805) 969-4200
www.montsan.org

MONTECITO SANITARY DISTRICT

STAFF REPORT – 5D

DATE: March 14, 2024

TO: Board of Directors

FROM: John Weigold, General Manager

SUBJECT: Discussion on Grants

RECOMMENDATION

It is recommended that the Board:

i) Discuss and consider District policy in pursuing grants; and
ii) Take any such additional, related action that may be desirable.

DISCUSSION

Staff regularly monitors the municipal environment for available grant funding for all that it does. This is accomplished through attendance and networking at local and statewide industry conferences and events, training classes, monitoring of industry emails, magazines and newsletters and regular interaction with staff, colleagues at other agencies, engineers, consultants and vendors.

The current environment has not been advantageous for sanitary and wastewater treatment operations. Most available national and state grant opportunities favor water, water recycling and parks and recreation entities. Of these opportunities, there is normally emphasis, or outright requirements that grantees be located in disadvantaged communities. Typical project funding requirements also require at least a 30% design prior to grant funding consideration, so timing for project execution can be an issue for grant applications.

District staff will continue to monitor all available grant opportunities on behalf of the District.

ATTACHMENTS

None.

Montecito Sanitary District
1042 Monte Cristo Lane
Santa Barbara, CA 93108
A Public Service Agency
Phone: (805) 969-4200
www.montsan.org

MONTECITO SANITARY DISTRICT

STAFF REPORT – 5E

DATE: March 14, 2024

TO: Board of Directors

FROM: John Weigold, General Manager

SUBJECT: Discussion on Sewer Main Extensions and Financing

RECOMMENDATION

It is recommended the Board:

i) Discuss its strategy towards addressing sewer main extension projects; and
ii) Take any such additional, related action that may be desirable.

At the June 8, 2023 Regular Board Meeting the Board considered creating a District Septic-to-Sewer Strategic Plan. Additionally, the District has included the development of a District Sewer Master Plan in its FY2023-2024 budget.

For financing of sewer extension projects, the District passed Ordinance No. 19 on September 23, 2021. However, staff recommends that the Board consider rescinding Ordinance No. 19 in the future and consider creating assessment districts for each project.

An Assessment District is a financing mechanism under The California Streets and Highways Code, Division 10 and 12 which enables cities, counties and special districts organized for the purpose of aiding in the development or improvement to, or within the district, to designate specific areas as Assessment Districts, with the approval of a majority of the landowners based on financial obligations, and allows these Districts to collect special assessments to finance the improvements constructed or acquired by the District. Assessment Districts help each property owner pay a fair share of the costs of such improvements over a period of years at reasonable interest rates and ensures that the cost will be spread to all properties that receive direct and special benefit by the improvements constructed.

ATTACHMENTS: None

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MONTECITO SANITARY DISTRICT

STAFF REPORT – 5F

DATE: March 14, 2024

TO: Board of Directors

FROM: John Weigold, General Manager

SUBJECT: Discussion on District Audit Process

RECOMMENDATION

It is recommended that the Board:

i) Receive a presentation on the District financial audit process; and
ii) Taking such additional, related action that may be desirable.

ANALYSIS

The District has minimum audit requirements as laid out in Title 2, Section 1131.2 of the Barclays California Code of Regulations. Those regulations have been included as an attachment to this staff report.

The Board of Directors, pursuant to its Board Policy and Procedures Manual, is responsible for appointing the District's legal counsel and financial auditor annually. A review of the District's audit history has determined that the District has been utilizing Bartlett, Pringle, & Wolf as it financial auditors since at least Fiscal Year 2011-12.

The District completed fieldwork on its Fiscal Year 2021-22 Financial Statements Audit in June of 2023 and is pending draft financial statements for review which are expected to be received in early April. This would result in the auditor coming to present to the Board its audited financials at the second Board Meeting in April or the first Board Meeting in May.

The District is in the midst of fieldwork on its Fiscal Year 2022-23 Financial Statements and has completed all substantial work. There are pending auditor sample selections to be made, and the District Administrator will work diligently to get the support for those items to the auditor as quickly as possible. The expected time for the auditor to come present the Fiscal Year 2022-23 Financial Statements to the Board of Directors is in June.

FISCAL IMPACT

None.

ATTACHMENTS: A. Title 2 Section 1131.2 – Minimum Audit Requirements

Home Table of Contents

§ 1131.2. Minimum Audit Requirements.
2 CA ADC § 1131.2
Barclays Official California Code of Regulations

Barclays California Code of Regulations
Title 2. Administration
Division 2. Financial Operations (Refs & Annos)
Chapter 2. State Controller
Subchapter 5. Minimum Audit Requirements and Reporting Guidelines for Special Districts

2 CCR § 1131.2

§ 1131.2. Minimum Audit Requirements.

Currentness

(a) The audit shall be made in accordance with generally accepted auditing standards. Various auditing procedures are suggested and described on pages 41 through 69 of the American Institute of Certified Public Accountants publication Audits of State and Local Governmental Units. No hard and fast rules can be set down as to the specific procedures that should be taken. Professional judgment must be exercised. Following are general statements that the county auditor or independent accounting firm should consider in preparing an audit program in connection with the audit of a California special district.

(1) A proper study and evaluation of the existing internal control and the financial organizational structure should be made. The extent to which an auditor should go in testing the evidential matter supporting his opinion on the financial statements depends on the effectiveness of the district's system of internal control.

Sufficient competent evidential matter is to be obtained through inspection, observation, inquiries, and confirmations to afford a reasonable basis for an opinion regarding the financial statements under examination.

If the internal control is so deficient that an auditor must disclaim his opinion in this regard, the reason for this disclaimer must be set forth in the audit report.

(2) The auditor should review the laws applicable to the financial transactions of the district. For instance, all special districts are subject to a uniform accounting system prescribed by the State Controller. Should there be indications that the district may have failed to comply with legal requirements, the transactions may be referred to proper legal counsel for interpretation of the applicable law. Noncompliance should be commented upon in the report and, if necessary, the auditor's opinion should be qualified, disclaimed or adverse.

(3) The district's report of financial transactions to the State Controller should be reviewed to see that it agrees with the official records of the district for the period. The State Controller should be informed of any material difference.

(4) A review should be made of the previous audit report workpapers and program if available.

(5) The auditor should ascertain what funds are maintained and by what authority or under what circumstances each fund maintained was created.

(6) The auditor should ascertain the basis of accounting, that is, cash, accrual or modified accrual. Accrual is the basis for enterprise funds and modified accrual is the basis for non-enterprise funds. The cash basis is no longer approved for special districts.

(7) The auditor should take a trial balance of the accounts of each fund and should list both opening and closing balances. The opening balances should be compared with the amounts shown in the audit report for the previous period, if any, and any difference should be investigated and reconciled.

(8) A summary of the financial data included in the minutes or other official records of the proceedings of the legislative body should be prepared. Expenditure authorizations and the appropriations made to cover the authorizations should be confirmed.

(9) The auditor should verify the balance of cash on hand.

(10) The auditor should reconcile bank accounts including cash on deposit with county treasurer as of the balance sheet date and such other times as is necessary. He should obtain confirmation from depositories for (1) all bank accounts, time certificates or

savings and loan accounts, and (2) collateral securing such accounts, if applicable. Collateral should be examined or confirmed with the depository holding the collateral as trustee. The auditor should determine the adequacy and propriety of the collateral pledged.

(11) The auditor should test the tax levy, tax collection and delinquencies whether processed by the district or the county.

(12) The collection and recording of all ascertainable revenues should be tested during the period under audit. The test should be sufficient to determine that receipts have been recorded in the proper funds and period.

(13) The auditor should determine:

(A) That the expenditures were properly authorized and incurred and are proper charges to the fund and appropriation against which they have been charged.

(B) That the expenditures are supported by the proper documents and that the documents are so marked as to prevent their reuse. In this connection, it should be ascertained whether noncash expenditures, that is, interdepartmental transactions are supported by adequate documentation and were properly recorded.

(14) A review should be made of nonrevenue receipts and nonexpense disbursements to determine if they were legal and properly recorded.

(15) All other assets such as investments, accounts receivable, inventories, paid expenses, fixed assets and similar items should be verified in accordance with generally accepted auditing standards.

(16) All liabilities such as accounts payable, notes payable, contracts payable, judgments and similar items should be verified in accordance with generally accepted auditing standards. Proper authorities should be contacted to ascertain existence of any possible contingent liabilities.

(17) The auditor should verify the fund balance and reserve accounts of all funds.

Credits

NOTE: Authority cited: Section 26909(b), Government Code. Reference: Sections 6505 and 26909(b), Government Code.

This database is current through 3/1/24 Register 2024, No. 9.

Cal. Admin. Code tit. 2, § 1131.2, **2 CA ADC § 1131 . 2**

END OF DOCUMENT

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MONTECITO SANITARY DISTRICT

STAFF REPORT – 5G

DATE: March 14, 2024

TO: Board of Directors

FROM: John Weigold, General Manager

SUBJECT: Discussion on District Investments

RECOMMENDATION

It is recommended that the Board:

i) Receive a presentation on the District Investment Policy; and
ii) Taking such additional, related action that may be desirable.

ANALYSIS

The Board updated, adopted and approved the District's current Investment Policy, Resolution 2000-779 on August 14, 2000. This policy was reviewed by District Legal Counsel in June of 2023 when the District was considering making changes to its investment portfolio. That Policy was deemed to be up to date and relevant and is included as an attachment to this staff report.

At the June 22, 2023 Regular Board Meeting the Board heard Item 8A – Discussion on District Investments and made action that pursuant to the District's Investment Policy, the designated official for management of the District's Investment program was delegated to a committee made up of the General Manager, the District Administration, and Vice President Director Hogan. Director Martin was named as an alternate.

That committee met several times to determine appropriate investments for the District to make and subsequently landed on two different funds administered by Charles Schwab that complied with the relevant Government Codes that dictate governmental investments. At the February 22, 2024 Regular Board Meeting the Board approved Resolution 2024-973 – Authorizing Investment of Monies in LAIF to update the District's contact information to allow for the authorized transfer of funds into the newly established Charles Schwab account. This account will hold the District's Reserve Funds as guided by Resolution 2023-967 – District Reserve Policies approved by the Board at its May 17, 2023 Board Meeting.

FISCAL IMPACT

None.

ATTACHMENTS: A. Resolution 2000-779, Montecito Sanitary District Investment Policy
B. Meeting Minutes from the June 22, 2023 Regular Board Meeting

RESOLUTION NO. 2000-779
MONTECITO SANITARY DISTRICT
INVESTMENT POLICY
Repealing Resolution No. 1997-742

1.0 POLICY

The Legislature of the State of California has declared that the deposit and investment of public funds by officials and local agencies is an issue of statewide concern (Government Code sections 53600.6 and 53630.1); and

The legislative body of a local agency may invest surplus monies not required for the immediate necessities of the local agency in accordance with the provisions of Government Code sections 5920 et. seq. and 53601 et seq.; and

The treasurer or fiscal officer of the Montecito Sanitary District shall annually prepare and submit a statement of investment policy and such policy, and any changes thereto, shall be considered by the legislative body at a public meeting; (GC δ53646(a).

It shall be the policy of the Montecito Sanitary District to invest funds, with maximum security through diversification and prudence, in a manner which will provide the highest investment return, while meeting the daily cash flow demands of the entity and conforming to all statutes governing the investment of Montecito Sanitary District funds.

2.0 SCOPE

This investment policy applies to all financial assets of the Montecito Sanitary District. These funds are accounted for in the annual District audit and include: Operating Fund, Capital Project Fund, Emergency Fund, Bond Reserve Fund, and Compensated Absence Fund

Funds not included in the policy include deferred compensation funds.

3.0 PRUDENCE

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs; not for speculation, but for investment, considering the probably safety of their capital as well as the probably income to be derived. The standard of prudence to be used by investment officials shall be the "prudent investor" standard (GC δ53600.3) and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individuals security's credit risk or market price changes, provided deviations from expectations are reported to the Governing Board in a timely fashion and appropriate action is taken to control adverse developments.

4.0 Objectives

As specified in GC δ53600.5, when investing, reinvesting, purchasing, acquiring, exchanging, selling or managing public funds, the primary objectives, in priority order, of the investment activities shall all be:

1. **Safety**: Safety of principal is the foremost objective of the investment program. Investments of the Montecito Sanitary District shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities, or by institutional management, do not exceed the income generated from the remainder of the portfolio.

2. **Liquidity**: The investment portfolio will remain sufficiently liquid to enable the Montecito Sanitary District to meet all operating requirements which might be reasonable anticipated.

3. **Return on Investments**: The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio.

5.0 DELEGATION OF AUTHORITY

Authority to manage the investment program is derived from Government Code sections 53600, et seq. Management responsibility for the investment program is hereby delegated to the designated official, who shall establish, subject to Board approval, written procedures for the operation of the investment program consistent with this investment policy. Procedures should include references to: safekeeping, PSA repurchase agreements, wire transfer agreements, collateral/depository agreements and banking services contracts, as appropriate. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the designated official. The designated official, subject to Board approval, shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials. Under the provisions of Government Code section 53600.3, the designated official is a trustee and a fiduciary subject to the prudent investor standard.

6.0 ETHICS AND CONFLICTS OF INTEREST

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

7.0 AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The designated official will maintain a list of financial institutions, selected on the basis of credit worthiness, financial strength, experience and minimal capitalization authorized to provide investment services. In addition, a list will also be maintained of approved security broker/dealers selected by credit worthiness who are authorized to provide investment and financial advisory services in the State of California. No public deposit shall be made except in a qualified public depository as established by state laws.

For brokers/dealers of government securities and other investments, the Montecito Sanitary District shall select only broker/dealers who are licensed and in good standing with the California Department of Securities, the Securities and Exchange Commission, the National Association of Securities Dealers or other applicable self-regulatory organizations.

Before engaging in investment transactions with a broker/dealer, the designated official shall have received from said firm a signed Certification Form. This form shall attest that the individual responsible for the Montecito Sanitary District's account with that firm has reviewed the Montecito Sanitary District's Investment Policy and that the firm understands the policy and intends to present investment recommendations and transactions to the Montecito Sanitary District that are appropriate under the terms and conditions of the Investment Policy.

8.0 AUTHORIZED AND SUITABLE INVESTMENTS

The Montecito Sanitary District is empowered by Government Code 53601 et seq to invest in the following:

A. Bonds issued by the Montecito Sanitary District or by any department, board, agency or authority created by the District.

B. United States Treasury Bills, Notes & Bonds or Certificates of Indebtedness.

C. Registered state warrants or treasury notes or bonds issued by the State of California.

D. Bonds, notes, warrants or other evidence of debt issued by a local agency within the State of California, including pooled investment accounts sponsored by the State of California, County Treasurers, other local agencies or Joint Powers Agencies.

E. Obligations issued by Agencies or Instrumentality of the U S Government.

F. Bankers Acceptances with a term not to exceed 270 days. Not more than 40% of invested funds can be invested in Bankers Acceptances and no more than 30% of invested funds can be invested in the bankers acceptances of any single commercial bank.

G. Prime Commercial Paper of U S Corporations with assets greater than $500 million with a term not to exceed 180 days and the highest ranking issued by Moody's Investors Service or Standard & Poor's Corp. Purchases of eligible commercial paper may not represent more than 10% of the outstanding papers of an issuing Corporation. Commercial paper cannot exceed 15% of total invested funds, provided, that if the average maturity of all Commercial paper does not exceed 31 days, up to 30% of invested funds can be invested in Commercial paper.

H. Negotiable Certificates of Deposit issued by federally or state chartered banks or associations. Not more than 30% of invested funds can be invested in certificates of deposit.

I. Repurchase/Reverse Repurchase Agreements of any securities authorized by this Section. Securities purchased under these agreements shall be no less than 102% of market value. (See special limits in GC δ53601(i).

J. Medium term notes (not to exceed 5 years) of U S corporations rated "A" or better by Moody's or S&P. Not more than 30% of invested funds can be invested in medium term notes.

K. Share of beneficial interest issued by diversified management companies (Money Market Mutual Funds) investing in the securities and obligations authorized by GC δ53601. Such Funds must carry the highest rating of at least two of the three largest national rating agencies. Not more than 10% of invested funds can be invested in Money Market Mutual Funds.

L. Funds held under the terms of a Trust Indenture or other contract or agreement may be invested according to the provisions of those indentures or agreements.

M. Collateralized bank deposits with a perfected security interest in accordance with the Uniform Commercial Code (UCC) or applicable federal security regulations.

N. Any mortgage pass-through security, collateralized mortgage obligation, mortgaged backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass-through certificate or consumer receivable backed bond of a maximum maturity of five years. Securities in this category must be rated AA or better by a nationally recognized rating service. Not more than 30% of invested funds may be invested in this category of securities.

O. Any other investment security authorized under the provisions of GC δ53601.

* * * * * * *

Also, see GC δ53601 for a detailed summary of the limitations and special conditions that apply to each of the above listed investment securities. GC δ53601 is attached and included by reference in this investment policy.

Prohibited Investments: Under the provisions of GC δ53601.6 and δ53631.5, the Montecito Sanitary District shall not invest any funds covered by this Investment Policy in inverse floaters, range notes, interest-only strips derived from mortgage pools or any investment that may result in a zero interest accrual if held to maturity.

9.0 COLLATERALIZATION

All certificates of deposits must be collateralized by U S Treasury Obligations. Collateral must be held by a third party trustee and valued on a monthly basis. The percentage of collateralization on repurchase and reverse repurchase agreements will adhere to the amount required under GC δ53601(I)(2).

10.0 SAFEKEEPING AND CUSTODY

All security transactions entered into by the Montecito Sanitary District shall be conducted on delivery-versus-payment (DVP) basis. All securities purchased or acquired shall be delivered to the Montecito Sanitary District by book entry, physical delivery or by third party custodial agreement as required by GC δ53601.

11.0 DIVERSIFICATION

The Montecito Sanitary District will diversify its investments by security type and institution. It is the policy of the Montecito Sanitary District to diversify its investment portfolio. Assets shall be diversified to eliminate the risk of loss resulting from over concentration of assets in a specific maturity, a specific issuer or a specific class of securities. Diversification strategies shall be determined and revised periodically. In establishing specific diversification strategies, the following general policies and constraints shall apply:

(a) Portfolio maturities shall be matched versus liabilities to avoid undue concentration in a specific maturity sector.

(b) Maturities selected shall provide for stability of income and liquidity.

(c) Disbursement and payroll dates shall be covered through maturities investments, marketable U S Treasury bills or other cash equivalent instruments such as money market mutual funds.

12.0 REPORTING

In accordance with GC δ53646(b)(1), designated official shall submit to each member of the Board of Directors a quarterly investment report. The report shall include a complete description

of the portfolio, the type of investments, the issuers, maturity dates, par values and the current market values of each component of the portfolio, including funds managed for Montecito Sanitary District by third party contracted managers. The report will also include the source of the portfolio valuation. As specified in CGC δ53646(e), if all funds are placed in LAIF, FDIC-insured accounts and/or in a county investment pool, the foregoing report elements may be replaced by copies of the latest statements from such institutions. The report must also include a certification that (1) all investment actions executed since the last report have been made in full compliance with the Investment Policy, (2) the Montecito Sanitary District will meet its pool expenditure requirements for the next six months as required by GC δ53646(b), and (3) the designated official shall maintain a complete and timely record of all investment transactions.

13.0 INVESTMENT POLICY ADOPTION

The Investment Policy shall be adopted by resolution of the Montecito Sanitary District. Moreover, the Policy shall be reviewed on an annual basis, and modifications must be approved by the Board of Directors.

ADOPTED AND APPROVED: August 14, 2000

AYES:	Arnold, Begley, Cannata, Clark, Dall'Armi
NAYS:	None
ABSENT:	None
ABSTAIN:	None

(District Seal)

Robert B Begley
Robert B. Begley, President

ATTEST:

Lorenzo Dall'Armi
Lorenzo Dall'Armi, Secretary

Attachment: Government Code Section 53601, et seq., effective 1-1-96.

ATTACHMENT TO

RESOLUTION NO. 2000-779

INVESTMENTS AUTHORIZED UNDER CALIFORNIA GOVERNMENT CODE SECTION 53601

CGC Section	Investment Type	Maximum Maturity	Authorized Limit (%)	Required Rating
53601(a)	Local Agency Bonds	5 Years	None	None
53601(b)	U.S. Treasury Bills, Notes or Bonds	5 Years	None	None
53601(c)	State Registered Warrants, Notes or Bonds	5 Years	None	None
53601(d)	Notes & Bonds of other Local Calif. Agencies	5 Years	None	None
53601(e)	U.S. Agencies	5 Years	None	None
53601(f)	Bankers Acceptances[1]	270 Days	40%	None
53601(g)	Prime Commercial Paper[2]	180 Days	15% or 30%	A1/P1
53601(h)	Negotiable Certificates of Deposit	5 Years	30%	None
53601(i)	Repurchase & Reverse Repurch. Agreements*	1yr./92 days	None/20%	None
53601(j)	Medium Term Corporate Notes	5 Years	30%	A
53601(k)	Money Market Mutual Funds & Mutual Funds**	5 Years	20%	2-AAA
53601(m)	Collateralized Bank Deposits	5 Years	None	None
53601(n)	Mortgage Pass-Through Securities	5 Years	20%	AA
16429.1	Local Agency Investment Fund (LAIF)	N/A	None	None
53601(d)	County Pooled Investment Funds	N/A	None	None

* See California Government Code Section 53601 (I) for limits on use of reverse repurchase agreements.

** Mutual Funds maturity may be defined as the weighted average maturity; money market mutual funds must have an average maturity of 90 days or less, per SEC regulations.

[1] No more than 30% of surplus funds may be invested in Bankers Acceptances of any one commercial bank.

[2] 30% if dollar weighted average maturity of all commercial paper does not exceed 31 days. Commercial paper issuers must be organized and operating w/i U.S. and have total assets in excess of $500 million, and have "A" or higher rating for issuer's debt, other than commercial paper, by Moody's or Standard and Poor's. Purchases may not exceed 10% of outstanding paper of an issuing corporation.

Municipal Utility District investments are controlled by Municipal Utilities District Act (Div 6 (commencing with Section 11501) of the Public Utilities Code).

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MINUTES

For the Regular Meeting of the Board on:
June 22, 2023

1. CALL TO ORDER

The Governing Board of the Montecito Sanitary District convened a regular meeting at 12:07 pm on Thursday, June 22, 2023. The meeting was also broadcast using Zoom teleconferencing.

ATTENDANCE

Board Members Present:
Director Hogan, Johnson, Martin, Director Ohlmann, and President Ellwood T. Barrett II

Board Members Absent:
None

Also Present and Participating:
John Weigold, MSD General Manager
Stephen Williams, MSD Clerk of the Board & District Administrator
Aleks Giragosian, Colantuono, Highsmith & Whatley, PC

2. PUBLIC COMMENT

No members of the public addressed the Board.

3. COMMITTEE REPORTS

Director Barrett gave a brief report on the Finance Committee meeting of June 5, 2023.

4. CLOSED SESSION

A. PUBLIC EMPLOYEE EVALUATION (GOVERNMENT CODE §54957)

Title: General Manager

5. REPORT FROM CLOSED SESSION

The Board came out of Closed Session at 2:48 pm. No reportable action was taken.

6. DISTRICT MERIT AND STEP INCREASES

ON MOTION by Director Barrett, Seconded by Director Hogan, the Board voted to suspend merit increases for District Management until a Salary Survey has been conducted, presented to the Board, and discussed and evaluated by the Board.

AYES:	Directors Hogan, Johnson, Martin, Ohlmann, and Barrett
NAYS:	None
ABSTAIN:	None
ABSENT:	None

7. CONSENT CALENDAR

ON MOTION by Director Hogan, Seconded by Director Martin, the Board voted to approve the following Consent Calendar items:

A. Payables from May 1, 2023 through May 31, 2023
B. Board Meeting Minutes of the May 3, 2023 Special Meeting
C. Board Meeting Minutes of the May 17, 2023 Special Meeting
D. Board Meeting Minutes of the May 26, 2023 Special Meeting

AYES:	Directors Hogan, Johnson, Martin, Ohlmann, and Barrett
NAYS:	None
ABSTAIN:	None
ABSENT:	None

Consent Calendar item 7E was pulled for discussion. ON MOTION by Director Johnson, Seconded by Director Martin, the Board voted to approve the following Consent Calendar Item:

E. Resolution 2023-969 – Final Draft Collecting SSCs on the Tax Roll

AYES:	Directors Hogan, Johnson, Martin, Ohlmann, and Barrett
NAYS:	None
ABSTAIN:	None
ABSENT:	None

F. Fiscal Year 2023-24 Budget

Consent Calendar Item 7F was pulled for discussion. ON MOTION by Director Hogan, Seconded by Director Ohlmann, the Board voted to approve the revised Fiscal Year 2023-24 Budget.

AYES:	Directors Johnson, Martin, Ohlmann, and Barrett
NAYS:	None
ABSTAIN:	None
ABSENT:	None

8. REGULAR BUSINESS

A. DISCUSSION ON DISTRICT INVESTMENTS

ON MOTION by Director Barrett, Seconded by Director Johnson, the Board voted that in accordance with MSD Resolution 200-779 the designated official for management of the District's investment program is hereby delegated to a committee made up of the General Manager, the District Administrator, and Director Hogan. Should Director Hogan be unavailable Director Martin will act as the alternate Director.

AYES:	Directors Hogan, Johnson, Martin, and Barrett
NAYS:	None
ABSTAIN:	None
ABSENT:	Director Ohlmann

NOTE: Director Ohlmann left the meeting at 5:10 pm.
NOTE: Director Johnson left the meeting at 5:17 pm.

B. JOINT REPRESENTATION AGREEMENT WITH COLANTUONO, HIGHSMITH & WHATLEY, PC

The Board voted to authorize the General Manager to approve a joint representation agreement with Colantuono, Highsmith & Whatley, PC.

AYES:	Directors Hogan, Martin, and Barrett
NAYS:	None
ABSTAIN:	None
ABSENT:	Directors Johnson and Ohlmann

C. DISCUSSION ON BOARD ROOM DESIGN

The Board continued this item to the next Regular Board meeting.

D. DISCUSSION ON SOLAR OPTIONS FOR THE DISTRICT

The Board continued this item to the next Regular Board meeting.

9. GENERAL MANAGER'S REPORT

General Manager John Weigold provided information, nonactionable updates regarding District matters to the Board.

10. ITEMS FOR THE NEXT AGENDA

The next Board meeting will be a General Meeting of the Board on July 13, 2023. Topics brought up as possible items were as follows:

- Board Room Design
- Installation/Approach to Solar Energy Possibilities

11. ADJOURNMENT

The meeting adjourned at 5:50 pm ON MOTION by Director Barrett, Seconded by Director Hogan.

These minutes were presented for approval at the General Board Meeting on July 27, 2023.

Ellwood T. Barrett II, President

Minutes taken and prepared by:

Stephen Williams
District Administrator/Clerk of the Board

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MONTECITO SANITARY DISTRICT

STAFF REPORT – 6

DATE: March 14, 2024

TO: Board of Directors

FROM: John Weigold, General Manager

SUBJECT: General Manager Report

The District continues its mission of providing wastewater collection and treatment services. In addition to the daily operations of the District, the following is an update on some of our current ongoing projects and activities:

GM Meetings
Since my last report, I attended a meeting on March 4th with our Information Technology vendor, Compuvision, to discuss the current security environment, as well as assessing and strengthening our technology systems.

January 2023 Storms Damage Projects Update
Staff is awaiting FEMA's determination of reimbursement eligibility for each project. Staff is moving forward with the full design and permitting effort for the four FEMA projects. In a recent discussion with Rincon, the permitting efforts are on-going. Some of the permits are anticipated to take 5-7 months and will likely be stringent due to another wet year. These permits are now the critical path for construction and may push the construction into September-November time frames, which is near or into the wet season of 2024-2025. Staff will be working with Rincon to expedite the permit process as much as possible.

Wastewater Treatment Plant (Plant) Improvements Project
On February 28, the District had a meeting with Southland, an Energy Service Company, and MKN, a local engineering firm. The meeting was focused on discussing a strategy and goals for the Plant improvements. The meeting also included a plant tour and Q&A with staff during the tour. During the meeting, it was agreed that concrete and seismic evaluations of critical components of the District's Plant infrastructure would be needed to help guide next steps. Staff plans to meet with a structural engineering firm soon to discuss the scope of work. Staff is evaluating treatment processes, including the potential to utilize membrane bioreactors (MBR).

Staff will continue investigative efforts to determine the best course of action for improving the Plant while considering what's best for the rate payers as well as the potential for recycled water.

Admin/Ops Building Roof Replacement
The roof work is substantially complete and watertight. Staff held two walkthroughs with the Contractor, including one with the roofing manufacturer, to address a few concerns. The Contractor understanding of the issues and is actively working to address them.

Financial Reporting
The District Administrator submitted the Districts' Government Compensation Report required by Government Code 53890-53891 on March 7th, 2024. This information is for all District compensation for Calendar Year 2023 and is due to the State Controller's office by April 30th of each year.

The District Administrator submitted the Districts' Employee Compensation Report (typically requested by Transparent California via a Public Records Request Act around June of each year) on March 7th, 2024. This is another report that details all District compensation for Calendar Year 2023.

GIS
Staff are working with Z-World to update our GIS and mapping capabilities as well as accurately digitizing our assets. Z-World began collecting manhole, cleanout, and other information as of February 28, 2024. Z-World is also assisting Staff to make maps for upcoming RFPs and bid packages.

Climate Change Adaptation Program
Pending Board approval, the Staff anticipates starting work on Phase 1 of the Climate Change Adaptation Program soon. Phases 2 and 3 are planned to be part of the budget for this next fiscal year.

Source Control Program and District Standards
Staff is working to update the District's Source Control Program, which includes fats, oils, and greases (FOG) as well as brine from reverse osmosis systems. The program is meant to have information and standards to assist customers with their plan checks. Additionally, Staff is working with MNS Engineers to develop and update existing Standard Drawings.

Residential Projects
Staff continues to have a heavy residential project review load.

CIP Progress

Project	Status/Phase	Comments
Admin/Operations Building Roof Replacement	Construction	Construction is subtatially complete.
SCADA System Improvements	Implementation	Work is ongoing
Clarifier Maintenance	Pre-Construction	Parts purchased.
Protective Measures of District Facilities (2023 Storm)	Design	All 4 sites being worked on simultaneously. 60% design.
Bisulfite Tank	RFP	
Sewer Manhole Rehabiliation (Lining)	RFP	In Development
2024 Sewer Main CIPP Lining - Design	RFP	In Development
Climate Change Adapation Program - Coastal Hazards Monitoring Plan	RFP	Expecting responsed March 1, 2024
Channel Drive Force Main Improvements - Design	RFP	In Development
Electrical, Aeration Basin Blower, and SCADA Systems Improvement	Investigation	Working with ESCO Contractors
Highway 101 Sewer Crossing Lining	Complete	Seeking Notice of Completion
Highway 101 - Roundabouts	Complete	Seeking Notice of Completion
Wastewater Outfall Inspection	Complete	
Treatment O/M Emergencies - Hypo Tank Replacement	Complete	
Posilipo Force Main Relocation and Restoration - Phase 1	Complete	
Skimmer Troughs	Complete	

Effluent Flow / Rainfall Comparison