



Moss Landing Wastewater System Rehabilitation Project

Responses to Comments

prepared by

Castroville Community Services District
11497 Geil Street
Castroville, California 93660
Contact: Eric Tynan, General Manager

prepared with the assistance of

Rincon Consultants, Inc.
2511 Garden Road, Suite C-250
Monterey, California 93490

January 2023

Responses to Comments on the Draft IS-MND

This section includes comments received during the circulation of the Draft Initial Study – Mitigated Negative Declaration (IS-MND) prepared for the Castroville Community Services District’s (District) Moss Landing Wastewater System Rehabilitation Project (Project).

The Draft IS-MND was circulated for a 32-day public review period that began on November 18, 2022 and ended on December 19, 2022. The commenters and the page number on which each commenter’s letter appear are listed below.

Letter No. and Commenter	Page No.
1 Matthew Metelitz, Environmental Scientist, State Water Resources Control Board	2
2 Chris Bjornstad, Associate Transportation Planner, California Department of Transportation	6

The comment letters and responses follow. The comment letters have been numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.1, for example, indicates that the response is for the first issue raised in comment Letter 1).



GAVIN NEWSOM
GOVERNOR



JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Eric Tynan
Castroville Community Services District
11499 Geil Street
Castroville, CA 95012



Dear Mr. Tynan:

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND) FOR CASTROVILLE COMMUNITY SERVICES DISTRICT (DISTRICT); MOSS LANDING WASTEWATER SYSTEM REHABILITATION PROJECT (PROJECT); MONTEREY COUNTY; STATE CLEARINGHOUSE NO. 2022110384

We understand that the District is pursuing Clean Water State Revolving Fund (CWSRF) financing for this Project (CWSRF No. C-06-8370-110). As a funding agency and a state agency with jurisdiction by law to preserve, enhance, and restore the quality of California's water resources, the State Water Resources Control Board (State Water Board) is providing the following water quality comments on the IS/MND circulating for the Project.

The State Water Board, Division of Financial Assistance, is responsible for administering the CWSRF Program (Program). The primary purpose for the Program is to implement the Clean Water Act and various state laws by providing financial assistance for wastewater treatment facilities necessary to prevent water pollution, recycle water, correct nonpoint source and storm drainage pollution problems, provide for estuary enhancement, and thereby protect and promote health, safety, and welfare of the inhabitants of the state.

1.1

All applicants seeking funding must comply with the California Environmental Quality Act (CEQA) and provide appropriate documents to the State Water Board so that it can fulfill its CEQA responsibilities, see [CEQA Requirements](#). In addition, because the Program is partially funded by the United States Environmental Protection Agency (USEPA) additional federal environmental documentation (cross-cutters) may be required. For additional Program information, the complete environmental application package and instructions, please visit:

[Clean Water State Revolving Fund Forms and Instructions](#)

Following are specific comments on the District's draft IS/MND:

1.2

- 1. Please consider pursuing technical assistance through United States Army Corps of Engineers to ensure there aren't any potential, jurisdictional waters and/or wetlands in or surrounding the Project area. | 1.2
- 2. Regarding the Monterey County General Plan (2010) Goals OS-5.1 through OS-5.2, have any consultation efforts with USFWS and/or CDFW began? If so, please consider including pertinent consultation correspondences when submitting the CWSRF environmental package application. | 1.3

Thank you for the opportunity to review the District's draft IS/MND. If you have any questions or concerns, please feel free to contact me at (916) 322-0355, or by email at Matthew.Metelitz@waterboards.ca.gov or contact Brian Cary at (916) 449-5624, or by email at Brian.Cary@waterboards.ca.gov. | 1.4

Sincerely,

Matthew Metelitz
Environmental Scientist

Letter 1

COMMENTER: Matthew Metelitz, Environmental Scientist, State Water Resources Control Board (SWRCB)

DATE: December 14, 2022

Response 1.1

The commenter provides a summary of the Clean Water State Revolving Fund (CWSRF) and the SWRCB's role in its administration. The commenter states CWSRF applicants must comply with the California Environmental Quality Act (CEQA) and may be required to complete additional federal environmental documentation (cross-cutters).

The District prepared the Draft IS-MND in compliance with CEQA and will continue moving through the environmental review process in accordance with CEQA requirements. Documentation satisfying the federal cross-cutter requirements of the CWSRF program is provided in Section 3, *Federal Cross-Cutting Environmental Regulations Evaluation*, and Section 4, *Environmental Alternative Analysis*, of the Draft IS-MND. Section 3 describes the status of project compliance with relevant federal laws, executive orders, and policies, and any consultation that has occurred to date or will occur in the near future. Section 4 provides an environmental alternatives analysis to meet the requirements of the CWSRF Environmental Package and includes a No Project/No Action alternative and two build alternatives. In addition, the Federal Clean Air Act General Conformity Applicability Analysis, Biological Resources Assessment, Historic Properties Identification Report, and Paleontological Resources Assessment included as Appendices B, C, D, and F of the Draft IS-MND have been prepared to meet the CWSRF's federal cross-cutter requirements.

Response 1.2

The commenter recommends the District pursue technical assistance through the United States Army Corps of Engineers (USACE) to ensure no potential jurisdictional waters and/or wetlands are present within or surrounding the project site.

As described in Section 2.4, *Biological Resources*, and Appendix C, Biological Resources Assessment, of the Draft IS-MND, one roadside drainage was observed within the study area during the biological resources reconnaissance survey. This drainage occurs adjacent to State Route 1 within 100 feet of Manholes 11 to 13. This feature is likely not under the jurisdiction of the USACE because it is ephemeral and does not have an indicator of an ordinary high-water mark. Therefore, technical assistance through the USACE is not warranted.

Response 1.3

The commenter inquires as to whether consultation efforts with United States Fish and Wildlife Service (USFWS) and/or the California Department of Fish and Wildlife (CDFW) have occurred, and if so, requests correspondence to be submitted with the CWSRF environmental package application.

No consultation efforts have begun with USFWS and/or CDFW. As indicated in Section 2.4, *Biological Resources*, of the Draft IS-MND, no State listed species would be impacted by the proposed project; therefore, consultation with CDFW is not anticipated to be required. Consultation with USFWS is

anticipated to be completed by SWRCB via Section 7 consultation during the CWSRF application process.

Response 1.4

The commenter provides contact information for further questions or concerns.

The contact information is noted.

California Department of Transportation

CALTRANS DISTRICT 5
50 HIGUERA STREET | SAN LUIS OBISPO, CA 93401-5415
(805) 549-3101 | FAX (805) 549-3329 TTY 711
www.dot.ca.gov



December 19, 2022

MON/1/VAR
SCH#2022110384

Eric Tynan, General Manager
Castroville Community Services District
11499 Geil Street
Castroville, CA 95012

COMMENTS FOR THE MITIGATED NEGATIVE DECLARATION (MND) – MOSS LANDING
WASTEWATER SYSTEM REHABILITATION PROJECT, MOSS LANDING, CA

Dear Mr. Tynan:

The California Department of Transportation (Caltrans), District 5, Development Review, has reviewed the Moss Landing Wastewater System Rehabilitation Project MND which plans on replacing the main force, manholes, and a lift station within State right of way. Caltrans offers the following comments in response to the MND:

1. All work in, on, under, over, or affecting State highway right of way is subject to a Caltrans encroachment permit. For more information regarding the encroachment permit process, please visit our Encroachment Permit Website at: <https://dot.ca.gov/caltrans-near-me/district-5/district-5-programs/d5-encroachment-permits>.
2. Depending on the complexity of the project improvements requiring an encroachment permit, Caltrans Oversight may be the more appropriate avenue for project review and approval by Caltrans. The District Permit Engineer has been granted authority by Caltrans to make this decision. Please consult with the District Permit Engineer Eileen Stephens at Eileen.Stephens@dot.ca.gov to determine the most appropriate Caltrans project permitting system.
3. All work will need to conform to the Caltrans Encroachment Permits Manual, Chapter 600. Additional utility installation requirements, which may apply, are found in Chapter 17 of the Project Development Procedures Manual. Deviations to Caltrans Encroachment Permit Policies may require an exception. This requirement and process will be outlined by the District Permit Engineer in your pre-submittal conference.

2.1

4. General Basis of Horizontal and Vertical Control - Caltrans datums shall be used and observed for the construction of the proposed improvements. All plans shall be in US feet and follow the datums as follows: • Vertical Basis: NAVD 88 • Horizontal: NAD83 Zone 3 Santa Cruz County, Zone 4 Monterey and San Benito County, and Zone 5 San Luis Obispo and Santa Barbara County. At least two recorded, Caltrans monuments must be referenced in the surveying basis.
5. All non-operational or vacated pipes shall be removed. The District Permit Engineer may grant waivers to this requirement based on an engineering evaluation.
6. Plans shall conform to the Caltrans Plans Preparation Manual and Encroachment Permit Construction Plan Set outline. You will need to show all existing facilities and utilities in plan and profile where your scope of work is located.
7. All future documents will be subject to additional evaluation and approval at the time of their review. As part of future evaluation, issues involving or impacting the State right of way may require additional mitigation due to pertinent issues such as cultural resources, environmental justice, water quality, hydrology, etc.

2.1
cont.

2.2

Thank you for the opportunity to review and comment on the proposed project. If you have any questions, or need further clarification on items discussed above, please contact me at (805) 835-6543 or christopher.bjornstad@dot.ca.gov.

2.3

Sincerely,

Christopher Bjornstad

Chris Bjornstad
Associate Transportation Planner
District 5 Land Development Review

Letter 2

COMMENTER: Chris Bjornstad, Associate Transportation Planner, District 5 Land Development Review, California Department of Transportation (Caltrans)

DATE: December 19, 2022

Response 2.1

The commenter outlines Caltrans requirements and recommendations for the project, which include encroachment permit and Caltrans Oversight requirements, conformance with Caltrans Encroachment Permit Manual Chapter 6000 and Project Development Procedures Manual Chapter 17, use of Caltrans datums, removal of all non-operational or vacated pipes, and conformance of plans to the Caltrans Plans Preparation Manual and Encroachment Permit Construction Plan Set outline.

The District will comply with Caltrans requirements for the portion of the proposed project located within the State right-of-way.

Response 2.2

The commenter states all future documents will be subject to additional evaluation and approval at the time of their review and notes that additional mitigation for certain issues, such as cultural resources, environmental justice, water quality, and hydrology may be required.

As indicated in Section 2.5, *Cultural Resources*, of the Draft IS-MND, Mitigation Measures CR-1 through CR-4 would be required to address potentially significant cultural resources impacts associated with the project. These mitigation measures include implementation of a treatment plan for excavation within resource P-27-000335, archaeological and Native American monitoring to identify any subsurface archaeological resources encountered during construction, a Worker's Environmental Awareness Program on archaeological sensitivity for construction personnel, and procedures for the appropriate handling of unanticipated discoveries of cultural resources. As indicated in Section 2.10, *Hydrology and Water Quality*, of the Draft IS-MND, impacts to hydrology and water quality would be less than significant and would not require implementation of mitigation measures under CEQA. An environmental justice analysis is provided in Section 3.14, *Environmental Justice*, of the Draft IS-MND. This analysis determines that, although Moss Landing is a low-income community, no adverse environmental justice impacts would occur because localized construction impacts would not be disproportionately high and because the project would result in long-term benefits for the community.

Response 2.3

The commenter provides contact information for questions and further clarification.

This comment is noted.