

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

**Proposed Monitoring and Reporting Program
No. R3-2021-0012**

For

**CITY OF EL PASO DE ROBLES
ANNUAL FLOOD CONTROL AND
FIRE FUEL LOAD REDUCTION PROJECT
SAN LUIS OBISPO COUNTY**

This Monitoring and Reporting Program No. R3-2021-0012 (MRP) is issued to the City of El Paso de Robles (Discharger) and required by the Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board). The monitoring and reporting requirements described herein are made pursuant to California Water Code section 13267. Pursuant to section 13268 of the California Water Code, a violation of California Water Code section 13267 requirements may subject you to civil liability of up to \$1,000 per day for each day in which the violation occurs.

MONITORING

Visual

1. Visual pre-activity surveys shall be conducted annually by a qualified biologist with training and experience in assessing impacts to riparian and aquatic habitat in all proposed maintenance areas. The surveys shall identify within proposed maintenance areas all sites with the potential to harbor rare, threatened, or endangered species and shall identify sensitive resources, including, at a minimum, flow channels, riparian vegetation associated with flow channels, wetlands, and surface water.
2. Prior to the start of annual fuel reduction maintenance activities along the Salinas River, a qualified biologist shall assess the understory vegetation in areas proposed for vegetation maintenance, especially in areas where the understory vegetation is dense or located under the canopy of trees. Sample transects within proposed maintenance areas shall be conducted and shall assess vegetation characteristics, including fire fuel loading, density, percent cover, and dominant species.

3. After fuel reduction vegetation maintenance is completed, if any fuel treatment activities occurred in areas under dense tree canopy such that aerial drone photography cannot detect the area of shrub canopy reduction, a qualified biologist shall visually assess the same transects as were assessed during pre-activity surveys.
4. A qualified biologist shall visually monitor downstream receiving water turbidity levels during sediment removal activities in the Scott Creek Basin and Westfield Drainage if water is present.
5. The Discharger or its contractors must consistently visually monitor livestock used in prescribed herbivory to ensure they are restricted to assigned areas.
6. The Discharger or its contractors must visually monitor crossings over dry high-flow channels to ensure that no sediment is pushed into the channel from turning or from moving up or down banks.
7. The Discharger or its contractors must visually inspect all maintenance sites and areas of the channel adjacent to maintenance sites following completion of maintenance activities and for one subsequent rainy season (following a rain event of 0.5 inches or greater) to ensure that maintenance activities are not causing excessive erosion or other water quality problems. If excessive erosion or other water quality problems are observed, monitoring shall continue until the Project is no longer causing excessive erosion, stream instability, or other water quality problems.
8. Mitigation will be implemented according to Section 5: Compensatory Mitigation, in the revised *Annual Drainage Maintenance Report of Waste Discharge Supplemental Information Report* dated January 2021 (Exhibit 9) and the *Mitigation Receiver Sites* selection guidelines submitted January 8, 2020 (Exhibit 7). Both documents together are referred to as the Mitigation Plan. Monitoring of all mitigation areas shall be conducted as described in the Mitigation Plan. The Discharger shall monitor invasive species removal locations for three years after treatment and or removal. The Discharger or its contractors shall monitor the compensatory mitigation sites for five years. If success criteria are not achieved within that time, the Discharger shall continue annual monitoring and maintenance until success criteria are achieved. Compensatory mitigation monitoring shall include assessment of growth, survival, general health and stature, signs of resprouting of non-native trees and giant reed, progress towards achieving success criteria, and any other measures identified in the Mitigation Plan.

Photo Monitoring

9. The Discharger must conduct photo monitoring of the pre-determined photo points for annual drainage maintenance and at Salinas River vegetation maintenance locations, both before and after vegetation maintenance.
10. Aerial photography via drone will be implemented to measure fuel reduction vegetation maintenance activities in the Salinas River. Shrub and tree canopy vegetation impacts due to Project activities shall be quantified by before and after aerial imagery or other monitoring efforts.
11. The Discharger must conduct photo monitoring of all of the Project's associated mitigation areas at the same frequency as required for visual monitoring described in the Mitigation Plan.

REPORTING

General Requirements

1. The Discharger shall retain records of all monitoring information, including all calibration and maintenance records, copies of all reports required by this MRP and order, training records, and records of all data used to complete the application for this MRP and order. The Discharger shall maintain records for a minimum of five years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved non-compliance regarding this discharge or when requested by the Central Coast Water Board.
2. The Discharger shall forward any final, signed copy of Lake and Streambed Alteration Agreements issued by the California Department of Fish and Wildlife for flood control and annual fire fuel load reduction activities to the Central Coast Water Board immediately upon execution.
3. The Discharger shall furnish to the Central Coast Water Board, within a reasonable time or by the dates specified in the Order, any information related to the implementation of the Project and compliance with this order that the Central Coast Water Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this MRP and/or order. The Discharger shall also furnish to the Central Coast Water Board, upon request, copies of records required to be kept by this MRP and order.
4. Where the Discharger becomes aware that it failed to submit any relevant information or submitted incorrect information in a report of waste discharge or in any report to the Central Coast Water Board, it shall promptly submit such information.

5. The Discharger shall report any discharge of waste that may endanger public health or the environment. Such a condition includes, but is not limited to, a violation of the conditions of this order, a significant spill of petroleum products or hazardous chemicals, or damage to control facilities that would cause noncompliance with the order or this MRP. Any information shall be provided orally to Central Coast Water Board staff within 24 hours of the time the Discharger becomes aware of an occurrence that does not comply with the order. Pursuant to California Water Code section 13267(b), a written report shall also be submitted to Central Coast Water Board staff within five consecutive days of the time the Discharger becomes aware of the occurrence. The written report shall contain (a) a description of the noncompliance and its cause; (b) the period of the noncompliance event, including dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and (c) steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Discharger shall be responsible for obtaining any additional permits necessary for implementing plans for restoration to prevent further water quality problems
6. Should the Discharger determine that Project implementation activities are not meeting the conditions of this MRP and order, the Discharger must immediately notify the Central Coast Water Board and correct Project implementation activities.

Annual Workplan

7. The Discharger shall provide the Central Coast Water Board with an annual workplan by March 15 of each year during active maintenance activities. The report must include:
 - a. An assessment of drainages according to the thresholds identified in the *Annual Drainage Maintenance Report of Waste Discharge Supplemental Information Report* (Exhibit 9) and *Desired Conditions for Fuel Beds within the Salinas River Fuels Reduction Project* document (Exhibit 10) to identify specific areas where activities are proposed that calendar year and to describe which maintenance methods will be used at each location. The Discharger shall not begin vegetation maintenance unless written approval has first been obtained from the Central Coast Water Board Executive Officer.
 - b. A schedule of maintenance activities. The schedule shall identify all locations and anticipated date range of maintenance at each location.
 - c. A Wet Weather Preparedness Plan for work scheduled to occur each year between April 14 and June 1. The Wet Weather Preparedness Plan shall be submitted with the annual workplan and shall include the identification and mapping of proposed annual work locations, associated

site-specific best management practices to be implemented (including, at a minimum, removal of equipment and materials from the water bodies prior to rain, sediment and erosion controls, stockpile and trash covering, and waste management), identification of staff responsible for implementing the preparedness plan, and steps for the monitoring and maintenance of best management practices at each site.

Annual Reporting

8. The Discharger shall provide the Central Coast Water Board with an annual report by December 31 of each year during maintenance activities and each year for five years after the conclusion of maintenance activities for mitigation monitoring. The report must include:
 - a. A summary of all pre- and post-maintenance surveys conducted in accordance with this monitoring and reporting program, including both visual and photo monitoring. The Discharger must qualitatively and quantitatively compare post-maintenance surveys with pre-maintenance surveys and the flood fuels loading objectives. Shrub and tree canopy vegetation impacts due to project activities shall be quantified by before and after aerial imagery and included in the annual report except in years where impacts are limited to grazing or treatment of grasses and/or weedy forbs.
 - b. A description of the condition of the Project area and mitigation areas based on visual monitoring as required by this monitoring and reporting program and as described in the Mitigation Plan.
 - c. The updated quantity of impacts for each impact type, according to the metrics described in the report of waste discharge, including a completed Impacts Quantification Table (Exhibit 6).
 - d. The quantity of mitigation required to compensate for Project impacts occurring since the commencement of Project maintenance activities, the quantity of mitigation implemented since the commencement of project maintenance activities, progress towards mitigation success criteria at each mitigation location, and the quantity of mitigation that remains to be implemented in order to satisfy mitigation requirements for all impacts to-date.
 - e. A description of any maintenance needs or other problems at any mitigation site, including proposed steps to correct the problems and corrective actions already taken by the Discharger.
 - f. In the annual report submitted prior to implementation of mitigation (no later than December 31, 2023), the Discharger shall identify final selected

mitigation sites and provide an amended mitigation proposal for Central Coast Water Board Executive Officer review and written approval.

- g. Mitigation reporting, if mitigation installation has started, including the following information:
 - i. Date of initiation of mitigation installation and date mitigation installation was completed;
 - ii. If mitigation installation was completed, confirmation that mitigation was installed according to the requirements of this order and as described in the Mitigation Plan;
 - iii. Analysis of monitoring data collected in the field;
 - iv. Quantification of growth, survival, general health and stature, signs of resprouting of non-native trees and giant reed and documentation of progress toward achieving all mitigation performance criteria;
 - v. Qualitative and quantitative comparisons of current mitigation conditions with preconstruction conditions and previous mitigation monitoring results;
 - vi. Any remedial or maintenance actions taken or needed;
 - vii. Any additional information specified in the Mitigation Plan; and
 - viii. Annual photo-documentation representative of all mitigation areas, taken from vantage points from which the Central Coast Water Board can identify changes in size and cover of plants. The Discharger must compare photos of installed mitigation with photos of the mitigation areas prior to installation.
- h. If mitigation is complete, documentation that all required mitigation monitoring and maintenance has been conducted and all success criteria achieved according to the requirements of this order and as described in the Mitigation Plan. If the monitoring period is over, but not all success criteria have been achieved, the annual report shall identify corrective measures to be undertaken, including extension of the monitoring period until the criteria are met.

Amendment Requests

The Discharger must submit any request for amendment of the approved MRP in writing to the Central Coast Water Board Executive Officer. The Discharger may not modify operations until the Discharger has received written notification that the Central Coast Water Board Executive Officer has approved the amendment. If the Central Coast

Water Board Executive Officer does not reject the requested amendment within 45 days of receiving written notification, the changes to the approved MRP may be implemented as described in the requested amendment.

Information Submittal

The Discharger must submit monitoring data and reports electronically. The documents shall be in a searchable PDF format (less than 10 MG in size) and emailed to the Central Coast Water Board staff member overseeing the Project and to RB3_401reporting@waterboards.ca.gov. PDF documents that exceed 10MB should be transferred to a disk and mailed to the Central Coast Water Board at:

401 Program
California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

The Executive Officer may rescind or revise this MRP at any time

Ordered by:

Matthew T. Keeling, Executive Officer