

ATTACHMENT E - Mitigation Monitoring and Reporting Program

1. Project Description

OWB Packers, LLC (OWB) recently acquired an existing slaughterhouse and beef- processing facility (Facility) located at 57 East Shank Road in Brawley, Imperial County, California. OWB proposes to upgrade the existing onsite wastewater treatment system at the Facility by installing a BioFiltro BIDA® System (BioFiltro WWTF) that would replace the anaerobic and aerated pond-based wastewater treatment systems. OWB proposes to discharge up to 200,000 gallons per day (gpd) of wastewater into storage ponds and up to 238,000 gpd of treated wastewater onto a 10-acre parcel that is within the Facility and to parcels totaling 130-acres located immediately east of the Facility (Reclamation Areas) to irrigate Bermuda grass or other fodder crops for cattle feed. The proposed BioFiltro WWTF will have an ultimate treatment capacity of 800,000 gallons per day (gpd) and will be built in three phases.

2. Regulatory Background

The California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board) is considering adoption of waste discharge requirements (WDRs) to regulate discharges of waste from the Facility into the storage ponds and the Reclamation Areas. The Colorado River Basin Water Board is the Lead Agency pursuant to the California Environmental Quality Act (CEQA) (Pub. Res. Code, § 21000 et seq.) On November 17, 2016, the Colorado River Basin Water Board adopted a Mitigated Negative Declaration and Initial Study (MND/IS) for the project in accordance with the CEQA.

CEQA requires that agencies adopting mitigated negative declarations take affirmative steps to determine that approved mitigation measures are implemented subsequent to project approval. (Pub. Res. Code, § 21081.6.) Under Public Resources Code Section 21081.6, the Lead Agency must adopt a program for monitoring and reporting on any mitigation measures it has imposed in a negative declaration to assess efficacy and ensure compliance. The Colorado River Basin Water Board has developed a mitigation monitoring and reporting program (MMRP) to implement all mitigation measures identified in the MND/IS as necessary to mitigate or avoid significant environmental effects. The Colorado River Basin Water Board may delegate responsibility to implement mitigation to another public agency or private entity which accepts the delegation; however, the lead agency remains responsible for ensuring implementation of those mitigation measures in accordance with the MMRP.

3. Summary of the MMRP

The Colorado River Basin Water Board determined that mitigation is required to address significant or potentially significant impact(s) to the following resources: Air Quality Resources, Biological Resources, and Hydrological Resources. The following table identifies the mitigation measures identified for these resources. For each mitigation measure, the MMRP details the corresponding implementation action, monitoring requirements, and estimated timeframe for completion. To implement the MMRP, the Colorado River Basin Water Board must adopt waste discharge requirements (WDRs) for the Project that contain conditions to mitigate against potential environmental impacts. The Colorado River Basin Water Board is considering adoption of the WDRs at its January 19, 2017 board meeting.

ATTACHMENT E - Mitigation Monitoring and Reporting Program

CEQA Mitigation Designation	Mitigation Measures	Implementation	Monitoring and Reporting	Timeframe
AIR QUALITY				
<p>Impact Criteria: Would the Project create objectionable odors affecting a substantial number of people?</p> <p>Discussion: Although the proposed Project itself would result in a less than significant impact, operation and maintenance of wastewater treatment and disposal facilities (i.e., the BioFiltro WWTF, storage ponds, and 10- and 130-acre reclamation areas) inherently have the potential to create a nuisance potential as defined by the California Water Code if not properly operated and maintained. Accordingly, the Colorado River Basin Water Board's WDRs for the Project must contain measures (e.g., provisions/requirements) to prevent nuisance (e.g., odors and vectors).</p>	<p>MM-AIR-1: Prescribe minimum dissolved oxygen requirements for the upper layer of the storage ponds to ensure the treated wastewater in them remains aerobic and is not a source of nuisance odors.</p>	<p>MM-AIR-1: The Colorado River Basin Water Board shall include the following condition in any proposed WDRs for the Project:</p> <ul style="list-style-type: none"> The ponds shall be maintained so they will be kept in aerobic conditions at all times. The dissolved oxygen content in the upper zone (one foot) of the ponds shall not be less than 1.0 mg/L. (Section C.2 of the WDRs.) Wastewater treatment, storage, and disposal shall not cause pollution or nuisance as defined in CWC Sections 13050(I) and 13050(m). (Section C.3 of the WDRs) 	<p>MM-AIR-1:</p> <ul style="list-style-type: none"> OWB will monitor for compliance with these provisions in accordance with the requirements set forth in R7-2017-0001 (Section D of Monitoring and Reporting Program (MRP) R7-2017-0001). The Colorado River Basin Water Board will review and enforce all OWB's monitoring and technical reports required under the WDRs or the MRP. The Colorado River Basin Water Board will also conduct periodic compliance inspections of the BioFiltro WWTF to ensure compliance with Dissolved Oxygen requirements and ensure wastewater operations are not causing nuisance conditions. 	<p>MM-AIR-1:</p> <ul style="list-style-type: none"> The minimum dissolved oxygen and prohibition of nuisance requirements will be established in the applicable WDRs that must be adopted prior to operation of the ponds for storage. The WDRs are scheduled for consideration of adoption on January 19, 2017. Monitoring for compliance with these provisions would begin at system testing and continue as long as the system is operational. Monitoring results would be reported to the Colorado River Basin Water Board in accordance with schedule set forth in R7-2017-0001, which will be considered for adoption on January 19, 2017. (Sections D and G of MRP R7-2017-0001)
	<p>MM-AIR-2: Prescribe hydraulic and organic loading rates (i.e., inches of water and pounds of BOD/acre) for the reclamation areas to ensure the reclamation areas are not hydraulically and organically overloaded and ensure that reclamation takes place at agronomic</p>	<p>MM-AIR-2: The Colorado River Basin Water Board shall include the following conditions in any proposed WDRs for the Project:</p> <ul style="list-style-type: none"> The monthly average discharge of treated wastewater from the 	<p>MM-AIR-2:</p> <ul style="list-style-type: none"> OWB will monitor for compliance with these provisions in accordance with the requirements set forth in R7-2017-0001 (Section E of MRP R7-2017-0001) The Colorado River Basin Water Board will review and 	<p>MM-AIR-2:</p> <ul style="list-style-type: none"> The hydraulic and organic loading rates requirements will be established in the applicable WDRs that must be adopted prior to discharge to the Reclamation Area. Monitoring for compliance with these provisions would

ATTACHMENT E - Mitigation Monitoring and Reporting Program

CEQA Mitigation Designation	Mitigation Measures	Implementation	Monitoring and Reporting	Timeframe
	rates.	<p>ponds into the Reclamation Area shall not exceed 238,000 gpd. (Section B.2 of the WDRs.)</p> <ul style="list-style-type: none"> • Application of wastewater to the Reclamation Area in excess of agronomic rates is prohibited. (Section A.7 of the WDRs.) • The BOD loading rate to the reclamation areas shall not exceed a maximum of 4.0 lbs/acre/day and a monthly average of 2.0 lbs/acre/day. (Section D.2 of the WDRs.) • All applied wastewater shall infiltrate within 48 hours of application (Section D.6.a of the WDRs) • Hydraulic loading of treated wastewater and IID water shall be at reasonable agronomic rates designed to minimize the percolation of wastewater and irrigation water below the root zone (i.e., deep percolation) considering 	<p>enforce all OWB's monitoring and technical reports required under the WDRs or the MRP.</p> <ul style="list-style-type: none"> • The Colorado River Basin Water Board will also conduct periodic compliance inspections of the Reclamation Area to ensure compliance with loading requirements. 	<p>begin at system testing and continue as long as the system is operational. Monitoring results would be reported to the Colorado River Basin Water Board in accordance with schedule set forth in R7-2017-0001, which will be considered for adoption on January 19, 2017. (Section E of MRP R7-2017-0001)</p>

ATTACHMENT E - Mitigation Monitoring and Reporting Program

CEQA Mitigation Designation	Mitigation Measures	Implementation	Monitoring and Reporting	Timeframe
		<p>the crop, soil, climate, and irrigation management system (section D.4 of WDRs)</p> <ul style="list-style-type: none"> Application of treated wastewater from the BioFiltro WWTF to the Reclamation Areas during a precipitation event, when the precipitation event is forecast 12 hours prior to the scheduled application, or when the soils are saturated after a precipitation event is prohibited. (Section A.10 of WDRs) 		
	<p>MM-AIR-3: Prescribe that the treatment, storage, and disposal facilities be at all times properly operated and maintained and be supervised by a Wastewater Treatment Operator with experience in the operation and maintenance of industrial wastewater treatment facilities and certified by the State Water Resources Control Board.</p>	<p>MM-AIR-3: The Colorado River Basin Water Board shall include the following condition in any proposed WDRs for the Project:</p> <ul style="list-style-type: none"> The BioFiltro WWTF shall be supervised and operated by persons possessing the necessary expertise in the operation and maintenance of industrial wastewater treatment facilities. (Section H.4.a of the WDRs) 	<p>MM-AIR-3:</p> <ul style="list-style-type: none"> By February 2, 2017, OWB shall submit to the Colorado River Basin Water Board a technical report in the form of a letter, which identifies: (1) the person(s) responsible for supervising the operation and maintenance (O&M) of the BioFiltro WWTF and their qualifications to do so, (2) all other the personnel involved in the O&M of the BioFiltro WWTF, their qualifications, and level of responsibility pursuant to section H.4.a of the WDRs. 	<p>MM-AIR-3:</p> <ul style="list-style-type: none"> Requirements to ensure proper operations and maintenance will be established in the applicable WDRs that must be adopted prior to a discharge to the ponds or the Reclamation Area. Maintenance of the treatment, storage, and disposal facilities will be begin during installation of the system to ensure proper working order. Operation and maintenance will continue as long as the system is operational.

ATTACHMENT E - Mitigation Monitoring and Reporting Program

CEQA Mitigation Designation	Mitigation Measures	Implementation	Monitoring and Reporting	Timeframe
	<p>MM-AIR-4: Prescribe that neither the treatment and storage nor the disposal of wastewater from the Facility create a condition of nuisance as defined by the California Water Code.</p>	<p>MM-AIR-4: The Colorado River Basin Water Board shall include the following conditions in any proposed WDRs for the Project:</p> <ul style="list-style-type: none"> ● Objectionable odors originating at the BioFiltro WWTF shall not be perceivable beyond the limits of the Facility. (Section G.1 of the WDRs) ● Objectionable odors originating at the Reclamation Area shall not be perceivable beyond the limits of the Reclamation Area. (Section G.2 of the WDRs) ● Creation of pollution, contamination, or nuisance as defined in CWC Sections 13050(k), 13050(l), and 13050(m) is prohibited. (Section A.2 of the WDRs) ● Wastewater treatment, storage, and disposal shall not cause pollution or nuisance as defined in CWC Sections 13050(l) and 13050(m). (Section C.3 of the WDRs.) 	<p>MM-AIR-4:</p> <ul style="list-style-type: none"> ● OWB will monitor for compliance with these provisions in accordance with the requirements set forth in R7-2017-0001 (Sections D, E, G of MRP R7-2017-0001). ● By January 30, 2017, OWB shall submit to the Colorado River Basin Water Board a letter that identifies the employee who has been designated as the Public Liaison, the employee's contact information, qualifications, and level of responsibility within OWB. ● The Colorado Regional Water Quality Control Board shall update its website and monitoring and reporting program, R7-2017-0001, with the name of the employee that has been designated as the public liaison, the employee's contact information, and level of responsibility within the Board. 	<p>MM-AIR-4:</p> <ul style="list-style-type: none"> ● Monitoring for compliance with these provisions would begin at system testing and continue as long as the system is operational. Monitoring results would be reported to the Colorado River Basin Water Board in accordance with schedule set forth in R7-2017-0001, which will be considered for adoption on January 19, 2017. ● OWB and the Colorado River Basin Water Board shall designate a Public Liaison by January 30, 2017.

ATTACHMENT E - Mitigation Monitoring and Reporting Program

CEQA Mitigation Designation	Mitigation Measures	Implementation	Monitoring and Reporting	Timeframe
		<ul style="list-style-type: none"> OWB and the Colorado Regional Water Quality Control Board shall each designate an employee as the liaison to handle complaints of objectionable odors from the Facility. (Section H.2.a) 		
	<p>MM-AIR-5: Prescribe a monitoring and reporting program for the treatment, storage, and disposal of the wastewater, including monitoring dissolved oxygen in the ponds and the application rates in the disposal area.</p>	<p>MM-AIR-5: The Colorado River Basin Water Board shall establish a monitoring and reporting program to accompany WDRs regulating discharges from the Project. (see Section H.1.a of WDRs and MRP R7-2017-0001)</p>	<p>MM-AIR-5: n/a</p>	<p>MM-AIR-5: The proposed monitoring and reporting program is set forth in MRP R7-2017-0001, which will be considered for adoption on January 19, 2017.</p>
BIOLOGICAL RESOURCES				
<p>Impact Criteria: Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p> <p>Discussion: Burrowing owls are abundant in the county and have been</p>	<p>MM BIO-1: Conduct pre-disturbance assessment for active nests and burrows if grading and/or ground-disturbance activities associated with construction of the BioFiltro system would occur during the nesting period for burrowing owls (February 1– August 31) or other special status bird.</p>	<p>MM BIO-1:</p> <ul style="list-style-type: none"> OWB shall contract with a qualified biologist to complete a pre-disturbance nesting survey within 14 days of work occurring during the nesting season. If construction is delayed for more than 30 days, a new survey will be completed. 	<p>MM BIO-1: The City of Brawley is handles building and grading permits. As a Responsible Agency for the Project, the City of Brawley must</p> <ul style="list-style-type: none"> confirm that a qualified biologist has been retained if site-disturbing activities occur during the nesting season; and confirm that OWB follows any 	<p>MM BIO-1: Pre-disturbance surveys would be conducted within 14 days of new disturbance between February 1st and August 31st.</p> <p>No action required if work occurs between September 1st and January 31st.</p>

ATTACHMENT E - Mitigation Monitoring and Reporting Program

CEQA Mitigation Designation	Mitigation Measures	Implementation	Monitoring and Reporting	Timeframe
found in human altered habitats such as within the Project Area.		<ul style="list-style-type: none"> If active nests or burrows are identified within or near the work area, OWB must stop work and consult with CDFW prior to resuming construction activity in the vicinity of the nests or burrows. 	CDFW recommendations re identified nests prior to beginning or resuming construction activity.	

HYDROLOGY AND WATER QUALITY

<p>Impact Criteria: Violate any water quality standards or waste discharge requirements? Otherwise substantially degrade water quality?</p> <p>Discussion: The discharge of wastewater from Project to the Reclamation Area could have adverse impacts on surface and groundwater quality if not properly operated and maintained. Specifically, COCs (e.g., pathogen-indicator bacteria) have the potential to be present in the tilewater from the reclamation areas, but it is unknown whether they will be present at concentrations and densities that threaten surface water quality.</p>	<p>MM-HYD-1:</p> <ul style="list-style-type: none"> Prescribe hydraulic and organic loading rates for the Reclamation Areas to ensure they are not hydraulically and organically overloaded and ensure that reclamation takes place at agronomic rate. 	<p>MM-HYD-1:</p> <p>The Colorado River Basin Water Board shall include the following conditions in any proposed WDRs for the Project:</p> <ul style="list-style-type: none"> The monthly average discharge of treated wastewater from the ponds into the Reclamation Area shall not exceed 238,000 gpd. (Section B.2 of the WDRs) Application of wastewater to the Reclamation Area in excess of agronomic rates is prohibited. (Section A.7 of the WDRs.) The BOD loading rate to the reclamation areas shall not exceed a maximum of 4.0 lbs/acre/day and a 	<p>MM-HYD-1:</p> <ul style="list-style-type: none"> OWB will monitor for compliance with these provisions in accordance with the requirements set forth in R7-2017-0001 (Sections A through I of MRP R7-2017-0001) The Colorado River Basin Water Board will review and enforce all OWB's monitoring and technical reports required under the WDRs or the MRP. The Colorado River Basin Water Board will also conduct periodic compliance inspections of the BioFiltro WWTF and Reclamation Area to ensure compliance with Limitations and loading requirements.. 	<p>MM-HYD-1:</p> <ul style="list-style-type: none"> The hydraulic and organic loading rates requirements will be established in the applicable WDRs that must be adopted prior to operation of the system or use of the ponds for storage and discharge to the Reclamation Area. Monitoring for compliance with these provisions would begin at system testing and continue as long as the system is operational. Monitoring results would be reported to the Colorado River Basin Water Board in accordance with schedule set forth in R7-2017-0001, which will be considered for adoption on January 19, 2017.
---	--	---	---	---

ATTACHMENT E - Mitigation Monitoring and Reporting Program

CEQA Mitigation Designation	Mitigation Measures	Implementation	Monitoring and Reporting	Timeframe
		<p>monthly average of 2.0 lbs/acre/day. (Section D.2 of the WDRs.)</p> <ul style="list-style-type: none"> • All applied wastewater shall infiltrate within 48 hours of application (Section D.6.a of the WDRs) • Hydraulic loading of treated wastewater and IID water shall be at reasonable agronomic rates designed to minimize the percolation of wastewater and irrigation water below the root zone (i.e., deep percolation) considering the crop, soil, climate, and irrigation management system (section D.4 of WDRs) • Application of treated wastewater from the BioFiltro WWTF to the Reclamation Areas during a precipitation event, when the precipitation event is forecast 12 hours prior to the scheduled application, or when the soils are saturated after a precipitation event is prohibited. (Section A.10 of WDRs) 		

ATTACHMENT E - Mitigation Monitoring and Reporting Program

CEQA Mitigation Designation	Mitigation Measures	Implementation	Monitoring and Reporting	Timeframe
	<p>MM-HYD-2:</p> <ul style="list-style-type: none"> • Prescribe application rates that do not permit reclaimed water to be applied to fields in a manner that causes wastewater to stand for greater than 48 hours. 	<p>MM-HYD-2:</p> <p>The Colorado River Basin Water Board shall include the following conditions in any proposed WDRs for the Project:</p> <ul style="list-style-type: none"> • The Reclamation Area shall be managed to prevent breeding of mosquitoes and other nuisance conditions. (Section D.6.a of the WDRs) • All applied water shall infiltrate completely within a 48-hour period; (Section D.6.b of the WDRs) • Ditches not serving as wildlife habitat shall be maintained free of emergent, marginal, and floating vegetation; (Section D.6.c of the WDRs) and • Low-pressure and unpressurized pipelines and ditches accessible to mosquitoes shall not be used to store treated wastewater. (Section C.5.c of the WDRs) • Application of treated 	<p>MM-HYD-2:</p> <ul style="list-style-type: none"> • OWB will monitor for compliance with these provisions in accordance with the requirements set forth in R7-2017-0001 (see Section G of MRP R7-2017-0001). • The Colorado River Basin Water Board will review and enforce all OWB's monitoring and technical reports required under the WDRs or the MRP. • The Colorado River Basin Water Board will also conduct periodic compliance inspections of the BioFiltro WWTF and Reclamation Area to ensure compliance with Limitations and loading requirements 	<p>MM-HYD-2:</p> <ul style="list-style-type: none"> • Reclamation specifications will be established in the applicable WDRs that must be adopted prior to operation of the system or use of the ponds for storage. • Monitoring for compliance with these provisions would begin at system testing and continue as long as the system is operational. Monitoring results would be reported to the Colorado River Basin Water Board in accordance with schedule set forth in R7-2017-0001, which will be considered for adoption on January 19, 2017.

ATTACHMENT E - Mitigation Monitoring and Reporting Program

CEQA Mitigation Designation	Mitigation Measures	Implementation	Monitoring and Reporting	Timeframe
		wastewater from the BioFiltro WWTF to the Reclamation Areas during a precipitation event, when the precipitation event is forecast 12 hours prior to the scheduled application, or when the soils are saturated after a precipitation event is prohibited. (Section A.10 of WDRs)		
	<p>MM-HYD-3:</p> <ul style="list-style-type: none"> • Prescribe a prohibition of discharge to Reclamation Area during precipitation events and in excess of agronomic rates. 	<p>MM-HYD-3:</p> <p>The Colorado River Basin Water Board shall include the following conditions in any proposed WDRs for the Project:</p> <ul style="list-style-type: none"> • Application of wastewater to the Reclamation Area in excess of agronomic rates is prohibited. (Section A.7 of the WDRs) • Application of treated wastewater from the BioFiltro WWTF to the Reclamation Areas during a precipitation event, when the precipitation event is forecast 12 hours prior to the scheduled 	<p>MM-HYD-3:</p> <ul style="list-style-type: none"> • OWB will monitor for compliance with these provisions in accordance with the requirements set forth in R7-2017-0001. • The Colorado River Basin Water Board will review and enforce all OWB’s monitoring and technical reports required under the WDRs or the MRP. 	<p>MM-HYD-3:</p> <ul style="list-style-type: none"> • Discharge Prohibitions will be established in the applicable WDRs that must be adopted prior to operation of the system or use of the ponds for storage. • Discharge would be restricted during precipitation events and in excess of agronomic rates as long as the system is operational • Monitoring for compliance with these provisions would begin at system testing and continue as long as the system is operational. Monitoring results would be reported to the Colorado River Basin Water Board in accordance with schedule set forth in R7-2017-0001, which

ATTACHMENT E - Mitigation Monitoring and Reporting Program

CEQA Mitigation Designation	Mitigation Measures	Implementation	Monitoring and Reporting	Timeframe
		application, or when the soils are saturated after a precipitation event is prohibited. (Section A.10 of WDRs)		will be considered for adoption on January 19, 2017.
	<p>MM-HYD-4:</p> <ul style="list-style-type: none"> Prescribe that OWB prepare and submit to the Colorado River Basin Water Board for review approval a Final Irrigation Management Plan to assure irrigation takes place at agronomic rates and in a manner that prevents nuisance conditions. 	<p>MM-HYD-4:</p> <p>The Colorado River Basin Water Board shall include a condition in any proposed WDRs requiring OWB to submit a Final Irrigation Management Plan (FIMP).</p>	<p>MM-HYD-4:</p> <ul style="list-style-type: none"> By June 15, 2017, the Discharger shall submit amn FIMP for review and approval by the Colorado River Basin Water Board Executive Officer. (Section H.3.B of the WDRs) 	<p>MM-HYD-4:</p> <ul style="list-style-type: none"> An IMP would be provided to the Regional Water Board no later than June 15, 2017. The Regional Water Board would approve the plan prior to operation and enforce as long as the system is operational.
	<p>MM-HYD-5:</p> <ul style="list-style-type: none"> Prescribe a comprehensive Monitoring and Reporting Program that will monitor the Constituents of Concern in the treated wastewater stored in the onsite ponds, reclaimed water used for irrigation and the tilewater. 	<p>MM-HYD-5:</p> <p>The Colorado River Basin Water Board shall establish a monitoring and reporting program to accompany WDRs regulating discharges from the Project. (see Section H.1.a and MRP R7-2017-0001)</p>	<p>MM-HYD-5:</p> <p>n/a</p>	<p>MM-HYD-5:</p> <p>The proposed monitoring and reporting program is set forth in R7-2017-0001, which will be considered for adoption on January 19, 2017.</p>