



California Public Utilities Commission



September 14, 2025

Tim O'Halloran
Project Manager
California American Water
511 Forest Lodge Road
Pacific Grove, CA 93950

RE: Notice to Proceed Request No. 5a (NTPR-5a) for the Monterey Peninsula Water Supply Project – (A.12-04-019) – Desalination Plant (Phase 1)

Dear Mr. O'Halloran:

On September 13, 2018, the California Public Utilities Commission (CPUC) certified the Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the California American Water (CalAm) Monterey Peninsula Water Supply Project (MPWSP) and issued a Certificate of Public Convenience and Necessity (Decision D.18-09-017). The decision conditionally authorizes construction of the Project with implementation of Applicant Proposed Measures and Mitigation Measures identified in the Final Mitigation Monitoring, Compliance and Reporting Program (MMCRP).

As proposed by CalAm and approved by the CPUC, the MPWSP includes multiple components (source water intake system, desalination plant, desalinated water conveyance facilities, and expanded aquifer storage and recovery system). Separate Notices to Proceed (NTPs) are being issued for the various components or phases of the MPWSP. This is a typical process for projects with multiple components. Given that the MPWSP has been approved by the CPUC, as described above, this phased construction review process allows CalAm to proceed with individual project components where compliance with all applicable mitigation measures and conditions can be documented. NTP-1 (Seaside Transmission Main) was issued by the CPUC on September 13, 2019. Construction of this phase of the MPWSP was completed in fall 2019. NTP-2 (Ryan Ranch-Bishop Interconnection Improvements) was issued by the CPUC on February 3, 2020, with construction completed in November 2020. NTP-3 (Carmel Valley Pump Station) was issued by the CPUC in September 2020, with construction completed September 2022.

CalAm submitted this NTPR-5a to proceed with the construction of the Desalination Plant (Phase 1) on an approximately 25-acre vacant site owned by CalAm in unincorporated Monterey County along Charles Benson Road, west of Del Monte Boulevard intersection. The plant will house the seawater desalination infrastructure used to desalinate 6.4 million gallons of water per day. The plant will include auxiliary facilities, including source water receiving tanks; pretreatment, reverse osmosis, and post-treatment systems; chemical feed and storage facilities; brine storage and facilities; and other associated non-process facilities. Project maps and drawings are provided in NTPR-5a, **Appendix B**.

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Construction activities would include pre-construction surveys and site preparation activities such as vegetation and tree removal, site grading, collapsing mammal burrows, installing exclusionary fencing and security fencing, installing stormwater best management practices (BMPs), extending temporary electricity to the site, and establishment of temporary construction access. The following equipment types would be used during construction: excavators, dozers, skip loaders, track loaders, boom/bucket trucks, cranes, forklifts, and pickup trucks.

The construction duration for completion of actions authorized under NTPR-5a is anticipated to take approximately 16–20 weeks, with initial ground-disturbing activities commencing in October 2025. Equipment operation would typically occur for 8 hours a day. However, at times, workers and equipment could be on-site up to 12-hours per day. Thus, typical hours of operation would be within 7:00 a.m. and 7:00 p.m., Monday through Friday.

This letter documents the CPUC's thorough evaluation of all activities covered in NTPR-5a, including the Tables of Applicable Mitigation Measures Identified in Approved MMRP provided as Appendix A to NTPR-5a. The evaluation process ensures that all mitigation measures applicable to the location and activities covered in the Notice to Proceed are implemented as required in the CPUC's Decision.

Table 1 provides the status of the Applicant Proposed Measures (APMs) and Mitigation Measures (MMs) described in the MMCRP that require pre-construction implementation, for actions proposed under NTPR-5a (Table 1):+

Table 1. Applicant Proposed Measures, Implementing Actions, and Determinations Summary

Applicant Proposed Measure / Mitigation Measure	Implementing Actions	Status/Determination
MM 4.6-1a: Retain a Lead Biologist to Oversee Implementation of Protective Measures	Secure approvals from all resource agencies, with jurisdiction of special-status species with potential to occur on the Project site, of the qualifications and the retention of a Lead Biologist.	Lead Biologist previously approved and documentation provided.
MM 4.6-1b: Construction Worker Environmental Awareness Training and Education Program	Provide copy of training program and signed acknowledgement forms of all construction workers that completed training.	Documentation previously provided under NTPR-1. All construction personnel associated with this NTPR will undergo the construction WEAT program prior to the start of construction and documentation will be provided.



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Applicant Proposed Measure / Mitigation Measure	Implementing Actions	Status/Determination
MM 4.6-1c: General Avoidance and Minimization Measures	Submit applicable general avoidance and minimization measures to CPUC for review prior to commencement of construction activities.	The Lead Biologist that will be responsible for overseeing on-going monitoring in connection with construction-related activities. On-site biological monitors will be present during construction consistent with the requirements of this mitigation measure.
MM 4.6-1d: Protective Measures for Western Snowy Plover	N/A	This species does not occur within or immediately surrounding the project.
MM 4.6-1e: Avoidance and Minimization Measures for Special-status Plants	Provide and obtain approval from CPUC and USFWS/CDFW of final design submittals which incorporate the required botanical surveys and habitat maps and demonstrate either that facilities are sited to avoid impacts on special-status plants/habitat elements or that required restoration will be achieved by way of a Habitat Mitigation and Monitoring Plan or compensatory credits approved by all required resource and local agencies consistent with the requirements of this MM.	Pre-construction surveys were conducted between March and July 2025 and documentation of the results were provided.
MM 4.6-1f: Avoidance and Minimization Measures for Smith's Blue Butterfly	N/A	This species does not occur within or immediately surrounding the project.
MM 4.6-1g: Avoidance and Minimization Measures for Black Legless Lizard, Silvery Legless Lizard, and Coast Horned Lizard	N/A	This species does not occur within or immediately surrounding the project.
MM 4.6-1h: Avoidance and Minimization Measures for Western Burrowing Owl	Provide the CPUC with the name of the biologist(s) to conduct protocol and preconstruction owl surveys, copies of all survey results and copies of all CDFW-approved owl buffers and related plans.	Protocol pre-construction surveys were conducted in 2024 and the names of the surveying biologists were provided. Ground disturbing work would occur outside of the non-breeding season buffer.



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Applicant Proposed Measure / Mitigation Measure	Implementing Actions	Status/Determination
MM 4.6-1i: Avoidance and Minimization Measures for Nesting Birds	Provide documentation of pre-construction survey.	Pre-construction surveys to be completed prior to construction and submitted to CPUC following completion of survey.
MM 4.6-1j: Avoidance and Minimization Measures for American Badger	Provide documentation of pre-construction survey.	Pre-construction surveys to be completed prior to construction and submitted to CPUC following completion of survey.
MM 4.6-1k: Avoidance and Minimization Measures for Monterey Dusky-Footed Woodrat	N/A	This species does not occur within or immediately surrounding the project.
MM 4.6-1l: Avoidance and Minimization Measures for Special-Status Bats	Provide documentation of pre-construction survey.	Pre-construction surveys to be completed prior to construction and submitted to CPUC following completion of survey.
MM 4.6-1m: Avoidance and Minimization Measures for Native Stand of Monterey Pine	N/A	This species does not occur within or immediately surrounding the project.
MM 4.6-1n: Habitat Mitigation and Monitoring Plan	Provide the CPUC with the required HMMP and all approvals thereof issued by the resource and local agencies.	The Habitat Monitoring and Mitigation Plan for Phase 1 of the MPWSP was submitted to the CPUC as part of NTPR-1.
MM 4.6-1o: Avoidance and Minimization Measures for California Red-Legged Frog and California Tiger Salamander	Provide documentation of pre-construction survey.	Pre-construction surveys to be completed prior to construction and submitted to CPUC following completion of survey. In addition, a relocation plan will be submitted to the USFWS and CDFW for approval prior to the start of construction.
MM 4.6-2b. Avoid, Minimize, and Compensate for Construction Impacts to Sensitive Communities and Environmentally Sensitive Habitat Areas	N/A	This sensitive habitat does not occur within the project site.



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Applicant Proposed Measure / Mitigation Measure	Implementing Actions	Status/Determination
MM 4.6-4. Compliance with Local Tree Ordinances	Provide the name and qualifications of the biologist(s) to conduct the comprehensive tree survey to the CPUC for approval. Provide a copy of the survey and related maps and copies of all required tree removal permits issued by applicable local agencies prior to construction.	The trees that are to be removed are not protected under local tree ordinances and do not require a tree removal permit. As a result, this mitigation measure is not applicable.
MM 4.7-2a: Health and Safety Plan	Submit Health and Safety Plan to CPUC for review prior to commencement of construction activities.	Accident Prevention and Safety Program and Site-Specific Safety Plan submitted and determined to be complete.
MM 4.7-2b: Soil and Groundwater Management Plan	Submit Soil and Groundwater Management Plan to CPUC for review prior to commencement of construction activities.	Plan submitted and determined to be complete.
MM 4.9-1: Traffic Control and Safety Assurance Plan	N/A	No work is proposed within public rights-of-way; therefore, this mitigation measure is not applicable.
MM 4.9-6: Roadway Rehabilitation Program	Provide documentation of agreement regarding roadway rehabilitation program.	Documentation provided in Monterey County Encroachment Permit.
MM 4.9-C: Construction Traffic Coordination Plan	N/A	No work is proposed within public rights-of-way; therefore, this mitigation measure is not applicable.
MM 4.10-1a: Equipment with High-Tiered Engine Standards	Provide documentation demonstrating procurement of non-diesel-fueled construction equipment or diesel-fueled equipment that meets U.S. EPA Tier 4 emission standards.	Documentation provided in Construction Equipment and Vehicle Efficiency Plan.
MM 4.10-1b: Idling Restrictions	Provide documentation of idling policy.	Construction Equipment and Vehicle Efficiency Plan submitted in conjunction with MM 4.10-1a and the Construction Equipment Idling Plan includes adequate idling restrictions
MM 4.10-1c: Construction Fugitive Dust Control Plan	Submit Construction Fugitive Dust Control Plan to CPUC for review prior to commencement of construction activities.	Plan submitted and determined to be complete.

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Applicant Proposed Measure / Mitigation Measure	Implementing Actions	Status/Determination
MM 4.10-1e. Off-site Mitigation Program	Provide a fully-executed copy of the MBARD agreement to fund the required off-site mitigation program at least two weeks prior to construction. or documentation demonstrating that CalAm and MBARD determined such a program was infeasible given the MPWSP construction schedule	Coordination with MBARD is ongoing to document compliance with this mitigation measure and will be provided when available.
MM 4.11-1. GHG Emissions Reductions Plan	N/A	This measure is not applicable at this stage
MM 4.12-1a: Neighborhood Notice and Construction Disturbance Coordinator	Provide name and contact information for Construction Disturbance Coordinator and copies of the required notice before commencement of construction.	CDM Smith has designated a Construction Disturbance Coordinator as part of the Noise Management Plan. Notification of residential properties will be provided prior to construction.
MM 4.12-1b: General Noise Controls for Construction Equipment and Activities	Provide documentation of required noise controls.	Noise Management Plan submitted that adequately addresses noise emissions control, impact tools, and location of noisy activities.
MM 4.13-1a: Locate and Confirm Utility Lines	Submit Underground Service Alert (USA) clearance tickets.	USA notification will be submitted to the CPUC prior to the start of construction.
MM 4.13-1b: Coordinate Final Construction Plans with Affected Utilities	Provide documentation of compliance.	Coordination with local utility service providers will occur prior to the start of construction.
MM 4.13-1c: Safeguard Employees from Potential Accidents Related to Underground Utilities	Provide documentation of compliance.	Accident Prevention and Safety Program and Site-Specific Safety Plan submitted and determined to be complete.
MM 4.13-1d: Emergency Response Plan	Submit Emergency Response Plan to CPUC for review prior to commencement of construction activities.	Accident Prevention and Safety Program and Site-Specific Safety Plan submitted and determined to be complete.
MM 4.13-1e: Notify Local Fire Departments	Submit verification of consultation with local fire departments.	Correspondence with MCRFD will be submitted to the CPUC prior to the start of construction.



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Applicant Proposed Measure / Mitigation Measure	Implementing Actions	Status/Determination
MM 4.13-2: Construction Waste Reduction and Recycling Plan	Submit Construction Waste Reduction and Recycling Plan to CPUC for review prior to commencement of construction activities.	Plan submitted and determined to be complete.
MM 4.14-2: Site-Specific Nighttime Lighting Measures	N/A	No nighttime lighting is proposed as part of this NTPR.
MM 4.18-1: Construction Equipment and Vehicle Efficiency Plan	Submit Construction Equipment and Vehicle Efficiency Plan to CPUC for review prior to commencement of construction activities.	Plan submitted and determined to be complete.

CalAm is authorized to proceed with the proposed construction activities associated with NTPR-5a provided that all proposed actions and construction is carried out in accordance with the methods and conditions described in NTPR-5a and subject to completion of the following implementing actions by CalAm prior to the start of construction:

- CalAm will implement the MMCPRP to ensure implementation of all Applicant Proposed Measures (APMs), applicable Project Mitigation Measures (MMs), compliance plans, and permit conditions during construction activities. Some measures are on-going and/or have time-sensitive requirements and shall be implemented prior to and during construction as applicable. A copy of the MMCPRP will be kept at the construction site.
- Copies of all permits, compliance plans (e.g., MMCPRP), and the NTP shall be maintained on-site for the duration of the construction activities.
- CalAm will submit documentation of pre-construction species surveys, as identified in the table above, prior to construction.
- In accordance with MM 4.6-1o, CalAm will submit a relocation plan to the USFWS and CDFW for approval prior to the start of construction.
- In accordance with MM 4.9-6, CalAm will provide pre-construction photos as part of the Roadway Rehabilitation Program.
- In accordance with MM 4.10-1e, CalAm will provide a fully-executed copy of the agreement entered into with MBARD at least two weeks prior to construction.
- In accordance with MM 4.12-1a, CalAm will notify residential properties prior to construction.
- In accordance with MM 4.13-1a, CalAm will submit Underground Service Alert (USA) clearance tickets prior to construction.
- In accordance with MM 4.13-1b, CalAm will coordinate with local utility service providers prior to the start of construction.
- In accordance with MM 4.13-1e, CalAm will submit verification of consultation with local fire departments.



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- Prior to construction activities, CalAm will conduct a Worker Environmental Awareness Program (WEAP) for all Project personnel, including construction and monitoring personnel. CalAm will maintain training logs at the construction site and they will be made available upon request.

Sincerely,

John E. Forsythe, AICP
CPUC Environmental Project Manager

cc: Phillip Peters, ESA
Even Holmboe, ESA

Appendix A

Project Maps and Plans



Project Vicinity Map

Date
4/2/2025
Scale
1 in = 6 mi



Denise Duffy & Associates, Inc.
Planning and Environmental Consulting

Figure
B-1



Project Location Map

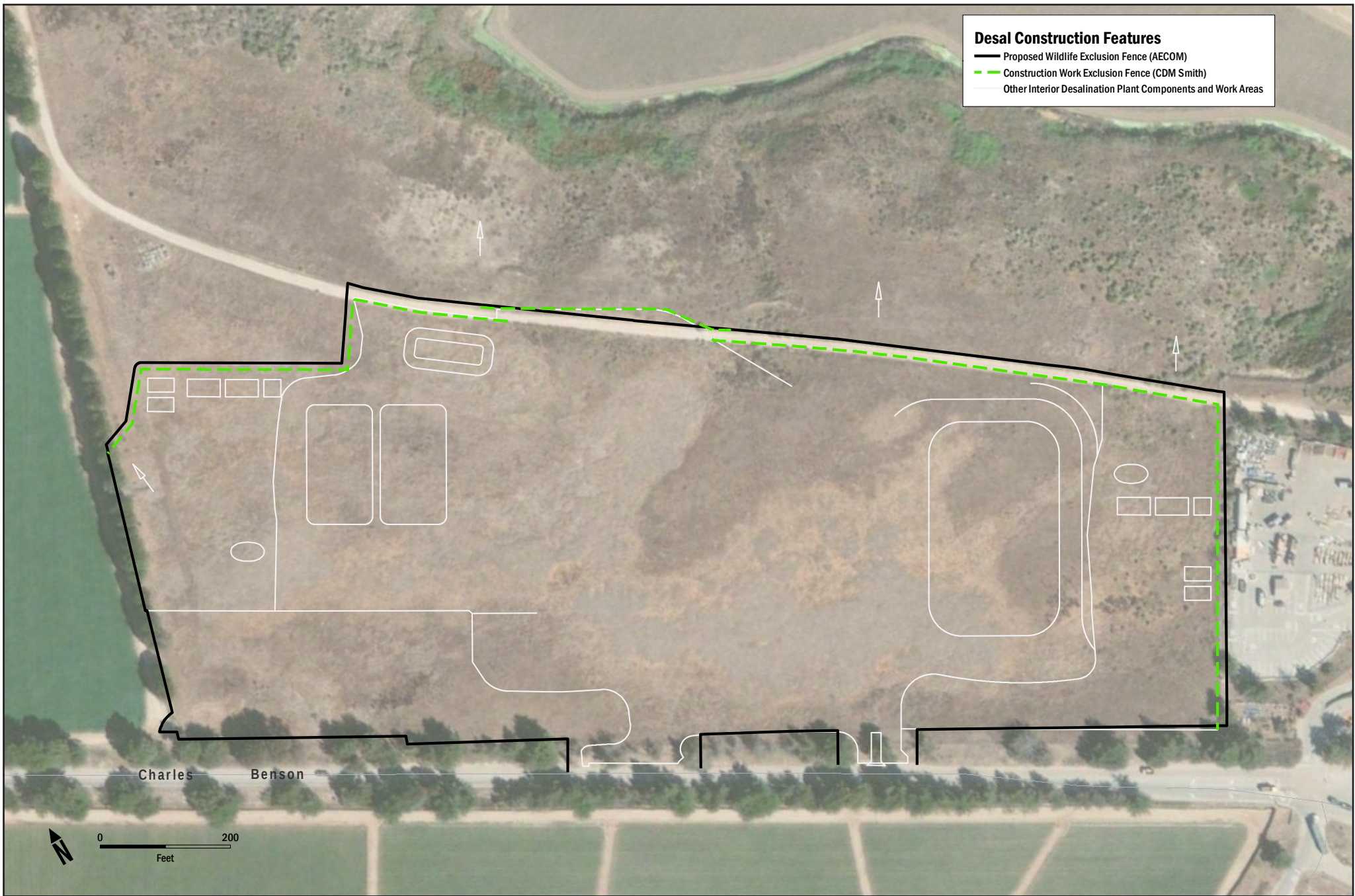
Date
4/2/2025

Scale
1 in = 958 ft



Denise Duffy & Associates, Inc.
Planning and Environmental Consulting

Figure
B-2



Source: ESRI, 2019; AECOM, 2019

Title:

Exclusionary Site Fencing

Date: 10/11/2019

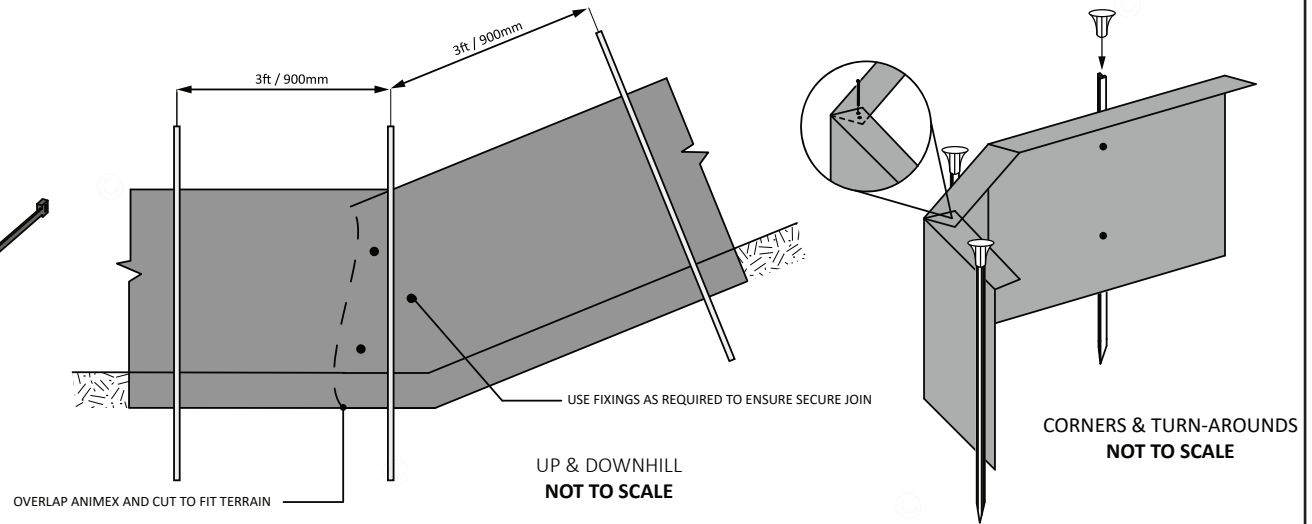
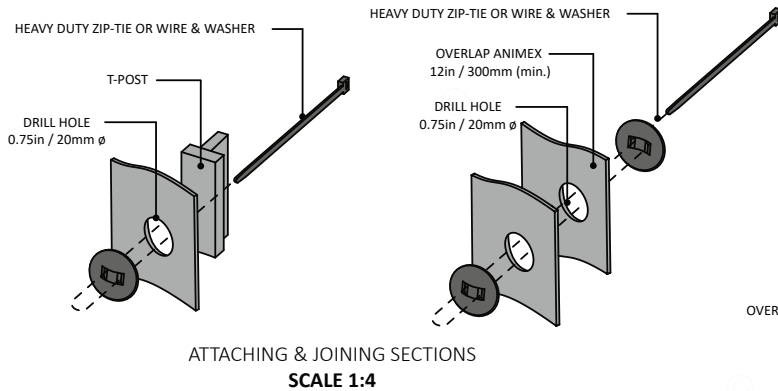
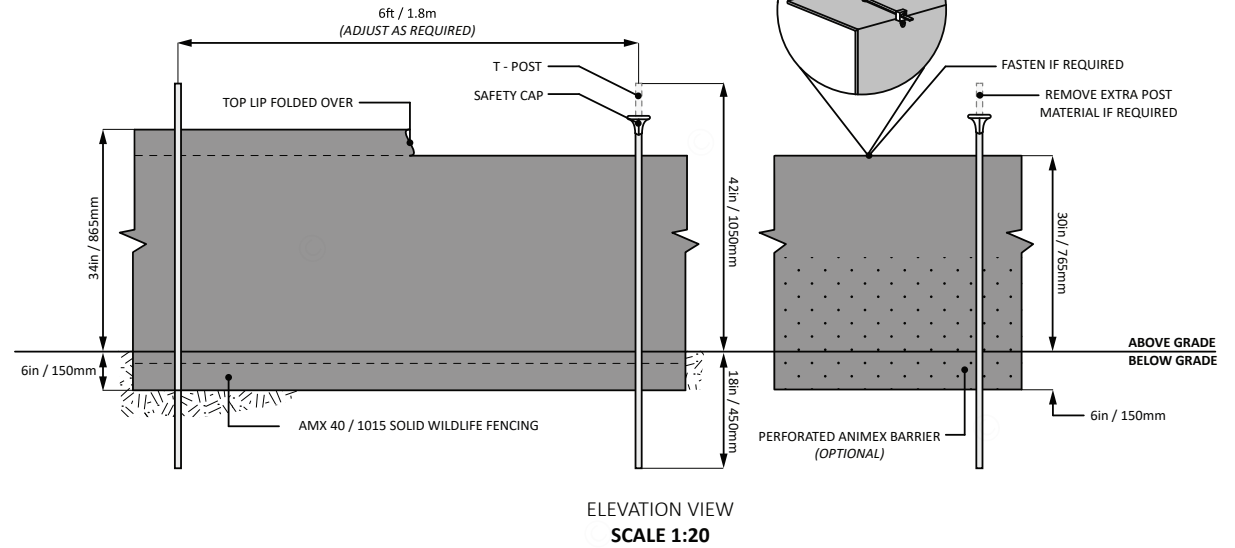
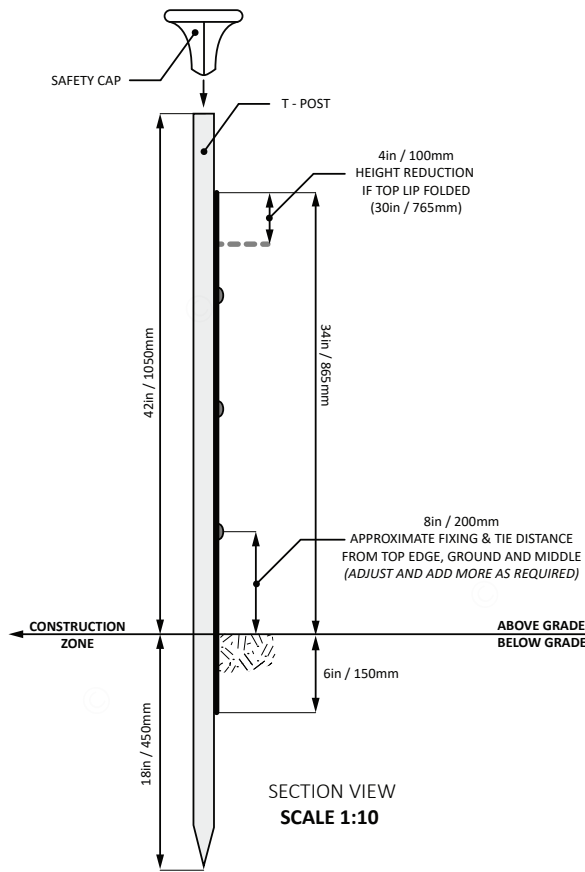
Scale: N/A

Project: 2016-64



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Denise Duffy and Associates, Inc.
 Environmental Consultants Resource Planners
 947 Cass Street, Suite 5
 Monterey, CA 93940
 (831) 373-4341

Figure
B-3



Source: Joni L. Janecki & Associates, Inc., March 2019

Title: Exclusionary Fencing Profile

Date: 10/11/2019
Scale: N/A
Project: 2016-64



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Figure
B-4



Document Path: D:\GIS\GIS_Projects\2016-64 MPWSP\Map Products\Trees To Be Removed.mxd

Title:

Tree Removal Plan

Date: 10/15/2019

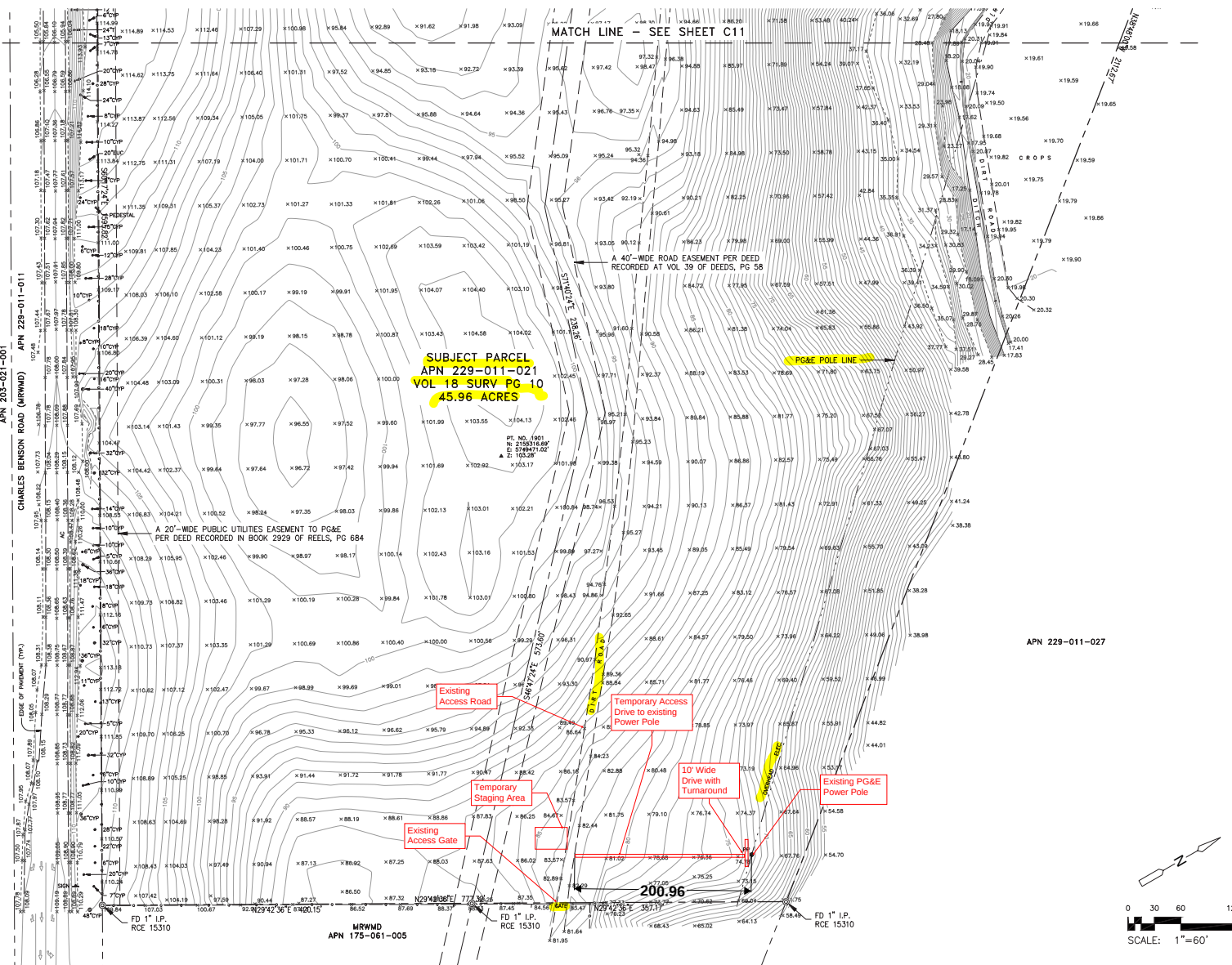
Scale: N/A

Project: 2016-64



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Figure
B-5



LEGEND (FOR SHEETS C10 & C11)

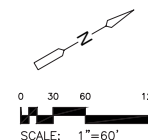
100	GROUND CONTOUR
x71.81	SPOT GRADE
---	SUBJECT PROPERTY LINE
---	ADJACENT PROPERTY LINE
---	EASEMENT LINE
---	CENTER LINE
PT. NO. 1902 N: 2155919.41 E: 5748264.14 Z: 98.81	CONTROL POINT
⊙ FD 1" I.P. LS0000	FOUND IRON PIPE, SIZE AND TAGGED AS NOTED
•••CYP	TREE (CYP = CYPRESS, EUC = EUCALYPTUS)
AC	ASPHALT CONCRETE
---	OVERHEAD ELECTRIC
•••PP	POWER POLE
---	GUY WIRE / ANCHOR
▲	SIGN
---	WIRE FENCE
---	CYCLONE FENCE
---	GRADE BREAK (TOP/TOE OF SLOPE)

MAP NOTES (FOR SHEETS C10 & C11)

- THIS MAP REPRESENTS A TOPOGRAPHIC SURVEY PERFORMED BY BESTOR ENGINEERS, INC. FOR CALIFORNIA-AMERICAN WATER, W.O. 6832.02, MAP DATED 5/17/13, MARKED "PRELIMINARY FOR REVIEW ONLY". IN 2014 WHITSON ENGINEERS FIELD LOCATED THE GPS CONTROL POINTS SHOWN, LOCATED VARIOUS BOUNDARY MONUMENTS AS NOTED, AND PERFORMED GRADE SPOT CHECKS AT VARIOUS POINTS WITHIN THE PROPOSED PROJECT AREA.
- THIS MAP PORTRAYS THE SITE AT THE TIME OF THE SURVEY AND DOES NOT SHOW SOILS OR GEOLOGY INFORMATION, UNDERGROUND CONDITIONS, ZONING OR REGULATORY INFORMATION OR ANY OTHER ITEMS NOT SPECIFICALLY REQUESTED BY THE CLIENT.
- DISTANCES AND DIMENSIONS SHOWN ARE EXPRESSED IN FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED.
- ALL BOUNDARY SHOWN IS FROM RECORD DATA. BOUNDARY SHOWN IS PER THE RECORD OF SURVEY MAP RECORDED AT VOLUME 18, RECORD OF SURVEY PAGE 10. LOCATIONS SHOWN HEREON WERE DETERMINED WITH THE BENEFIT OF A FIELD SURVEY SUPPLEMENTED BY RECORD DATA. THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY.
- THIS MAP WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THERE MAY BE EASEMENTS OR OTHER RIGHTS, RECORDED OR UNRECORDED, AFFECTING THE SUBJECT PROPERTY WHICH ARE NOT SHOWN HEREON.
- UNDERGROUND UTILITIES WERE NOT A PART OF THIS SURVEY. WHERE SHOWN, UTILITY LOCATIONS ARE BASED ON FIELD LOCATION OF VISIBLE SURFACE FEATURES IN CONJUNCTION WITH REVIEW OF RECORD DRAWINGS AND SCHEMATICS PROVIDED BY THE UTILITY OWNERS. THE EXISTENCE AND EXACT LOCATIONS AND DEPTHS OF UTILITIES SHOULD BE CONFIRMED PRIOR TO CONSTRUCTION.
- DIAMETERS OF TREES ARE SHOWN IN INCHES. TREES SMALLER THAN 6" WERE NOT NECESSARILY LOCATED AS PART OF THIS SURVEY.

BENCHMARK / HORIZONTAL CONTROL:

- ELEVATIONS SHOWN HEREON ARE RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) AS DETERMINED BY NETWORK REAL-TIME KINEMATIC (RTK) GPS METHODS AND VERIFIED WITH STATIC GPS OBSERVATIONS AND THE USE OF THE NATIONAL GEODETIC SURVEY'S (NGS)'S ONLINE POSITIONING USER SERVICE (OPUS).
- COORDINATES SHOWN HEREON ARE PER THE CALIFORNIA COORDINATE SYSTEM, NAD83 (2011), ZONE IV, US SURVEY FEET.
- COORDINATES AND ELEVATIONS OF GPS CONTROL POINTS ARE SHOWN HEREON. (TAKEN FROM BESTOR ENGINEERS, INC. TOPOGRAPHIC MAP)



Source: Whitson Engineers, Inc., July 2019

Title: Location of Temporary Construction Power Map

Date: 10/11/2019
Scale: N/A
Project: 2016-64



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Figure
B-6