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Attachment 8

May 29, 2026

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

RE: Notice to Proceed Request No. 5b (NTPR-5b) for the Monterey Peninsula Water Supply Project – (A.12-04-019) – Desalination Plant (Phase 2)

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. NTP-5a (Desalination Plant Phase 1, including pre-construction surveys and site preparation activities) was issued by the CPUC on September 14, 2025, and its construction is ongoing.

CalAm submitted this NTPR-5b to proceed with the construction of the Desalination Plant (Phase 2) 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-5b, **Appendix B**.

Activities covered under this NTPR include construction of the Desalination Plant. Specifically, this NTPR covers construction of all structures and improvements associated with the Desalination Plant, including, but not limited to the Filter Building, Reverse Osmosis Building, Administrative Building, Recycle Pump Station, Brine Equalization ("EQ") Basin, Brine Pump Station, and support infrastructure (e.g., filter vessels, water pumps, storage basins, electrical equipment, and pipelines). The following equipment types would be used during construction: excavators, backhoes, graders, pavers, rollers, bulldozers, concrete trucks, flatbed trucks, boom trucks, cranes, forklifts, welding equipment, dump trucks, air compressors, and generators.

The construction duration for completion of actions requested under NTPR-5b is anticipated to take approximately 24 months with an approximate start in June 2026. Construction equipment would typically operate for eight (8) hours a day. However, at times, workers and equipment could be on site for up to 12 hours per day. Thus, construction activities would likely occur between 7:00 AM and 7:00 PM, Monday through Saturday. No 24-hour construction activities are currently proposed as part of this NTPR.

This letter documents the CPUC's thorough evaluation of all activities covered in NTPR-5b, including the Tables of Applicable Mitigation Measures Identified in Approved MMCRP provided as Appendix A to NTPR-5b. 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 Mitigation Measures (MMs) described in the MMCRP that require pre-construction implementation for actions proposed under NTPR-5b (Table 1):

Table 1. Pre-Construction Mitigation Measure Implementing Actions and Status/Determinations Summary

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.
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 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.

Mitigation Measure	Implementing Actions	Status/Determination
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 prior to ground disturbing activities associated with Phase 1 of this project and Monterey spineflower was found adjacent to but outside of the Project disturbance area. The population has been fenced and is being avoided during the ground disturbing activities. CalAm/Denise Duffy & Associates will provide survey reports to the CPUC.
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	Provide documentation of pre-construction survey.	Pre-construction surveys were conducted prior to ground disturbing activities associated with Phase 1 of this project. A legless lizard was observed during fence installation and was relocated pre the agency-approved relocation plan. Documentation of the preconstruction survey will be provided to CPUC prior to construction.
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.	The names of the biologists were provided with NTPR-5a. Pre-construction surveys were conducted prior to ground disturbing activites associated with Phase 1 of this project and no burrowing owls were found within survey limits. CalAm/Denise Duffy & Associates will provide survey reports to the CPUC.
MM 4.6-1i: Avoidance and Minimization Measures for Nesting Birds	Provide documentation of pre-construction survey.	Pre-construction surveys were conducted and active bushtit and red-winged blackbird nest were found within survey limits. A 50-foot non-disturbance buffer has been established around all active nests. Documentation of the preconstruction survey will be provided to CPUC prior to construction.

Mitigation Measure	Implementing Actions	Status/Determination
MM 4.6-1j: Avoidance and Minimization Measures for American Badger	Provide documentation of pre-construction survey.	Pre-construction surveys were conducted prior to ground disturbing activities associated with Phase 1 of this project. Documentation of the preconstruction survey will be provided to CPUC prior to construction.
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 were conducted prior to ground disturbing activities associated with Phase 1 of this project. Documentation of the preconstruction survey will be provided to CPUC prior to construction.
MM 4.6-1m: Avoidance and Minimization Measures for Native Stands 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 was submitted to the CPUC as part of NTPR-5a and is applicable to NTPR-5b and no changes are to the Plan are proposed.
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 were conducted prior to ground disturbing activities associated with Phase 1 of this project. Weekly checks of the exclusion fence will occur throughout Phase 2 (NTPR-5b) The Relocation Plan was approved by USFWS and CDFW and provided to the CPUC. Documentation of the preconstruction survey will be provided to CPUC prior to construction.
MM 4.6-2a. Consultation with Local Agencies and the California Coastal Commission Regarding Environmentally Sensitive Habitat Areas	N/A	This project site is not in the Coastal Zone and does not include Environmentally Sensitive Habitat Areas.
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.
MM 4.6-3. Avoid, Minimize, and or Mitigate Impacts to Wetlands	N/A	Wetlands do not occur within the project site.

Mitigation Measure	Implementing Actions	Status/Determination
MM 4.6-4: Compliance with Local Tree Ordinances	N/A	No tree removal is proposed as part of NTPR-5b. As a result, this mitigation measure is not applicable.
MM 4.6-6: Installation and Monitoring of Bird Deterrents at the Brine Storage Basin.	N/A	This measure is applicable to the operation of the Brine Storage Basin.
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 was 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 was 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.	CalAm provided preconstruction photos January 27, 2026, of the County roadways that will be used during construction. Roadway agreement with ReGen Monterey to be provided prior to using Charles Benson Road. The fully executed agreement is to be provided to the CPUC before construction.
MM 4.9-C: Construction Traffic Coordination Plan	N/A	Construction Traffic Coordination Plan is not required because there are no active construction projects within 1 mile. If a new construction project begins within 1 mile of the project site, then CDM Smith will prepare a Construction Traffic Coordination Plan consistent with the requirements of this mitigation measure.
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.	Tier 4 certification documentation was provided for Phase 1. Additional Tier 4 certifications for any additional pieces of construction equipment that will be on site will be provided prior to the equipment entering the site.
MM 4.10-1b: Idling Restrictions	Provide documentation of idling policy.	Construction Equipment and Vehicle Efficiency Plan was submitted in conjunction with MM 4.10-1a and the Construction Equipment Idling Plan includes adequate idling restrictions.

Mitigation Measure	Implementing Actions	Status/Determination
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.
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 prior to the start of construction.
MM 4.11-1. GHG Emissions Reductions Plan	Submit to the CPUC for review and approval the name and credentials of the qualified professional proposed to prepare the required GHG Emissions Reductions Plan, and the Plan will be submitted to CPUC for approval prior to commencement of construction.	GHG Emissions Reductions Plan to be completed prior to construction.
MM 4.12-1a: Neighborhood Notice and Construction Disturbance Coordinator	N/A	There are no sensitive receptors near this site.
MM 4.12-1b: General Noise Controls for Construction Equipment and Activities	N/A	There are no sensitive receptors near this site.
MM 4.13-1a: Locate and Confirm Utility Lines	Submit Underground Service Alert (USA) clearance tickets.	USA ticket was obtained for Phase 1 of the project on 1/26/2026 and expired on 2/16/2026.
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.	Addressed in the Accident Prevention and Safety Program and Site-Specific Health and Safety Plan that was 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.	Addressed in the Accident Prevention and Safety Program and Site-Specific Health and Safety Plan that was 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.

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. However, if nighttime lighting is necessary, CalAm will submit documentation to the CPUC showing compliance with this measure.
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-5b provided that all proposed actions and construction are carried out in accordance with the methods and conditions described in NTPR-5b and subject to completion of the following implementing actions by CalAm prior to the start of construction:

- CalAm will implement the MMCRP to ensure implementation of all 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 MMCRP will be kept at the construction site.
- Copies of all permits, compliance plans (e.g., MMCRP), and the NTP approval 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 4.6-1i, CalAm will establish a non-disturbance buffer around active bird nests, the distance of which shall be determined by wildlife regulatory agencies and/or the CPUC.
- 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 4.11-1, CalAm will provide a GHG Emissions Reduction Plan prior to the start of 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.
- 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: Phill Peters, ESA
Even Holmboe, ESA