

Attachment C

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HF-5 shall be amended to add underlined language, below:

HF – 5 The County shall not issue a Notice to Proceed to commence construction of the Proposed Project until all of the following have occurred:

- A. The County has received in writing the following assurances from CAWD:
 - 1. CAWD has obtained all required governmental approvals to proceed with the Undergrounding Project, and
 - 2. CAWD has awarded a construction contract to construct the Undergrounding Project; and
- B. The County shall not issue a Notice to Proceed to commence construction of the Proposed Project unless and until CAWD has provided written assurance that, in its opinion, the necessary funding for the Undergrounding Project has been secured in order for CAWD to proceed, and the County has concurred.
- C. The agreement referenced in HF-4 between CAWD and County has been fully executed.

(As used herein, “Notice to Proceed” means authorization to the contractor to commence construction.)

On August 30, 2022, this mitigation HF-5 was amended to allow specified construction to proceed prior to the County meeting the requirements of A, B and C above. Specifically, CAWD agreed that the foregoing HF-5 sections A-C shall not apply to the work contained in the contract approved by the Board of Supervisors on August 30, 2022, entitled ***Carmel River Floodplain Restoration and Environmental Enhancement - Phase 1 (Project Initial Floodplain Restoration Work), Project 7200*** ("Project 7200").

Project 7200 involves initial floodplain restoration work on the east side of State Route 1 on 105 acres of property owned by BSLT and MPRPD. Project 7200 consists of grading approximately 349,000 cubic yards of onsite material to contour the floodplain and construct a portion of the Managed Flood Conveyance Channels (MFCAs). This excavated material will be utilized onsite to lift an agricultural preserve out of the 100-year floodplain. Trees and vegetation on the sections of the levee slated for future notching will be cut to the ground surface with the exception of a maximum of 39 trees with root wads that will be salvaged from the existing onsite levee and will be placed and secured with willow stakes in the floodplain restoration area to provide floodplain habitat.

After Project 7200’s grading and earthwork is complete, all disturbed areas will be seeded with erosion control seed mix. A section of the graded area will be planted and irrigated to establish a willow and cottonwood riparian forest for habitat restoration.

CAWD agreed that Project 7200 may proceed because the work is designed to not affect the downstream flows that could impact the CAWD Pipelines. Notwithstanding the foregoing, in no event shall any work be performed that affects downstream flows in a manner that could impact the CAWD Pipelines.

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