

Mitigation Monitoring and Reporting Program

Introduction

The Mitigation Monitoring and Reporting Program (MMRP) supplements the City of Arvin Sanitary Sewer Master Plan Initial Study/Mitigated Negative Declaration (IS/MND) by providing a mechanism by which all measures in the IS/MND are implemented. This MMRP is part of the Final IS/MND and will be adopted by the City Council in conjunction with the proposed project.

Purpose of the MMRP

As the lead agency, the City is responsible for implementing the MMRP, which has been prepared in conformance with Section 21081.6 of the California Public Resources Code, as identified below:

(a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:

(1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.

(2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

The MMRP consists of mitigation measures that avoid, reduce, and/or fully mitigate potential environmental impacts. The mitigation measures have been identified and recommended through preparation of the EIR and drafted to meet the requirements of State CEQA Guidelines, Section 15126.4.

Mitigation Monitoring and Reporting Table

Project-specific mitigation measures have been categorized in Table 1, Mitigation Monitoring and Reporting Program. Table 1 identifies the environmental impact, specific mitigation measures, responsible party, monitoring agency, and timing of mitigation. Table 1 will serve as the basis for scheduling the implementation of and compliance with all mitigation measures.

The categories identified in Table 1 are described below:

- **Mitigation Measure.** This column provides the verbatim text of the adopted mitigation measure from the Final EIR.

- **Responsible Party.** This column identified the party responsible for implementing the action.
- **Approving Agency.** This column identified the entity responsible for approving and overseeing the action.
- **Time Frame of Mitigation.** This column identifies the project stage in which the mitigation shall be implemented.

Table 1, Mitigation Monitoring and Reporting Program.

Project Design Feature (PDF)/Mitigation Measure (MM)	Responsible Party	Approving Agency	Time Frame of PDF/MM
<p>PDF-AQ-1: PM10 Emissions Reduction Best Management Practices.</p> <ul style="list-style-type: none"> • Apply water to unpaved surfaces and areas • Use non-toxic chemical or organic dust suppressants on unpaved roads and traffic areas • Limit or reduce vehicle speed on unpaved roads and traffic areas • Maintain areas in a stabilized condition by restricting vehicle access • Install wind barriers • During high winds, cease outdoor activities that disturb soil • Keep bulk materials sufficiently wet when handling 	City of Arvin	City of Arvin	Prior to and during grading or construction activities.

<ul style="list-style-type: none"> • Store and handle materials in a three-sided structure • When storing bulk materials, apply water to the surface or cover the storage pile with a tarp • Do not overload haul trucks; overloaded trucks are likely to spill bulk materials • Cover haul trucks with a tarp or other suitable cover, or wet the tops of the load enough to limit visible dust emissions • Clean the interior of cargo compartments on emptied haul trucks prior to leaving a site • Prevent trackout by installing a trackout device • Clean up trackout at least once per day; if the trackout is along a busy road or highway, clean it up immediately • Monitor dust-generating activities and implement appropriate measures for maximum dust control 			
<p>PDF-NOI-1: Project Construction Activity Schedule. Project construction activities would be limited to standard working hours of 8:00 a.m. to 5:00 p.m., Monday through Friday.</p>	City of Arvin	City of Arvin	Prior to and during grading or construction activities.

<p>MM BIO-1: Weed Control. The project proponent(s) shall implement the following weed control methods to minimize the establishment and spread of non-native and invasive weed species on the project site during construction activities:</p> <ol style="list-style-type: none"> 1. Seeds and plant materials used for revegetation shall be certified weed free. 2. Straw materials such as those used for erosion control shall be certified weed free. 3. Temporarily disturbed non-native grassland areas shall be revegetated with local native plant species as soon as construction is complete to reduce erosion and to inhibit the establishment of non-native and invasive weeds. 	City of Arvin	City of Arvin	Prior to and during grading or construction activities.
<p>MM BIO-2: Qualified Biologist. Prior to the start of construction, the project proponent(s) shall submit written documentation to the City of Arvin Community Development Department Senior Planner for approval, stating that a qualified biologist(s) has been retained to implement the project mitigation measures in areas designated as biologically sensitive in the Biological Resources Letter Report. The qualified biologist(s) shall be responsible for implementing project mitigation measures, coordinating and communicating requirements to the project proponent(s) and the City of Arvin Community</p>	City of Arvin	City of Arvin	Prior to grading or construction activities.

<p>Development Department Senior Planner, and facilitating consultation with the wildlife and resource agencies as required.</p>			
<p>MM BIO-3: Flagging, Fencing, and Demarcation. The project proponent(s), in consultation with the qualified biologist(s), shall designate the limits of the construction area, where accessible, within the City of Arvin rights-of-way using fencing, signage, or stakes in the field and shall review the placement of fencing, signage, or stakes with the contractor in accordance with the construction plans. Aquatic resources and riparian areas within 50 feet of the construction area, where accessible and feasible, shall also be demarcated in the field and avoided by construction personnel and activity.</p>	<p>City of Arvin</p>	<p>City of Arvin</p>	<p>Prior to grading or construction activities.</p>
<p>MM BIO-4: Rare Plant Surveys. During the spring (April 1 through June 30) and prior to construction, the qualified biologist shall conduct a preconstruction rare plant survey in the 0.98-acre non-native grassland potential impact area. In the event a rare or listed plant species is observed, the project proponent(s) shall consult with the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife to establish avoidance, minimization, and mitigation measures. If the wildlife agencies require the measures, species-specific protocol surveys shall be conducted by the qualified biologist pursuant to the agreed-upon terms.</p>	<p>City of Arvin</p>	<p>City of Arvin</p>	<p>During the spring (April 1 through June 30) and prior to construction.</p>

<p>MM BIO-5: Temporary Impacts to Non-Native Grassland. Temporary impacts to 0.98 acre of non-native grassland shall be mitigated by the project proponent(s) through revegetation of the areas impacted during project construction using a weed-free native plant seed palette.</p>	City of Arvin	City of Arvin	Post construction.
<p>MM BIO-6: Preconstruction Surveys. Prior to the start of construction, a preconstruction survey shall be completed by the qualified biologist(s) checking suitable non-native grassland and disturbed land on the project site for presence or sign of burrowing owl (<i>Athene cunicularia</i>), San Joaquin kit fox (<i>Vulpes macrotis mutica</i>), Swainson’s hawk (<i>Buteo swainsoni</i>), blunt-nosed leopard lizard (<i>Gambelia sila</i>), and any other sensitive wildlife species. If sensitive wildlife species are observed during the preconstruction survey or during construction activities, the qualified biologist(s), in coordination with the City of Arvin Community Development Department Senior Planner, shall designate the limits (including appropriate buffers) of the occupied habitat using fencing, signage, or stakes for avoidance by construction personnel and activity.</p>	City of Arvin	City of Arvin	Prior to grading or construction activities.
<p>MM BIO-7: U.S. Fish & Wildlife Service & CA Department of Fish & Wildlife Permitting. If impacts to the special-status species including burrowing owl (<i>Athene cunicularia</i>), San Joaquin kit fox (<i>Vulpes macrotis mutica</i>), Swainson’s hawk (<i>Buteo swainsoni</i>), and blunt-nosed leopard lizard (<i>Gambelia sila</i>) cannot be avoided, the qualified biologist(s), on behalf of the project proponent(s),</p>	City of Arvin	U.S. Fish & Wildlife Service & CA Department of Fish & Wildlife	If impacts to special-status species would occur, prior to grading or construction activities.

<p>shall consult with the U.S. Fish and Wildlife and California Department of Fish and Wildlife for authorization through the context of an incidental take permit.</p>			
<p>MM BIO-8: General Nest Surveys. No grubbing, trimming, or clearing of vegetation, primarily non-native grassland species and a few shrubs, from the project site shall occur during the general bird-breeding season (January 1 through August 31). If grubbing, trimming, or clearing of vegetation cannot feasibly occur outside of the general bird-breeding season, the qualified biologist(s) shall perform a preconstruction nesting bird survey no more than 72 hours prior to the start of vegetation grubbing, trimming, or clearing to determine if active bird nests are present in the affected areas. Should an active migratory bird nest be located, the qualified biologist(s) shall direct vegetation clearing away from the nest until the project biologist has determined that the young have fledged or the nest has failed. If there are no nesting birds (including nest building or other breeding or nesting behavior) on the project site, grubbing, trimming, or clearing shall proceed.</p>	<p>City of Arvin</p>	<p>City of Arvin</p>	<p>If construction will occur during the general bird-breeding season (January 1 through August 31), prior to Grading Permit.</p>
<p>MM CR-1: Discovery of Tribal Cultural Resources. In the event of the discovery of archaeological or tribal cultural resources during ground-disturbing activities, the project proponent(s) shall divert, direct, or temporarily halt ground-disturbing activities in the area of discovery and contact a City of Arvin Community Development Department Senior Planner-approved archaeologist and the Tejon Indian Tribe representative (Colin Rambo,</p>	<p>City of Arvin</p>	<p>City of Arvin</p>	<p>Prior to and during grading or construction activities.</p>

<p>colin.rambo@tehonindiantribe-nsn.gov, (661) 834-8566) to allow for preliminary evaluation of potentially significant archaeological and tribal cultural resources. The significance of the discovered resources shall be determined by the approved archaeologist and Tejon Indian Tribe representative as appropriate. The project proponent(s) must be notified with the results of the evaluation and additional mitigation measures as required and determined by the approved archaeologist and Tejon Indian Tribe representative before ground-disturbing activities can resume.</p>			
<p>MM CR-2: Human Remains. As specified by the California Health and Safety Code, Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or their authorized representative, shall immediately notify the Kern County Coroner's office by telephone. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains (as determined by the qualified archaeologist and the Native American monitor) shall occur until the Kern County Coroner has made the necessary findings as to origin and disposition pursuant to California Public Resources Code, Section 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. By law, the Kern County Coroner shall determine if the remains are subject to their authority within 2 working days of being notified. If the Kern County Coroner recognizes the</p>	<p>City of Arvin</p>	<p>City of Arvin</p>	<p>Prior to and during grading or construction activities.</p>

<p>remains to be Native American, they shall contact the Native American Heritage Commission and notify the Tejon Indian Tribe representative (Colin Rambo, colin.rambo@tehonindiantribe-nsn.gov, (661) 834-8566) within 24 hours. The Native American Heritage Commission shall make a determination as to the most likely descendent. If Native American remains are discovered, the remains shall be kept in situ, or in a secure location in proximity to where they were found, and the analysis of the remains shall only occur on site in the presence of a Native American monitor.</p>			
<p>MM HAZ-1: Health and Safety Plan. The project proponent(s), in consultation with the City of Arvin, shall develop a health and safety plan to address potential hazardous materials associated with agricultural and petroleum industry activities on and surrounding the project site. The project health and safety plan shall include emergency procedures for responding to hazardous materials releases for materials that would be brought onto or discovered on the site as part of construction activities. If evidence of contaminated soils or groundwater is discovered during construction, work in the vicinity of the contaminated area shall cease until the wastes are characterized or remediated. Remediation of the site shall be coordinated with appropriate regulatory authorities to ensure that applicable remediation standards are met. The emergency procedures for hazardous materials releases shall include the necessary personal protective equipment, spill containment procedures, and training of workers to respond to accidental spills or releases. The project proponents shall be required to have on hand at all times during construction</p>	<p>City of Arvin</p>	<p>City of Arvin</p>	<p>Prior to and during grading or construction activities.</p>

<p>the adequate absorbent materials and containment booms to handle a spill equivalent to the largest container of fuels or oil in use.</p>			
<p>MM HYDRO-1: Stormwater Pollution Prevention Plan. In conformance with the Clean Water Act, project proponents, in consultation with the City of Arvin, shall prepare a stormwater pollution prevention plan. The stormwater pollution prevention plan shall address the potential sources and locations of stormwater contamination, characteristics and impacts of specific contaminants, and temporary and permanent erosion-control practices and include water sampling data, construction practices that minimize stormwater contamination, coordination of best management practices with planned construction activities, and compliance with the City of Arvin, Kern County, state, and federal regulations.</p>	<p>City of Arvin</p>	<p>RWQCB</p>	<p>Prior to and during grading or construction activities.</p>
<p>MM HYDRO-2: Best Management Practices. Best management practices shall be incorporated into the final construction and design plans and shall include but not be limited to the following:</p> <ul style="list-style-type: none"> • Construction vehicles shall be adequately maintained and equipped to minimize/eliminate fuel spillage. Equipment maintenance work shall occur off site or in the designated construction staging areas. • Any construction materials that need to be temporarily stockpiled or equipment and supplies that need to be stored on site shall 	<p>City of Arvin</p>	<p>City of Arvin</p>	<p>Prior to and during grading or construction activities.</p>

<p>be kept in the construction staging areas and shall be covered when not in use.</p>			
<p>NOI-1: Construction Noise. Prior to grading activities, the City shall ensure the following:</p> <ul style="list-style-type: none"> • Construction equipment, fixed or mobile, shall be outfitted with properly operating and maintained mufflers. • Construction noise reduction methods such as shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and using electric air compressors and similar power tools rather than diesel equipment shall be used where feasible. • During construction, stationary construction equipment shall be located so that emitted noise is directed away from or shielded from sensitive noise receivers. • During construction, stockpiling and vehicle staging areas shall be located as far as practical from noise-sensitive receptors. 	<p>City of Arvin</p>	<p>City of Arvin</p>	<p>Prior to and during grading or construction activities.</p>

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| <ul style="list-style-type: none">• Construction shall not occur outside the hours of 7:00 a.m. and 9:00 p.m., Monday through Friday, or outside the hours of 8:00 a.m. and 10:00 p.m., Saturday and Sunday. Construction is prohibited on federal holidays. | | | |
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