



**South County Regional
Wastewater Authority Wastewater
Treatment Plant Facility
Expansion Project**

Mitigation Monitoring and Reporting
Program

August 2020

Prepared for:

South County Regional Water Authority

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Abbreviations

BAAQMD	Bay Area Air Quality Management District
BMPs	Best Management Practices
CDFW	California Department of Fish and Wildfire
CNPS	California Native Plant Society
EIR	Environmental Impact Report
ISMND	Initial Study Mitigated Negative Declaration
MMRP	Mitigation Monitoring and Reporting Program
SCRWA	South County Regional Wastewater Authority
USFWS	United States Fish and Wildfire Service
WEAP	Worker Environmental Awareness Program

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Procedures for Monitoring and Reporting
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1.0 PROCEDURES FOR MONITORING AND REPORTING

The South County Regional Wastewater Authority (SCRWA) will be responsible for mitigation measure implementation oversight and compliance documentation. Under the oversight of SCRWA staff, mitigation actions required prior to and during construction will be performed by SCRWA's Consultants, the Construction Contractors, and/or SCRWA staff.

Monitoring and reporting procedures will conform to the following steps prior to and during proposed Project construction and operations:

Step 1 Action: This step will be executed by SCRWA and may be designated by the SCRWA Project Manager to a Consultant and/or Contractor. All actions taken as part of this Mitigation Monitoring and Reporting Program (MMRP) will be documented monthly and reported quarterly to SCRWA, as described in Steps 2 and 3 below. The designee responsible for implementation of mitigation measures will:

- Review mitigation status reports and any other information generated during construction;
- Ensure that the mitigation measures in this MMRP are undertaken, either by Staff, Contractors, or Consultants; and
- Verify monthly that mitigation actions are properly undertaken.

Step 2 Monitoring: This step will be executed by the Monitor. The Monitor will be designated by the SCRWA Project Manager and may be SCRWA staff or a consultant to SCRWA. The Monitor will investigate noncompliance allegations and identify how SCRWA Staff, or its designees should correct implementation of the measure. If a measure is under control of the Contractor, the Monitor will inform the Contractor of the Monitor's determination and request improved implementation.

The Monitor will have the following responsibilities:

- Be knowledgeable in the mitigation that is to be monitored; and
- Verify implementation of mitigation by:
 - Verifying in the field that required implementation has been properly executed during and after construction; and
 - Contacting the Project Manager and requesting that the situation be remedied if mitigation is not being implemented or executed properly.

Step 3 Reporting: This step will be executed by the Monitor. The Monitor will have the following responsibilities:

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- Compile all mitigation status reports into a Report of Compliance. Recommendations may include updating the frequency of monitoring, changing the type of monitoring, and suggesting better ways to implement mitigation;
- Assist the SCRWA Project Manager reviewing Contractor's implementation of mitigation requirements, detailing corrective action and time of completion to resolve any issues that are raised; and
- Keep all completed report and statements on file at the SCRWA office.

2.0 CEQA MITIGATION MEASURES

Table 2-1 below describes the mitigation measures included in the proposed Project. For each mitigation measure the required action, responsible party, implementation timing, and reporting requirements are described.

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Table 2-1 Summary of the South County Regional Wastewater Authority Wastewater Treatment Plant Facility Expansion Project Mitigation Measures

Mitigation Measure	Responsible Party	Monitoring Timing	Monitoring and Reporting Program	Standards for Success
Section 3.3 Air Quality and Greenhouse Gases				
<p>Mitigation Measure AIR-1: Basic Construction Mitigation Measures and Best Management Practices</p> <p>The following Basic Construction Measures from the Bay Area Air Quality Management District (BAAQMD) 2017 CEQA Guidelines (or most recent BAAQMD CEQA Guidelines) shall be implemented throughout construction of the proposed Project:</p> <ul style="list-style-type: none"> a) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. b) All haul trucks transporting soil, sand, or other loose material off-site shall be covered. c) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. d) All vehicle speeds on unpaved roads shall be limited to 15 mile per hour. e) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. f) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points. 	<p>SCRWA and contractor.</p>	<p>The Basic Construction Measures and BMPs shall be implemented throughout construction activities.</p>	<p>The contractor shall prepare and monthly report documenting compliance with the BAAQMD’s Basic Construction Measures, including any corrective actions taken, dust complaints filed, how the complaints were resolved, and documentation of hours of construction activities. The monthly report shall be submitted to SCRWA and be kept on file and made available upon request.</p>	<p>Compliance with all BAAQMD CEQA Air Quality Guidelines screening criteria.</p>

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<p>g) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</p> <p>h) Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.</p> <p>In addition to the above measures, the following Gilroy General Plan Draft Environmental Impact Report (EIR) Best Management Practices (BMPs) shall be implemented throughout construction activities:</p> <ul style="list-style-type: none"> • Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more); • Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.); • Install sandbags or other erosion control measures to prevent silt runoff to public roadways; and • Replant vegetation in disturbed areas as quickly as possible. 				
<p>Section 3.4 Biological Resources</p>				
<p>Mitigation Measure BIO-1 Pre-Construction Surveys</p> <p>A qualified botanist or biologist shall conduct special-status botanical surveys prior to construction activities in the proposed Project area. Surveys shall follow protocols designated by the United States Fish and Wildlife Service (USFWS) (USFWS 1996), California Department of Fish and Wildlife (CDFW) (CDFW 2018) and California Native Plant Society (CNPS) (CNPS 1991) and</p>	<p>SCRWA and contractor.</p>	<p>Pre-construction botanical surveys for special-status species shall be conducted by a qualified botanist or biologist between April and June (i.e., ideally during the mid-bloom period in May), or as otherwise</p>	<p>The survey shall be conducted by a qualified botanist or biologist and a brief Botanical Survey Results Report shall be completed and kept on-file with SCRWA. If special-status species are encountered, the Pre-Construction Botanical Survey Report shall be submitted to the appropriate regulatory</p>	<p>The presence or absence of special-status plant species shall be documented and, if observed, shall be handled and mitigated according to the performance standards outlined above and developed</p>

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<p>shall occur during the appropriate floristic bloom periods for the saline clover and any other special-status species identified as having a potential to occur in the proposed Project area (Appendix C of the Initial Study/Mitigated Negative Declaration [ISMND]). The majority of special-status species with a potential to occur in the proposed Project area have an overlapping bloom period such that if surveys are conducted between April and June (i.e., ideally mid-bloom period in May), target special-status species are most likely to be identifiable.</p> <p>If special-status plants are not detected during pre-construction botanical surveys, no further mitigation is required. However, if special-status plant species are identified within the proposed Project area, their locations shall be mapped, and SCRWA shall require the implementation of the following measures:</p> <ol style="list-style-type: none"> 1. If feasible, construction activities shall avoid special-status plants by installing an exclusion area with fencing and signage located at least 10 feet from special-status plant populations. 2. If avoidance is not feasible, SCRWA shall consult with the appropriate regulatory agency (i.e., USFWS for Federally listed species and CDFW for State- and CNPS- listed species) to identify appropriate procedures and measures capable of reducing impacts to a less than significant level. Recommended measures to mitigate impacts to special-status species may include those found in the Policy on Mitigation Guidelines Regarding Impacts to Rare, Threatened, and Endangered Plants (CNPS 1991). Other measures may include compensation for any impacts to special-status plants via replacement (e.g., seed collection and replanting or transplanting of plants) or substitute resources (e.g., mitigation fees) as defined by regulatory agencies. SCRWA shall implement measures 		<p>deemed appropriate by a qualified botanist.</p>	<p>agencies (i.e., CDFW and/or USFWS).</p>	<p>with the appropriate regulatory agencies.</p>
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<p>recommended by the appropriate regulatory agencies.</p>				
<p>Mitigation Measure BIO-2: Pre-Construction Worker Environmental Awareness Program (WEAP) Training</p> <p>The purpose of a WEAP training is to educate personnel (i.e., construction workers) about the existing on-site and surrounding sensitive biological resources and the measures required to protect these resources. The program will identify the special-status species and sensitive habitats that could potentially occur within the proposed Project area and identify the proposed Project features and BMPs incorporated to prevent impacts to those species. The WEAP training will be conducted by a qualified biologist and presented to the construction team and workers prior to construction and shall include information on the sensitive biological resources that could potentially occur within the proposed Project area and areas immediately adjacent including:</p> <ul style="list-style-type: none"> • How to identify the special-status species found and/or that have the potential to occur in the proposed Project area and the avoidance measures and BMPs incorporated to prevent impacts to those species. • If special-status species are encountered in the work area, construction shall cease, and SCRWA and a qualified environmental representative shall be notified for guidance on appropriate measures to be implemented before any construction activities are resumed. Depending on the Federal or State listing, the observed species, and its persistence in the area, SCRWA shall consult with the USFWS and/or CDFW for guidance. • Remove litter and other debris daily that might attract animals to enter the proposed Project area and store in enclosed containers. 	<p>SCRWA and contractor.</p>	<p>The WEAP training shall be conducted by a qualified biologist prior to construction of the proposed Project, and new workers will be trained before initiating on-site work. Avoidance or buffer zones will be marked before construction begins.</p>	<p>The training shall be conducted by a qualified biologist and documented (by sign-in sheet or other method) for the dates the training occurred, and the staff trained. Retention of and Environmental Awareness Training reference materials shall also be kept on the construction site and within SCRWA's files.</p>	<p>Construction personnel are trained in the key characteristics for identifying and avoiding impacts to special-status species and sensitive habitats.</p>

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<p>Printed handouts and other materials, if deemed appropriate, will be distributed and used for future reference by the construction team. Following the initial training, the contractor construction foreman, or predetermined alternate contractor designee, will be responsible for making sure that other workers on the proposed Project receive WEAP training as they come onto the proposed Project area. A roster of WEAP-trained construction workers will be maintained with SCRWA and made available for review by regulatory agencies if needed.</p>				
<p>Mitigation Measure BIO-3: Avoid Disturbance to Nesting Raptors and Other Nesting Migratory Birds</p> <p>To the extent feasible, vegetation removal activities shall be conducted during the non-nesting season (September 1 to February 15). If construction, such as tree removal, grading, excavation, etc., that have the potential to disturb nesting birds occur during the nesting season (February 15 to August 31), a qualified biologist shall conduct a pre-construction nesting birds survey prior to vegetation removal or ground disturbing activities in a given area with the following criteria:</p> <ul style="list-style-type: none"> • Surveys shall be conducted within the proposed Project area and all potential nesting habitat for waterfowl and passerine species within 250 feet of this area and raptor species within 500 feet of the area. • The surveys should be conducted within one week before initiation of construction activities at any time between February 15 and August 31. If no active nests are detected, then no additional mitigation is required. • If surveys indicate the presence of nesting birds, the biologist shall establish an appropriate exclusion zone around the nest in which no work would be allowed until the young have successfully fledged or the nest has been abandoned. The size of the 	<p>SCRWA and contractor.</p>	<p>One nesting survey shall be conducted by a qualified biologist within one week prior to construction, should the proposed Project be initiated between February 15 and August 31.</p>	<p>The survey shall be conducted by a qualified biologist and a brief survey report shall be documented and kept on file with SCRWA.</p>	<p>Special-status species and nesting birds including those covered under the Migratory Bird Treaty Act and Fish and Game Code shall not be disturbed during proposed Project construction activities; exclusion buffers will be installed and monitored.</p>

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<p>exclusion zone shall be determined by a qualified biologist and shall depend on the status of the species present, the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, other topographical or artificial barriers, and the sensitivity of the nesting bird to the disturbance. In general, exclusion zones of up to 250 feet for raptors and 50 feet for waterfowl and passerines are sufficient to prevent substantial disturbance to nesting birds. However, these buffers may be increased or decreased at the discretion of the biologist, as appropriate. Active nest sites shall be monitored periodically throughout the nesting season to identify any sign of disturbance.</p> <ul style="list-style-type: none"> • If nesting birds are documented to have established themselves in a given location within the proposed Project area during pre-existing construction activities, then it shall be assumed that the nesting birds are habituated to the construction activities. Under this scenario, the active nest shall be monitored by a qualified biologist periodically until the young have successfully fledged, or the nest has been abandoned, as described above. • If active nests are identified on or immediately adjacent to the proposed Project area, then all non-essential construction activities (e.g., equipment storage and meetings) should be avoided in the immediate vicinity of the nest site, but the remainder of construction activities may proceed. 				
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References
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3.0 REFERENCES

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