

5.0 MITIGATION MONITORING AND REPORTING PLAN

5.1 Introduction

In accordance with CEQA, an MND that identifies adverse impacts related to construction and operation of the Project was prepared. The MND identifies mitigation measures that would reduce or eliminate these impacts.

Section 21081.6 of the Public Resources Code and Sections 15091(d) and 15097 of the State CEQA Guidelines require public agencies to adopt a reporting and monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. An MMRP is required for the proposed Project because the IS/MND identified potentially significant adverse impacts related to construction and operation of the proposed Project, and mitigation measures have been identified to mitigate these impacts. Adoption of the MMRP will occur along with approval of the proposed Project.

5.2 Purpose of the Mitigation Monitoring and Reporting Plan

This MMRP has been prepared to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during the construction and operation of the Proposed Project, as required. The MMRP may be modified by the City of Manteca during Project implementation, as necessary, in response to changing conditions or other Project refinements. Table 5-1 has been prepared to assist the responsible parties in implementing the MMRP. This table identifies the category of significant environmental impact(s), individual mitigation measures, monitoring and mitigation timing, responsible person/agency for implementing the measure, monitoring, and reporting procedure, and notation space to confirm implementation of the mitigation measures. The numbering of the mitigation measures follows the numbering sequence in the IS/MND.

5.3 Roles and Responsibilities

The City of Manteca is responsible for oversight of compliance of the mitigation measures in the MMRP.

5.4 Mitigation Monitoring and Reporting Plan

The column categories identified in Table 5-1 are described below.

Mitigation Measure – This column lists the mitigation measures by number.

Monitoring Activity/Timing/Frequency/Schedule – This column lists the activity to be monitored for each mitigation measure, the timing of each activity, and the frequency/schedule of monitoring for each activity.

Implementation Responsibility/Verification – This column identifies the entity responsible for complying with the requirements of the mitigation measure and provides space for verification initials and date.

Responsibility for Oversight of Compliance/Verification – This column provides the agency responsible for oversight of the mitigation implementation and is to be dated and initialed by the agency representative based on the documentation provided by the construction contractor or through personal verification by agency staff.

Outside Agency Coordination – This column lists any agencies with which the City of Manteca may coordinate for implementation of the mitigation measure.

Comments – This column provides space for written comments, if necessary.

**Table 5-1.
City of Manteca Central Trunk Sewer Project
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
Biological Resources					
<p>BIO-1: Special-Status Plant Habitat Avoidance. The following measures shall be implemented to avoid impacts to Special-Status Plant Habitat within the pipeline alignment:</p> <ul style="list-style-type: none"> ▪ A special-status plant survey shall be conducted according to California Department of Fish and Wildlife (CDFW), California Native Plant Society, and U.S. Fish and Wildlife Service (USFWS) protocols prior to Project ground-disturbing or vegetationdisturbing activities within undeveloped areas. The survey shall be conducted by a qualified biologist (as defined per agency protocols) throughout all potential habitat for special-status plants within the Project Site and a 15-foot buffer. The survey shall be timed according to the identifiable period for special-status plant species with potential to occur (typically the blooming period). To the extent feasible, known reference populations shall be visited prior to the survey to confirm target species are evident and identifiable at the time of the survey. If no special-status plants are found and the survey is still considered recent as per CDFW and USFWS protocols at the time of Project implementation, no further measures pertaining to special-status plants are necessary. If a special-status 	<p>Action: Conduct a special-status plant survey.</p> <p>Timing: Prior to Construction.</p>	<p>Construction Manager / Project Biologists</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>	<p>Construction Manager / Project Biologists / City of Manteca</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>	<p>Possible consultation with CDFW and USFWS depending on outcome of survey</p>	

City of Manteca Central Trunk Sewer Project
Final Mitigated Negative Declaration Approval

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
<p>plant is identified within or adjacent to the Project Site, the following shall apply.</p> <ul style="list-style-type: none"> ▪ An impact assessment shall be made by a qualified biologist to determine whether Project-related activities would be significant such that they would have the potential to eliminate, substantially reduce the number of, or restrict the range of the special-status plant species, and/or conflict with any local policies or ordinances protecting special-status plant species. If impacts are determined to be less than significant, no further measures are needed. ▪ If potential impacts are determined to be significant, then a no-disturbance buffer shall be established around special-status plant populations to be avoided within or adjacent to the Project Site. The no-disturbance buffer shall include the extent of the avoided special-status plants (as determined by a qualified biologist during an appropriate time to identify the plants immediately preceding construction) plus a minimum 15-foot buffer. The avoidance area shall be clearly demarcated in the field and demarcation shall be maintained for the duration of Project construction. No vegetation-disturbing or ground-disturbing activities shall occur within the avoidance area. 					

City of Manteca Central Trunk Sewer Project
Final Mitigated Negative Declaration Approval

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
<p>BIO-2: Northwestern Pond Turtle. A qualified biologist shall conduct a preconstruction clearance survey within the Project Site within 48 hours prior to the initiation of Project construction activities. If there is a lapse in Project-related work of 14 days or longer, the survey must be repeated prior to resuming Project activities. If northwestern pond turtles are found within or near the Project Site during the survey or during Project implementation, they shall be allowed to move out of the Project Site on their own volition or relocated by a qualified biologist in coordination with CDFW and silt fencing shall be installed.</p>	<p>Action: Conduct a northwestern pond turtle preconstruction survey. Timing: Prior to Construction.</p>	<p>Construction Manager / Project Biologists</p> <hr/> <p>Initials</p> <p>Date</p>	<p>Construction Manager / Project Biologists / City of Manteca</p> <hr/> <p>Initials</p> <p>Date</p>	<p>Possible consultation with CDFW and USFWS depending on outcome of survey</p>	
<p>BIO-3: Nesting Birds. If construction is scheduled during the nesting season (typically February 1– August 31, and as early as January 1 for raptors), a qualified biologist shall conduct a preconstruction nesting bird survey within 14 days prior to the commencement of Project-related activities to identify active nests that could be impacted by construction. The survey shall be conducted within the Project Site and a 500-foot buffer for raptors and a 100-foot buffer for other birds, where accessible. If there is a lapse in Project-related work of 14 days or longer, the survey must be repeated prior to resuming Project activities. If active nests are found, a no-disturbance buffer shall be established around the nest. A qualified biologist shall establish a buffer distance. The buffer shall be maintained until the nestlings have fledged (e.g., are capable of flight and become independent of the nest), to be</p>	<p>Action: Conduct a nesting bird preconstruction survey. Timing: Prior to Construction.</p>	<p>Construction Manager / Project Biologists</p> <hr/> <p>Initials</p> <p>Date</p>	<p>Construction Manager / Project Biologists / City of Manteca</p> <hr/> <p>Initials</p> <p>Date</p>	<p>Possible consultation with CDFW and USFWS depending on outcome of survey</p>	

City of Manteca Central Trunk Sewer Project
Final Mitigated Negative Declaration Approval

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
determined by a qualified biologist. The avoidance buffer can be removed, and no further measures are necessary once the young have fledged or the nest is no longer occupied, as determined by a qualified biologist.					
<p>BIO-4: Burrowing Owl. A qualified biologist shall conduct a take avoidance preconstruction survey according to the Staff Report on Burrowing Owl Mitigation. If active/occupied burrows are detected, a no-disturbance buffer shall be established around the burrow. The buffer distance shall be established in coordination with CDFW.</p>	<p>Action: Conduct a burrowing owl preconstruction survey.</p> <p>Timing: Prior to Construction.</p>	<p>Construction Manager / Project Biologists</p> <hr/> <p>Initials</p> <p>Date</p>	<p>Construction Manager / Project Biologists / City of Manteca</p> <hr/> <p>Initials</p> <p>Date</p>	<p>Possible consultation with CDFW and USFWS depending on outcome of survey</p>	
<p>BIO-5: Swainson’s Hawk. If construction is scheduled during the Swainson’s hawk nesting season (March 1 to August 31), then, a qualified biologist shall conduct a survey for Swainson’s hawk nesting activity within a 0.5-mile distance surrounding the Project Site. The qualified biologist shall conduct surveys according to the Recommended Timing and Methodology for Swainson’s Hawk Nesting Surveys in California’s Central Valley or, if proposing an alternate survey methodology, shall submit the proposed survey timing and methods to CDFW for review and written approval prior to</p>	<p>Action: Conduct a Swainson’s Hawk preconstruction survey.</p> <p>Timing: Prior to Construction.</p>	<p>Construction Manager / Project Biologists</p> <hr/> <p>Initials</p> <p>Date</p>	<p>Construction Manager / Project Biologists / City of Manteca</p> <hr/> <p>Initials</p>	<p>Possible consultation with CDFW and USFWS depending on outcome of survey</p>	

City of Manteca Central Trunk Sewer Project
Final Mitigated Negative Declaration Approval

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
<p>the initiation of surveys. If there is a lapse in Projectrelated work of 14 days or longer, the survey must be repeated prior to resuming Project activities. If Swainson’s hawk nesting activity is observed during the survey, an avoidance buffer shall be established by a qualified biologist in consultation with CDFW. The avoidance buffer shall be maintained while the nest is active.</p>			Date		
<p>BIO-6: Western Red Bat. Tree trimming/removal shall occur outside of the bat maternity season (April 15 through August 31), as feasible.</p>	<p>Action: Tree trimming impacts shall be outside of bat maternity season.</p> <p>Timing: During construction.</p>	<p>Construction Manager / Project Biologists</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>	<p>Construction Manager / Project Biologists / City of Manteca</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>		
<p>BIO-7: Aquatic Resources. Construction in this area will take place in one phase and will be completed before the irrigation ditch is used to convey any water.</p> <p>Additionally, the applicant shall prepare and implement an Erosion and Sediment Control Plan to avoid and minimize</p>	<p>Action: Avoid aquatic resources, and if not possible, procure any required regulatory permits.</p> <p>Timing: Prior to Construction.</p>	<p>Construction Manager / Project Biologists</p>	<p>Construction Manager / Project Biologists / City of Manteca</p>		

City of Manteca Central Trunk Sewer Project
Final Mitigated Negative Declaration Approval

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
sediment and erosion to aquatic resources within or adjacent to the Project Site boundary.		<hr/> Initials Date	<hr/> Initials Date		
BIO-8: Tree and Vegetation Removal. The Project proponent shall consult with the City of Manteca Parks and Recreation Department prior to impacting vegetation in any public space and shall secure their approval for impacting such vegetation prior to construction, if needed.	Action: Consult the City of Manteca’s Parks and Recreation Department about any impacts to vegetation in public space. Timing: Prior to Construction.	Construction Manager / Project Biologists <hr/> Initials Date	Construction Manager / City of Manteca <hr/> Initials Date		
Cultural Resources					
CUL-1: Unanticipated Discoveries. If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior’s Professional Qualification Standards for prehistoric and historic archaeology, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional	Action: Implement unanticipated discovery and human remains protocol. Timing: Ongoing and as needed during construction activities.	Construction Manager/Qualified Professional Archeologist. <hr/> Initials	City of Manteca <hr/> Initials		

City of Manteca Central Trunk Sewer Project
Final Mitigated Negative Declaration Approval

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
<p>judgment. The following notifications shall apply, depending on the nature of the find:</p> <ul style="list-style-type: none"> ▪ If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately and no agency notifications are required. ▪ If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, the archaeologist shall immediately notify the lead agencies. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be a Historical Resource under the California Environmental Quality Act (CEQA), as defined by CEQA or a Historic Property under Section 106 of the National Historic Preservation Act, if applicable. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Historical Resource under CEQA or a Historic Property under Section 106; or 2) that the treatment measures have been completed to their satisfaction. ▪ If the find includes human remains, or remains that are potentially human, they shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify the San Joaquin County Coroner (per § 7050.5 of the Health and Safety Code). 		<p>_____</p> <p>Date</p>	<p>_____</p> <p>Date</p>		

City of Manteca Central Trunk Sewer Project
Final Mitigated Negative Declaration Approval

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
<p>The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California Public Resources Code (PRC), and AB 2641 will be implemented. If the coroner determines the remains are Native American and not the result of a crime scene, the coroner will notify the Native American Heritage Commission (NAHC), which then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.</p>					
Geology and Soils					

City of Manteca Central Trunk Sewer Project
Final Mitigated Negative Declaration Approval

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
<p>PALEO-1: Discovery of Unknown Resources. If any paleontological resources (i.e., fossils) are found during Project construction, construction shall be halted immediately in the subject area, and the area shall be isolated using orange or yellow fencing until the City is notified and the area is cleared for future work. A qualified paleontologist shall be retained to evaluate the find and recommend appropriate treatment of the inadvertently discovered paleontological resources. If the City resumes work in a location where paleontological remains have been discovered and cleared, the City will have a paleontologist onsite to confirm that no additional paleontological resources are in the area.</p>	<p>Action: Notify the City of Manteca and Qualified Paleontologist in the event of a discovery. Implement appropriate treatment of found materials.</p> <p>Timing: Ongoing and as needed during construction activities.</p>	<p>Project Paleontologist/ Construction Manager</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>	<p>City of Manteca</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>		
Transportation					
<p>TRANS-1: Construction Traffic Management Plan. Prior to commencing construction of the Proposed Project, a construction traffic management plan shall be prepared by the Contractor, in coordination with the City. The management plan shall be detailed and comprehensive to adequately mitigate potential conflicts between baseline and construction-related traffic. The construction traffic management plan will include, at a minimum, the following measures:</p>	<p>Action: Construction noise mitigation.</p> <p>Timing: Ongoing and as needed during construction activities.</p>	<p>Construction Manager</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>	<p>City of Manteca</p> <hr/> <p>Initials</p> <hr/> <p>Date</p>		

City of Manteca Central Trunk Sewer Project
Final Mitigated Negative Declaration Approval

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
<p>A. Adequate off-street worker parking shall be provided along the pipeline route.</p> <p>B. A flagman or signal-controlled one-way traffic-control operation shall be provided where two-way traffic operation is impractical or unsafe.</p> <p>C. Roadway disturbances shall be minimized during non-working hours; open trenches shall be covered with steel plates or by the use of temporary backfill during non-working hours.</p> <p>D. Temporary steel plate trench crossings shall be provided as needed to maintain access to homes, farms, and businesses.</p> <p>E. Construction sites shall be posted with appropriate warning signage at least one week prior to construction to allow local residents to select an alternative travel route.</p> <p>F. Construction staging areas shall be provided to minimize storage of equipment and materials in the traffic lanes.</p> <p>G. All paved surfaces disturbed during construction shall be repaved when work is complete.</p>					

City of Manteca Central Trunk Sewer Project
Final Mitigated Negative Declaration Approval

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
<p>H. The Contractor shall provide traffic control and diversion plans for review and approval by each appropriate jurisdiction.</p> <p>I. To minimize delays in emergency response during Project construction, emergency providers shall be notified in advance. Police, fire protection, and ambulance services shall be notified in advance of the times, duration, and location of construction activities throughout the Project's construction process.</p>					
Tribal Cultural Resources					
<p>TCR-1: Unanticipated Discovery of Tribal Cultural Resources. If potentially significant TCRs are discovered during ground disturbing activities, all work shall cease within 100 feet of the find. A Native American Representative from the Confederated Village of Lisjan Nation shall be immediately contacted and invited to assess the significance of the find and make recommendations for further evaluation and treatment, as necessary. If deemed necessary by the City, a qualified cultural resources specialist, who meets the Secretary of Interior's Standards and Qualifications for Archaeology, may also assess the significance of the find in joint consultation with Native American representatives to ensure that tribal values are</p>	<p>Action: Unanticipated discovery protocol.</p> <p>Timing: Ongoing and as needed during construction activities.</p>	<p>Construction Manager</p> <hr/> <p>Initials</p> <p>Date</p>	<p>Construction Manager/ City of Manteca</p> <hr/> <p>Initials</p> <p>Date</p>		

City of Manteca Central Trunk Sewer Project
Final Mitigated Negative Declaration Approval

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
<p>considered. Work at the discovery location cannot resume until the City, in consultation as appropriate and in good faith, determines that the discovery is either not a TCR, or has been subjected to culturally appropriate treatment, if avoidance and preservation cannot be accommodated.</p>					

To be signed when all mitigation measures have been completed:

City of Manteca

Signature

Printed Name Date
