

MITIGATION MONITORING AND REPORTING PROGRAM

for the A1/A2 Reservoirs & B/C Zones Booster

Pump Station Project

The Mitigation Monitoring and Reporting Program (MMRP) is a CEQA required component of the Mitigated Negative Declaration (MND) process for the project (CEQA Guidelines §15074). Specifically, CEQA requires that lead agencies adopting MNDs take affirmative steps to determine that approved mitigation measures are implemented subsequent to project approval (CEQA Guidelines §15074(d)).

As part of the CEQA environmental review procedures, Public Resources Code §21081.6 requires a public agency to adopt a monitoring and reporting program to ensure efficacy and enforceability of any mitigation measures applied to a proposed project. The lead agency must adopt an MMRP for mitigation measures incorporated into the project or proposed as conditions of approval. The MMRP must be designed to ensure compliance during project implementation. As stated in §21081.6(a)(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 agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.”

Table 1 is the MMRP matrix. The table lists each of the mitigation measures and specifies the agency responsible for implementation of the mitigation measure and the time period for the mitigation measure.

MARINA COAST WATER DISTRICT (MCWD)

Project: A1/A2 Reservoirs & B/C Zones BPS Project

Location: City of Marina and Former Fort Ord, CA

APNs: 031-101-033-000, 031-271-010-000

Approval by: _____ **Date:** _____

Mitigation Monitoring and Reporting Plan

**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

Table 1. Mitigation Monitoring and/or Reporting Plan (MMRP) for the A1/A2 Reservoirs & B/C Zones Booster Pump Station Project

Environmental Impact	Mitigation Measures	Responsible Party(ies)	Timing	Verification (name/date)
5.2.4 Biological Resources				
Biological Resources: Impacts to special-status species & habitat	<p>Mitigation Measure BIO-1: Construction Best Management Practices</p> <p>The following best management practices will be implemented during all identified phases of construction (i.e., pre-, during, and post-) to reduce impacts to special-status plant and wildlife species:</p> <ul style="list-style-type: none"> ▪ A qualified biologist will conduct an Employee Education Program for the construction crew prior to any construction activities. The qualified biologist will meet with the construction crew at the onset of construction at the project site to educate the construction crew on the following: 1) the appropriate access route(s) in and out of the construction area and review project boundaries; 2) how a biological monitor will examine the area and agree upon a method which will ensure the safety of the monitor during such activities, 3) the special-status species that may be present; 4) the specific mitigation measures that will be incorporated into the construction effort; 5) the general provisions and protections afforded by the Service and CDFW; and 6) the proper procedures if a special-status species is encountered within the project site. ▪ Protective fencing shall be placed prior to and during construction to keep construction equipment and personnel from impacting vegetation outside of work limits. A biological monitor shall supervise the installation of protective 	MCWD/Qualified Biologist/Construction Contractor	Prior to, during, & after project construction	

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	<p>fencing and monitor at least once per week until construction is complete to ensure that the protective fencing remains intact.</p> <ul style="list-style-type: none"> ▪ Trees and vegetation not planned for removal or trimming shall be protected prior to and during construction to the maximum extent possible through the use of exclusionary fencing, such as hay bales for herbaceous and shrubby vegetation, and protective wood barriers for trees. Only certified weed-free straw shall be used, to avoid the introduction of non-native, invasive species. A biological monitor shall supervise the installation of protective fencing and monitor at least once per week until construction is complete to ensure that the protective fencing remains intact. ▪ Grading, excavating, and other activities that involve substantial soil disturbance will be planned and implemented in consultation with a qualified hydrologist, engineer, or erosion control specialist, and will utilize standard erosion control techniques to minimize erosion and sedimentation to native vegetation adjacent to the project site (pre-, during, and postconstruction). ▪ Following construction, disturbed areas will be restored to pre-project contours to the maximum extent possible and revegetated using locally-occurring native species and native erosion control seed mix, per the recommendations of a qualified biologist. ▪ To protect against spills and fluids leaking from equipment, the project proponent shall require that the construction contractor maintains an on-site spill plan and on-site spill containment measures that can be easily accessed. ▪ No firearms will be allowed on the project site at any time. ▪ All food-related and other trash will be disposed of in closed containers and removed from the project area at least once a week during the construction period, or more often if trash is attracting avian or mammalian predators. Construction personnel will not feed or otherwise attract wildlife to the area. 			
<p>Biological Resources: Impacts to special-status species & habitat (continued)</p>	<p>Mitigation Measure BIO-2: Construction Phase Monitoring MCWD shall retain a qualified biologist to monitor all ground disturbing construction activities (i.e., vegetation removal, grading, excavation, or similar activities) associated with the project to protect any special-status species encountered. Any handling and relocation protocols of special-status wildlife species will be determined in coordination with CDFW prior to any ground disturbing activities and will be conducted by a qualified biologist with appropriate scientific collection permit. The qualified biologist will be the contact for any</p>	<p>MCWD/Qualified Biologist</p>	<p>Prior to & during project construction</p>	

Environmental Impact	Mitigation Measures	Responsible Party(ies)	Timing	Verification (name/date)
	<p>special-status wildlife species encounters, will conduct daily inspections of equipment and materials stored on site and any holes or trenches prior to the commencement of work, and will ensure that all installed fencing stays in place throughout the construction period. The qualified biologist must work through the State Inspector to cease construction contractor work and/or redirect project activities to ensure protection of resources and compliance with all environmental permits and conditions of the project. The qualified biologist shall complete a daily log summarizing activities and environmental compliance throughout the duration of the project. The log will also include any special-status wildlife species observed and relocated.</p>			
<p>Biological Resources: Impacts to special-status species & habitat (continued)</p>	<p>Mitigation Measure BIO-3: Non-Native, Invasive Species Control The following measures will be implemented to reduce the introduction and spread of nonnative, invasive species:</p> <ul style="list-style-type: none"> ▪ Any landscaping or replanting required for the project will not use species listed as noxious by the California Department of Food and Agriculture (CDFA) or invasive by the California Invasive Plant Council (Cal-IPC). ▪ Bare and disturbed soil will be landscaped with CDFA recommended seed mix or plantings from locally adopted species to preclude the invasion on noxious weeds in the project site. ▪ Construction equipment will be cleaned of mud or other debris that may contain invasive plants and/or seeds and inspected to reduce the potential of spreading noxious weeds, before mobilizing to arrive at the construction site and before leaving the construction site. ▪ All non-native, invasive plant species will be removed from disturbed areas prior to replanting. 	<p>MCWD/Qualified Biologist/Construction Contractor</p>	<p>Prior to, during, & after project construction</p>	
<p>Biological Resources: Impacts to special-status species & habitat (continued)</p>	<p>Mitigation Measure BIO-4: Pre-Construction Surveys for Nesting Raptors and Avian Species Construction activities that may directly (e.g., vegetation removal) or indirectly (e.g., noise/ground disturbance) affect nesting raptors and avian species will be timed to avoid the breeding and nesting season. Specifically, vegetation and/or tree removal can be scheduled after September 16 and before January 31. Alternatively, a qualified biologist will be retained by the project applicant to conduct pre-construction surveys for nesting raptors and other protected avian species within 500 feet of proposed construction activities if construction occurs between February 1 and September 15. Pre-construction surveys will be conducted no more than 10</p>	<p>MCWD/Qualified Biologist</p>	<p>Prior to & during project construction</p>	

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	<p>days prior to the start of construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). Because some bird species nest early in spring and others nest later in summer, surveys for nesting birds may be required to continue during construction to address new arrivals, and because some species breed multiple times in a season. The necessity and timing of these continued surveys will be determined by the qualified biologist based on review of the final construction plans and in coordination with the CDFW, as needed.</p> <p>If raptors or other protected avian species nests are identified during the pre-construction surveys, the qualified biologist will notify the project applicant and an appropriate no-disturbance buffer will be imposed within which no construction activities or disturbance should take place (generally 500 feet in all directions for raptors; other avian species may have species-specific requirements) until the young of the year have fledged and are no longer reliant upon the nest or parental care for survival, as determined by a qualified biologist.</p>			
<p>Biological Resources: Impacts to special-status species & habitat (continued)</p>	<p>Mitigation Measure BIO-5: California Tiger Salamander Avoidance Measures</p> <p>The following measures will be implemented to avoid impacts to CTS at the Intermediate Reservoir and Ord Wellfield site:</p> <ul style="list-style-type: none"> ▪ A Service and CDFW-approved biologist will monitor initial ground disturbing construction activity for a sufficient amount of time to train an individual to act as the onsite construction monitor. This would typically take two days. The determination of when the construction monitor is sufficiently trained to act independently shall be made by the qualified biologist and may be less or more than two days. The construction monitor will have attended the training described below. Both the Service and CDFW-approved biologist and the construction monitor will have the authority to stop and/or redirect project activities to ensure protection of resources and compliance with all environmental permits and conditions of the project. The construction monitor is not authorized to capture or handle CTS. The construction monitor will complete a daily log summarizing activities and environmental compliance. ▪ Before ground disturbing work activities begin each day, the construction monitor will conduct a pre-construction survey and inspect under construction equipment and materials to look for CTS. If a CTS is found during these checks 	<p>MCWD/Service & CDFW-Approved Biological Monitor</p>	<p>Prior to & during project construction</p>	

Environmental Impact	Mitigation Measures	Responsible Party(ies)	Timing	Verification (name/date)
	<p>or during construction, the construction monitor will halt work that may affect the animal until the Service and CDFW-approved biologist is notified. The Service and CDFW-approved biologist will notify the Service and CDFW of any CTS encounters within 48 hours. The MCWD will consult with the Service and CDFW to ensure compliance with the ESA and CESA and obtain any necessary permits.</p> <ul style="list-style-type: none"> ▪ A Service and CDFW-approved biologist will train all project staff regarding habitat sensitivity, identification of special-status species, and required practices before the start of construction. The training will include a brief review of the biology of the covered species, the general measures that are being implemented to conserve these species as they relate to the project, guidelines to avoid impacts to these species during the construction period, the penalties for non-compliance, and the boundaries of the project area. A fact sheet or other supporting materials containing this information will be prepared and distributed. Upon completion of training, employees will sign a form stating that they attended the training and understand all the conservation and protection measures. Educational programs will be conducted for new personnel before they join construction activities. The crew foreman will be responsible for ensuring that all crew members comply with the guidelines. ▪ Work will be postponed if chance of rain is greater than 70% based on the NOAA National Weather Service forecast or within 48 hours following a rain event greater than 0.1 inch. ▪ If an unpredicted rainfall event commences while construction activities are in progress, the applicant will suspend all work activities and equipment and personnel will be demobilized. Equipment may be moved to a designated staging area until work is allowed to resume. The designated area will be a hard surface devoid of small mammal burrows. A Service and CDFW-approved biologist would survey the project site immediately before resuming project activities. ▪ The project site and driveway will be closed to all construction activities and traffic one half hour before sunset and will not begin prior to one half hour after sunrise. ▪ All construction-related vegetative debris (e.g., larger brush, tree limbs, tree trunks) will be hauled offsite daily for disposal. 			

Environmental Impact	Mitigation Measures	Responsible Party(ies)	Timing	Verification (name/date)
	<ul style="list-style-type: none"> ▪ To prevent inadvertent entrapment of CTS during construction, all excavated, steep-walled holes or trenches more than two (2) feet deep will be covered at the close of each working day with plywood or similar materials. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals. If holes or trenches are too large to be covered, the construction crew will place adequate means of escape (earthen ramps not more than 2:1 slope, wooden boards, etc.) to allow animals to exit. ▪ During project activities, all trash that may attract predators will be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris will be removed from work areas. ▪ All refueling, maintenance, and staging of equipment and vehicles will occur at least 100 feet from water bodies and in a location from where a spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water). The construction monitor will ensure contamination of habitat does not occur during such operations. Prior to the onset of work, the contractor will ensure that a plan is in place for prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur. ▪ Only tightly woven fiber netting or similar material may be used for erosion control at the project site. Coconut coir matting is an acceptable erosion control material. No plastic mono-filament matting will be used for erosion control, as this material may ensnare wildlife. 			
<p>Biological Resources: Impacts to special-status species & habitat (continued)</p>	<p>Mitigation Measure BIO-6: Pre-Construction Special-Status Plant Surveys A qualified biologist shall be retained to conduct pre-construction surveys for sandmat manzanita, Monterey spineflower, Fort Ord spineflower, and sand gilia within the unsurveyed portion of the Intermediate Reservoir and Ord Wellfield site. The surveys shall be conducted during the appropriate identification period(s) to determine presence or absence, according to USFWS, CDFW, and CNPS protocol. The biologist shall prepare a report that provides the results of the survey, and, if found the number and locations of individuals/populations identified.</p> <ul style="list-style-type: none"> ▪ If no special-status plant species are identified, no further mitigation is necessary. ▪ If special-status HMP plant species are identified, Mitigation Measures BIO-7 through BIO-10 shall be implemented, as appropriate. 	<p>MCWD/Qualified Biologist</p>	<p>Prior to & during project construction</p>	

Environmental Impact	Mitigation Measures	Responsible Party(ies)	Timing	Verification (name/date)
	<ul style="list-style-type: none"> ▪ If special-status non-HMP plant species are identified, impacts to these individuals or populations shall be avoided through project design and modification to the extent feasible. If avoidance is not feasible, a Rare Plant Restoration Plan shall be prepared by a qualified biologist and implemented. The plan shall include, but is not limited to, the following: <ul style="list-style-type: none"> ○ A description of the baseline conditions of the work site, including locations and densities of the special-status plant species present; ○ Procedures to control and/or eliminate non-native invasive species within the work site; ○ A detailed description of on-site and/or off-site restoration areas, salvage of seed and/or soil bank, plant salvage, seeding and planting specifications, including increased planting ratio to ensure the 1:1 success ratio; and ○ A monitoring program that describes annual monitoring efforts which incorporate success criteria and contingency plans if success criteria are not met. 			
Biological Resources: Impacts to special-status species & habitat (continued)	<p>Mitigation Measure BIO-7: HMP Plant Species Salvage</p> <p>Prior to construction, salvage efforts for HMP species that do not require take authorization from the USFWS or CDFW will be evaluated by a qualified biologist in coordination with the to further reduce impacts per the requirements of the HMP and 2017 Programmatic BO. Where salvage is determined feasible and proposed, seed collection should occur from plants within the development site and/or topsoil should be salvaged within occupied areas to be disturbed. Seeds should be collected during the appropriate time of year for each species by qualified biologists. The collected seeds and topsoil should be used to revegetate temporarily disturbed construction areas and reseeded and restoration efforts on- or off-site, as determined appropriate by the qualified biologist and MCWD. For HMP species that require take authorization from the USFWS or CDFW, any additional salvage measures identified in the take authorization(s) shall be followed.</p>	MCWD/Qualified Biologist	Prior to & during project construction	
Biological Resources: Impacts to special-status species & habitat (continued)	<p>Mitigation Measure BIO-8: HMP and 2017 Programmatic BO Compliance</p> <p>If the City and/or CSUMB are not in compliance with the HMP and the 2017 Programmatic BO, impacts to sandmat manzanita and Monterey spineflower shall be replaced at a 1:1 success ratio for the acreage or individuals impacted (depending on species impacted) and a Rare Plant Restoration Plan shall be prepared by a qualified biologist and implemented. The plan shall include, but is not limited to, the following:</p>	MCWD/Qualified Biologist	Prior to, during & after project construction (if the City and/or CSUMB are not in compliance with the HMP	

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	<ul style="list-style-type: none"> ▪ A description of the baseline conditions of the habitats within the work site, including the presence of any special-status species, their locations, and densities; ▪ Procedures to control and/or eliminate non-native invasive species within the work site; ▪ Provisions for ongoing training of facility maintenance personnel to ensure compliance with the requirements of the plan; ▪ A detailed description of on-site and/or off-site restoration areas, salvage of seed and/or soil bank, plant salvage, seeding and planting specifications, including increased planting ratio to ensure the 1:1 success ratio; and ▪ A monitoring program that describes annual monitoring efforts which incorporate success criteria and contingency plans if success criteria are not met. 		and the 2017 Programmatic BO)	
Biological Resources: Impacts to special-status species & habitat (continued)	<p>Mitigation Measure BIO-9: Federal and State Listed Plant Species Avoidance Federal and state listed plant species shall be avoided to the greatest extent feasible. Individuals or populations that will not be impacted by the project shall be protected prior to and during construction to the maximum possible through the use of exclusionary fencing and/or flagging. A biological monitor will supervise the installation of protective fencing/flagging and monitor at least once per week until construction is complete to ensure that the protective fencing/flagging remains intact.</p>	MCWD/Biological Monitor	Prior to & during project construction	
Biological Resources: Impacts to special-status species & habitat (continued)	<p>Mitigation Measure BIO-10: CESA Compliance The MCWD will comply with the CESA and obtain necessary take authorizations if sand gilia is identified in the unsurveyed portion at the Intermediate Reservoir and Ord Wellfield site during the pre-construction surveys required in Mitigation Measure BIO-6 and it is determined that avoidance is not feasible and the project may result in take, as defined in the CESA.</p> <p>The MCWD will obtain an incidental take permit from CDFW prior to take occurring at the site. Permit requirements typically involve preparation and implementation of a mitigation plan and mitigating impacted habitat at a 3:1 ratio through preservation and/or restoration. The MCWD would be required to retain a qualified biologist to prepare the mitigation plan, which will include, but is not limited to, identifying avoidance and minimization measures; mitigation strategy, including a take assessment, compensatory mitigation lands, and success criteria;</p>	MCWD/Qualified Biologist	Prior to, during & after project construction at the Intermediate Reservoir and Ord Wellfield Site	

Environmental Impact	Mitigation Measures	Responsible Party(ies)	Timing	Verification (name/date)
	and funding assurances. MCWD would be required to implement the approved mitigation plan and any additional permit requirements.			
5.2.5 Cultural Resources				
Cultural Resources: Cause a substantial adverse change in the significance of an archaeological resource and unknown or subsurface archaeological resources or human remains	<p>Mitigation Measure CR-1</p> <p>If archaeological materials or features are discovered at any time during construction, work shall be halted within 50 meters (150 ft.) of the find until it can be evaluated by a qualified professional archaeologist (defined as one who is certified by the Society of Professional Archaeologists). If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented.</p>	MCWD/Professional Archaeologist	Prior to & during project construction	
Cultural Resources: Cause a substantial adverse change in the significance of an archaeological resource and unknown or subsurface archaeological resources or human remains (continued)	<p>Mitigation Measure CR-2</p> <p>If human remains are discovered at any time during construction, work shall be halted within 50 meters (150 ft.) of the find.</p> <ul style="list-style-type: none"> ▪ The contractor shall call the Monterey County Coroner and await the Coroner's clearance. If the coroner determines the remains are Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours. ▪ NAHC shall notify the most likely descendent. ▪ The Native American descendent, with permission of the landowner or representative, may inspect the site of the discovery and recommend the means for treating or disposing with appropriate dignity the human remains and any associated grave goods. ▪ The Native American descendent shall complete their inspection and make their recommendation within 24 hours of their notification by the Native American Heritage Commission. The recommendation may include the removal and analysis of human remains and associated items; preservation of the Native American human remains and associated items in place; relinquishment of Native American human remains and associated items to the descendants for treatment; or other culturally appropriate treatment. If the NAHC is unable to identify a descendent or the descendent identified fails to make a recommendation within 24 hours, the landowner shall reinter the human remains and items associated with the Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance. 	MCWD/Construction Contractor	During construction (if human remains are discovered)	

Environmental Impact	Mitigation Measures	Responsible Party(ies)	Timing	Verification (name/date)
	<ul style="list-style-type: none"> ▪ If the landowner and Native American descendent reach agreement on the appropriate procedure, the landowner shall follow this procedure. ▪ If the landowner and Native American descent cannot reach agreement, the parties shall consult with the Native American Heritage Commission. The landowner shall consider and, if agreeable, follow the identified procedure. ▪ If the landowner and Native American descendant cannot reach agreement after consultation, the Native American human remains shall be reinterred on the property with appropriate dignity. 			
5.2.9 Hazards and Hazardous Materials				
Hazards and Hazardous Materials: Routine transport, use, or disposal of hazardous materials and accidental release of hazardous materials	<p>Mitigation Measure HAZ-1: Spill Prevention and Control Plan</p> <p>Prior to commencement of construction-related activities, the MCWD or Contractor shall prepare a Spill Prevention and Control Plan that addresses potential impacts associated with hazardous material usage during construction and operation. The Spill Prevention and Control Plan shall, at a minimum, consist of the following:</p> <ul style="list-style-type: none"> ▪ Identify applicable safety and clean-up procedures in the event of a spill. ▪ Designate construction staging areas where hazardous materials may be stored. All staging areas shall be located outside of sensitive biological areas. Staging areas shall be designed to contain runoff to prevent contaminants (e.g., oil, grease, fuel products, etc.) from draining towards receiving waters and sensitive areas. ▪ Identify appropriate emergency notification procedures and emergency contacts. ▪ Designated location where a spill kit shall be maintained on-site throughout the project. ▪ Identify dedicated storage areas where hazardous material may be stored and/or used during construction. <p>The MCWD or Contractor will be responsible for implementing the Spill Prevention and Control Plan on-site for the duration of construction, and all personnel working on the site would be notified of its location.</p>	MCWD/Construction Contractor	Prior to & during project construction	
5.2.18 Tribal Cultural Resources				
Tribal Cultural Resources: Resource determined by the lead agency to be significant	Mitigation Measure TRC-1: Implement Mitigation Measures CR-1 and CR-2	See MM CR-1 and CR-2, above.	See MM CR-1 and CR-2, above.	