

Appendix J

Mitigation Monitoring and Reporting Program

CONSOLIDATED FINAL RESTORATION PROJECTS STATEWIDE ORDER
PROGRAM ENVIRONMENTAL IMPACT REPORT
APPENDIX J – MITIGATION MONITORING AND REPORTING PROGRAM

Introduction¹

Public Resources Code Section §21081.6(a)(1)) and the California Environmental Quality Act (CEQA) Guidelines Section 15097 require public or lead agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a mitigated negative declaration or specified environmental findings related to environmental impact reports.

A public or lead agency adopting measures to mitigate or avoid the significant impacts of a proposed project is required to ensure that the measures are fully enforceable, through permit conditions, agreements, or other means (Public Resources Code Section 21081.6(b)). The mitigation measures required by a public or lead agency to reduce or avoid significant project impacts may be incorporated into the design or program for the project, or made conditions of project approval as set forth in a Mitigation Monitoring and Reporting Program (MMRP). The program must be designed to ensure project compliance with mitigation measures during project implementation.

The following is the MMRP for the State Water Resources Control Board (State Water Board) Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide (Order). The MMRP includes the mitigation measures identified in the Consolidated Final Program Environmental Impact Report (PEIR) that are required to address the significant impacts associated with the Order.

Restoration projects authorized under the Order must comply with applicable general protection measures, species protection measures, and mitigation measures listed in the impact section for each resource area. The State Water Board or Regional Water Quality Control Board's (Regional Board) will include applicable measures as conditions of the Notice of Applicability (NOA) issued for an individual project under the Order. The applicability of the general protection measures, species protection measures, and mitigation measures would depend on the restoration activities, project location, and the potentially significant impacts of the individual restoration project.

The required mitigation measures are summarized in Table 1-1; the full text of the impact analysis and mitigation measures are presented in Chapter 3 of the Consolidated Final PEIR.

Format of the MMRP

The MMRP is organized in a table format (Table 1-1) by resource. The column headings in the table are defined as follows:

- ◆ **Resource:** This column identifies the impacted resource.
- ◆ **Mitigation Measures:** This column identifies the mitigation measures associated with the impacts identified in the PEIR.

¹ This Appendix is entirely new and was not included in the Draft EIR. However, double underline is not used to denote the entire appendix for ease of reading.

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- ◆ **Monitoring Responsibility:** This column provides a reporting area for assignment of responsibility of each monitoring and reporting task (for future individual restoration projects).
- ◆ **Monitoring Compliance Record (Name/Day):** This column provides a reporting area for identifying who completed the mitigation measure and/or monitoring compliance and the date of completion (for future individual restoration projects).

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**Table 1-1
 Summary of Mitigation Measures (PEIR Chapter 3)**

Resource(s)	Mitigation Measures	Monitoring Responsibility	Monitoring Compliance Record (Name / Date)
Aesthetics	<p>Mitigation Measure AES-1: Minimize Degradation of Visual Quality</p> <ul style="list-style-type: none"> ◆ Use compatible colors for proposed structural features, such as fish screens and storage tanks. Use earth tone paints and stains with low levels of reflectivity. ◆ Minimize the vertical profile of proposed structures as much as possible. ◆ Use vegetation plantings on proposed facility walls, such as climbing plants, espaliers, and other forms that soften the appearance of structures. ◆ Provide vegetative screening to soften views of structures. Landscaping should complement the surrounding landscape. 		
	<p>Mitigation Measure AES-2: Avoid Effects of Project Lighting</p> <p>Proposed lighting facilities shall use shields, and lighting shall be directed downward and inward toward the facilities.</p>		
Agriculture and Forestry	<p>Mitigation Measure AG-1: Minimize and Avoid Loss of Special Designation Farmland</p> <p>The following measures shall be implemented before and during construction of restoration projects permitted under the Order to minimize and avoid loss of Special Designation Farmland, as applicable.</p> <ul style="list-style-type: none"> ◆ Restoration projects shall be designed to minimize, to the greatest extent feasible, the loss of agricultural land with the highest values. ◆ Restoration projects that will result in permanent conversion of Special Designated Farmland shall preserve other Special Designation Farmland in perpetuity by acquiring an agricultural conservation easement, or by contributing funds to a land trust or other entity qualified to preserve Special Designation Farmland in perpetuity (at a target ratio of 1:1, depending on the nature of the conversion and the characteristics of the Special Designated Farmland to be 		

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Agriculture and Forestry (cont.)	<p>converted, to compensate for the permanent loss). Based upon the cost and availability of farmland, whether the landowner is sponsoring the project, and other factors, the CEQA lead agency for the individual restoration project should consider whether a 1:1 ratio is appropriate and feasible on a case-by-case basis. For example, contributions to a program such as the California Farmland Conservancy Program, which establishes conservation easements to preserve existing farmland in California, may be prohibitively expensive at a 1:1 ratio where there is a significant amount of affected Special Designated Farmland because it is based on a farm real estate average value per acre. For example, the farm real estate average value per acre in 2019 was \$10,000 [USDA 2019].</p> <ul style="list-style-type: none"> ◆ Restoration project features shall be designed to minimize fragmentation or isolation of Special Designation Farmland. Where a project involves acquiring land or easements, the remaining nonproject area shall be of a size sufficient to allow viable farming operations. The project proponents shall be responsible for acquiring easements, making lot line adjustments, and merging affected land parcels into units suitable for continued commercial agricultural management. ◆ Any utility or infrastructure serving agricultural uses shall be reconnected if it is disturbed by project construction. If a project temporarily or permanently cuts off roadway access or removes utility lines, irrigation features, or other infrastructure, the project proponents shall be responsible for restoring access as necessary to ensure that economically viable farming operations are not interrupted. ◆ Where applicable to a project site, buffer areas shall be established between restoration projects and adjacent agricultural land. The buffers shall be sufficient to protect and maintain land capability and flexibility in agricultural operations. Buffers shall be designed to protect the feasibility of ongoing agricultural 		

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Resource(s)	Mitigation Measures	Monitoring Responsibility	Monitoring Compliance Record (Name / Date)
Tribal Cultural (cont.)	<ul style="list-style-type: none"> • Treat the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, through measures that include but are not limited to the following: <ul style="list-style-type: none"> - Protect the cultural character and integrity of the resource. - Protect the traditional use of the resource. - Protect the confidentiality of the resource. • Implement permanent conservation easements or other interests in real property, with cultural appropriate management criteria for the purposes of preserving or using the resource or place. 		
	<p>Mitigation Measure TRA-2: Prepare Waterway Traffic Control Plan A waterway traffic control plan shall be prepared before project construction begins. The plan shall be followed throughout construction to ensure that vessels can navigate safely and efficiently during construction. The plan shall identify vessel traffic control measures to reduce congestion and navigation hazards to the extent feasible. Construction zones in waterways shall be barricaded or guarded by readily visible barriers or other effective measures to warn boaters of their presence and restricted access. Warning devices and signage shall comply with the California Uniform State Waterway Marking System and shall be operational during nighttime hours and periods of dense fog.</p>		
	<p>Mitigation Measure TRA-3: Develop Channel Closure Plan for Affected Facilities Before construction begins in areas where temporary partial waterway closure is necessary, a temporary channel closure plan shall be developed. The plan shall identify alternative detour routes and procedures for notifying boaters of construction activities and partial closures including coordination with the U.S. Coast Guard, local boating organizations, and marinas. The channel closure plan shall be implemented as appropriate throughout construction.</p>		

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Resource(s)	Mitigation Measures	Monitoring Responsibility	Monitoring Compliance Record (Name / Date)
Tribal Cultural (cont.)	<p>Mitigation Measure TRA-4: Reduce Project Effects on Boat Passage and Transit Facilities</p> <p>To the extent feasible, the following actions shall be implemented to reduce impacts of project construction on boat passage and transit facilities:</p> <ul style="list-style-type: none"> ◆ To the extent feasible, ensure that safe boat access to public launch and docking facilities, businesses, and residencies is maintained. ◆ Coordinate with transit system operators, as appropriate, to establish alternative transit system routes to be rerouted during construction. ◆ Provide boat passage as an integral component of operable gate facilities, and design such facilities to provide uninterrupted boat passage when the gates are in the “up” position. Floating docks with mooring bits shall be provided along the shoreline on both sides of the boat passage facilities for boaters to use while waiting. ◆ Before construction begins in areas where bridge closure may be necessary, develop a traffic plan that identifies traffic control measures to reduce congestion and provide alternative routes. 		
	<p>Mitigation Measure TRA-5: Minimize Effects on Trails and Bicycle and Pedestrian Circulation and Identify Alternatives</p> <p>To minimize potential impacts of project construction on trails and bicycle and pedestrian circulation, the following actions shall be taken when feasible:</p> <ul style="list-style-type: none"> ◆ Minimize closure of paths. ◆ Provide for temporary or permanent relocation of the trails and bicycle pedestrian circulation locations to the extent feasible. ◆ Consult with the appropriate public works department to determine the most feasible alignment for facility relocation. 		

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Tribal Cultural (cont.)	<p>Mitigation Measure TRA-6: Reduce Emissions</p> <p>To comply with State CEQA Guidelines Section 15064.3(b), the following measures shall be taken to reduce effects associated with increased VMT:</p> <ul style="list-style-type: none"> ◆ Limit idling time for commercial vehicles, including delivery and construction activities. ◆ Use low- or zero-emissions vehicles, including construction vehicles. ◆ Institute a heavy-duty off-road vehicle plan and a construction vehicle inventory tracking system for construction projects. ◆ Promote ridesharing. ◆ Provide the necessary facilities and infrastructure to encourage the use of low- or zero-carbon emissions vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations). ◆ Increase the cost of driving and parking private vehicles, such as by imposing tolls and parking fees. ◆ Provide a shuttle service to public transit and worksites. ◆ Provide information on all options for individuals and businesses to reduce transportation-related emissions. 		
	<p>Mitigation Measure TRA-7: Conduct Routine Inspections</p> <p>An inspection and operation plan shall be developed and implemented, where applicable. The plan shall include procedures for routine inspections and facility operation to allow safe navigation should the facility become damaged or malfunctions. This plan shall include the following specific components:</p> <ul style="list-style-type: none"> ◆ Routine inspections and correction procedures to ensure that facility safety features are in good working order. 		

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**Table 1-1
 Summary of Mitigation Measures (PEIR Chapter 3)**

Resource(s)	Mitigation Measures	Monitoring Responsibility	Monitoring Compliance Record (Name / Date)
Tribal Cultural (cont.)	<ul style="list-style-type: none"> ◆ Routine inspections and correction procedures for navigational hazards around facilities, including floating or submerged debris and the formation of shoals. 		
	<p>Mitigation Measure TRA-8: Repair Damaged Roadways and Trails Following Construction</p> <p>If damage to roads, sidewalks, trails, and/or medians occur, the construction contractor shall coordinate with the affected project proponents to ensure that any impacts are adequately repaired in accordance with applicable agency standards. Roads and/or driveways disturbed by construction activities or construction vehicles shall be properly restored to ensure long-term protection of road surfaces. Roadside drainage structures and road drainage features (e.g., rolling dips) shall be protected by regrading and reconstructing roads to drain properly. The construction contractor shall work with the applicable agencies to document preconstruction conditions of road features before the start of construction.</p>		
	<p>Mitigation Measure FIRE-1: Develop and Implement a Fire Prevention Plan</p> <p>The following measures shall be implemented before and during construction of restoration projects permitted under the Order, where applicable:</p> <ul style="list-style-type: none"> ◆ For restoration projects in areas designated as Very High or High Fire Hazard Severity Zones, a project-specific fire prevention plan for construction and operation of the project shall be prepared and submitted to the CEQA lead agency for review before the start of construction. ◆ The draft copy of the fire prevention plan shall be provided to each fire agency (e.g., CAL FIRE and county or local municipal fire agencies) before the start of any construction activities in areas designated as Very High or High Fire Hazard Severity Zones. 		