

MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) is formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the Richmond Terminal Rail Expansion and Truck Rack Improvement Project (project). The MMRP, which is found in Table A, lists mitigation measures recommended in the IS/MND and identifies mitigation monitoring requirements.

This MMRP has been prepared to comply with the requirements of State law (Public Resources Code Section 21081.6). State law requires the Lead Agency to adopt an MMRP when mitigation measures are required to avoid significant impacts. The MMRP is intended to ensure compliance with the mitigation measures identified in the IS/MND during implementation of the project.

The MMRP is organized in a matrix format. The first column identifies the recommended mitigation measures. The second column, entitled *Implementation Actions*, refers to the actions taken by the party responsible for implementing the mitigation measure. The third column, entitled *Timing Requirements*, refers to when the monitoring will occur and when the mitigating action must be completed. The fourth column, entitled *Monitoring/Reporting Responsibility* refers to the party responsible for seeing to it that the mitigation measure is implemented. The fifth column, entitled *Verified By and Date*, refers to the party and date the action was verified as complete.

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Actions	Timing Requirements	Monitoring/Reporting Responsibility	Verified By and Date
AIR QUALITY				
AIR-1: BAAQMD Basic Construction Measures. In order to meet the Bay Area Air Quality Management District (BAAQMD) fugitive dust threshold, the following BAAQMD Basic Best Management Practices for Construction-Related Fugitive Dust Emissions shall be implemented by the project sponsor during the project construction period: • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt tracked-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. • All vehicle speeds on unpaved roads shall be limited to 15 miles/hour. • 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. • All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 miles/hour. • All trucks and equipment, including their tires, shall be washed off prior to leaving the site. • Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel. • A publicly-visible sign shall be posted with the telephone number and person to contact at City of Richmond regarding dust complaints. This person shall respond and take corrective action within 48 hours of receiving a complaint. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.	• Include measure as Condition of Approval. • Implementation actions are outlined in the measure.	Throughout the construction period.	• The City of Richmond (City) is responsible for monitoring compliance during construction. • The Construction Contractor is responsible for implementing this measure.	

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BIOLOGICAL RESOURCES				
BIO-1: Nesting Bird Surveys. Ground disturbance and vegetation removal shall take place outside of the active nesting bird season (i.e., February 1 to August 31), when feasible, to avoid impacts to nesting birds. Should project activities (e.g., vegetation removal, initial ground disturbance, or operation of heavy equipment) be initiated during the nesting bird season, a qualified biologist shall conduct a nesting bird survey no more than 7 days prior to any ground disturbance or vegetation removal to ensure that birds are not engaged in active nesting within or immediately adjacent to the project site. If nesting birds are discovered during preconstruction surveys, the qualified biologist shall identify and delineate an appropriate buffer (depending on the circumstances and specific bird species) where no clearing, grading, or construction activities with potential to have direct or indirect impacts on the nesting birds are allowed to take place until after the birds have fledged from the nest, or the qualified biologist has determined that the nest is no longer active. Typical nest buffers include 100 feet for passerine birds, 300 feet for raptors, and 500 feet for any threatened or endangered species. The size of the buffers is under the discretion of the qualified biologist, who shall determine what is appropriate for each nest, with coordination with wildlife agencies, if listed or sensitive species are identified. If a nesting bird survey is required, written results of the survey by the qualified biologist shall be submitted to the City of Richmond Community Development Department prior to the start of ground-disturbing activities.	● Include measure as Condition of Approval. ● Implementation actions are outlined in the measure.	No more than 7 days prior to construction activities and throughout the construction period.	● The City is responsible for reviewing survey results and precluding work from occurring during the nesting bird season, if possible. ● The project sponsor is responsible for incorporating this measure into contract specifications and hiring a qualified biologist. ● A qualified biologist is responsible for conducting a pre-construction survey of the site, determining an appropriate buffer zone, and monitoring the buffers during construction. ● The Construction Contractor is responsible for keeping work out of the buffers.	
BIO-2: Burrowing Owl. The following measures shall be implemented to reduce potential impacts to burrowing owl: ● <i>Pre-Construction Burrowing Owl Surveys.</i> No more than 14 days prior to initiating construction activities, a biologist approved by the California Department of Fish and Wildlife (CDFW) shall conduct at least two surveys for burrowing owl following the guidelines from the CDFW 2012 Staff Report on Burrowing Owl	● Include measure as Condition of Approval. ● Implementation actions are outlined in the measure.	No more than 14 days prior to construction activities and throughout the construction period.	● The City is responsible for reviewing survey results, requiring that work avoids burrows, if identified, and requiring that the project sponsor obtain appropriate mitigation, if needed.	

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Mitigation¹ (Appendix D) (2012 CDFW Staff Report), at least seven days apart, with the final survey conducted no more than 48 hours prior to beginning project activities. Surveys shall encompass the project site and a sufficient buffer zone to detect owls nearby that may be impacted commensurate with the type of disturbance anticipated, as outlined in the CDFW 2012 Staff Report, and include burrow surrogates such as culverts, piles of concrete or rubble, and other non-natural features in addition to burrows and mounds. If a laps in project-related work of 14 calendar days or longer occurs, additional surveys shall be required. If occupied burrows are detected during surveys, CDFW shall be consulted prior to project commencement. • Burrow Avoidance. If burrows are identified, the project sponsor shall avoid all nest sites that could be disturbed by project construction. Avoidance shall include establishment of a non-disturbance buffer zone. A qualified biologist shall clearly delineate a no-disturbance buffer around all burrowing owl nesting, roosting or satellite burrows or the entire burrow complex within and adjacent to the project area with posted markers demarking the area to avoid using stakes, flags, and/or rope or cord to minimize the disturbance of burrowing owl habitat. Buffers shall be determined based on the time of year and level of disturbance as described in the CDFW 2012 Staff Report. The qualified biologist shall change the method of marking the no-disturbance buffer if corvids, raptors, or other predators are observed perching on marking materials. The qualified biologist shall limit the materials necessary to mark the no-disturbance buffer to that which is necessary for identification of the site. The qualified biologist shall delineate the no-disturbance buffer with different materials than those used to delineate the project area. The project sponsor shall remove and properly dispose of all materials used for delineation			• The project sponsor is responsible for incorporating this measure into contract specifications and hiring a qualified biologist and obtaining any necessary compensatory mitigation, if needed • A qualified biologist is responsible for conducting surveys of the site, determining appropriate buffers, and monitoring the buffers during construction. • The Construction Contractor is responsible for keeping work out of the buffers.	

¹ California Department of Fish and Game. 2012. *Staff Report on Burrowing Owl Mitigation*. Website: nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843 (accessed December 19, 2025).

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immediately upon completion of the project. If avoidance buffers cannot be implemented or disturbance to burrows cannot be fully avoided, CDFW shall be consulted prior to project commencement. Take authorization may be obtained through the acquisition of an Incidental Take Permit, pursuant to Fish and Game Code Section 2081, subdivision (b) for compliance with the California Endangered Species Act. • Burrowing Owl Mitigation. If the project would impact an unoccupied nesting burrowing or burrow surrogate (i.e., a burrow known to have been used in the past three years for nesting), or an occupied burrow (where a non-nesting owl would be evicted), impacts to burrowing owl habitat shall be mitigated through purchase of burrowing owl habitat credits from a CDFW-approved mitigation bank or through recording a conservation easement and implementing and funding a long-term management plan in perpetuity. If occupied burrows for burrowing owls are not avoided, passive relocation may be implemented upon approval by CDFW. Owls should be excluded from burrows in the immediate impact zone and within an appropriate buffer zone as recommended by the biologist in coordination with CDFW by installing one-way doors in burrow entrances. These doors shall be in place for 48 hours prior to excavation. The project area shall be monitored daily for 1 week to confirm that the owl has abandoned the burrow. Whenever possible, burrows shall be excavated using hand tools and refilled to prevent reoccupation. Plastic tubing or a similar structure shall be inserted in the tunnels during excavation to maintain an escape route for any owls inside the burrow.				
BIO-3: Roosting Bat Measures. The project sponsor shall implement the following measures to avoid or minimize potential impacts to roosting bats: • The project shall avoid removal of structures that provide potential bat roosting habitat during bat maternity season (April 15-September 1) and hibernation season (October 15-March 1). If these seasonal windows cannot be avoided, a qualified	• Include measure as Condition of Approval. • Implementation actions are outlined in the measure.	Prior to and during construction activities	• The City is responsible for reviewing survey results, precluding work from occurring during seasonal work windows, reviewing the Bat Mitigation and Monitoring Plan, if	

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biologist shall conduct a visual pre-construction surveys, as well as daytime and evening acoustic surveys for roosting pallid bat, western red bat, and other bat species at all suitable bat roosting habitat, including the structures and trees proposed for removal and adjacent suitable habitat that would be subject to noise disturbance. Surveys shall be conducted no more than 14 days prior to removal of potential habitat. If bats are found or suspected to be roosting within the project site, the qualified biologist shall identify the species, estimated quantity present, roost type and roost status. The qualified biologist shall avoid disturbing bats during surveys. Under no circumstances shall an active maternity roost be removed or disturbed. Work on structural refugia shall not be performed under any of the following conditions: during any precipitation events, when ambient temperatures are below 4.5 degrees Celsius, when windspeeds exceed 11 miles per hours and/or any other condition which may lead to bats seeking refuge. • If bats are found to be roosting within structures proposed for modification or removal by the project, the qualified biologist shall develop a Bat Mitigation and Monitoring Plan, which shall include: (1) an assessment of all direct and indirect project impacts to bats based on survey results; (2) effective avoidance and minimization measures to protect bats based on species and roost type(s) to be impacted; (3) compensatory mitigation for permanent impacts to maternity roosts, if impacted. Compensatory mitigation shall be appropriate for the species impacted and commensurate with the impacts, and may include installation of replacement habitat on-site (e.g., bat boxes) on a temporary and permanent basis. The Bat Mitigation and Monitoring Plan shall describe any monitoring and maintenance activities necessary to ensure compensatory habitat remains effective. • If feasible, trees planned for pruning or removal as a part of the project, shall be pruned or removed during the fall to avoid the maternity roosting period of resident bats (mid-April to August			needed, and requiring the project sponsor's compliance during construction. • The project sponsor is responsible for incorporating this measure into contract specifications and hiring a qualified biologist. • A qualified biologist is responsible for conducting surveys of the site, preparing the Bat Mitigation and Monitoring Plan, if required. • The Construction Contractor is responsible for adhering to work window requirements, and following the appropriate structure or tree removal procedures. • The project sponsor is responsible for obtaining any necessary compensatory mitigation, if needed.	

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season). Because bats may be present at any time, a pre-construction survey by a qualified biologist shall be required as outlined above regardless of timing of tree or structure removal and a suitable buffer zone established around detected roosts. • If possible, pruned limbs or cut trees shall be left on the ground in place for at least 24 hours after cutting to allow any bats that may be roosting in the trees to leave the roosts prior to chipping the branches or removing the cut material from the site. Before any construction activities begin in the vicinity of the identified bat roosts on the project site, an approved biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of the bats and their habitat, the specific measures that are being implemented to conserve the bat roosts for the project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session. A qualified biologist shall conduct the training session.				
CULTURAL RESOURCES				
CUL-1a: Archaeological Monitoring. A qualified professional archaeologist (either an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archeology or an archaeologist supervised by such an archaeologist) shall monitor construction-related ground-disturbing activities, including (but not limited to) demolition work such as removal of existing foundations and underground storage tank; surface grading; and excavation for the new truck rack. Archaeological monitoring shall occur during these excavation activities until the Project Archaeologist, based on their observations, is satisfied that there is little likelihood of encountering intact archaeological deposits. The Project Archaeologist may also determine that it is appropriate to reduce monitoring to spot-checking on a part-time basis.	• Include measure as Condition of Approval. • Implementation actions are outlined in the measure.	During ground-disturbing activities.	• The City is responsible for confirming compliance during construction. • The project sponsor is responsible for incorporating this measure into contract specifications and hiring a qualified archaeologist to conduct monitoring. • The qualified archaeologist is responsible for conducting monitoring during initial ground disturbance.	

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			The Construction Contractor is responsible for cooperating with the qualified archaeologist if resources are discovered.	
CUL-1b: Unanticipated Discovery of Archaeological Resources. Should an archaeological deposit be encountered during project subsurface construction activities, all ground-disturbing activities within 25 feet shall be redirected and a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archaeology contacted to assess the situation, determine if the deposit qualifies as a historical resource, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. If the deposit is found to be significant (i.e., eligible for listing in the California Register of Historical Resources), the project sponsor shall be responsible for funding and implementing appropriate mitigation measures. Mitigation measures may include recording the archaeological deposit, data recovery and analysis, and public outreach regarding the scientific and cultural importance of the discovery. Upon completion of the selected mitigations, a report documenting methods, findings, and recommendations shall be prepared by the qualified archaeologist and submitted to the City of Richmond for review, and the final report shall be submitted to the Northwest Information Center at Sonoma State University. Significant archaeological materials shall be submitted to an appropriate local curation facility and used for future research and public interpretive displays, as appropriate.	- Include measure as Condition of Approval. - Implementation actions are outlined in the measure.	During ground-disturbing activities.	- The City is responsible for confirming compliance during construction. - The project sponsor is responsible for incorporating this measure into contract specifications and hiring a qualified archaeologist. - The qualified archaeologist is responsible for assessing potential discoveries and determining the appropriate mitigation. - The Construction Contractor is responsible for cooperating with the qualified archaeologist if resources are discovered.	
GEOLOGY AND SOILS				
GEO-1: Unanticipated Discovery of Paleontological Resources. Should paleontological resources be encountered during project subsurface construction activities, all ground-disturbing activities within 25 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the	- Include measure as Condition of Approval. - Implementation actions are	Throughout the construction period.	- The City is responsible for confirming compliance during project construction. - The project sponsor is responsible for	

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discovery. For purposes of this mitigation, a “qualified paleontologist” shall be an individual with the following qualifications: (1) a graduate degree in paleontology or geology and/or a person with a demonstrated publication record in peer-reviewed paleontological journals; (2) at least two years of professional experience related to paleontology; (3) proficiency in recognizing fossils in the field and determining their significance; (4) expertise in local geology, stratigraphy, and biostratigraphy; and (5) experience collecting vertebrate fossils in the field. If the paleontological resources are found to be significant and project activities cannot avoid them, measures shall be implemented to ensure that the project does not cause a substantial adverse change in the significance of the paleontological resource. Measures may include monitoring, recording the fossil locality, data recovery and analysis, a final report, and accessioning the fossil material and technical report to a paleontological repository. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the City for review. If paleontological materials are recovered, this report also shall be submitted to a paleontological repository such as the University of California Museum of Paleontology, along with significant paleontological materials. Public educational outreach may also be appropriate.	outlined in the measure.		incorporating this measure into contract specifications and hiring a qualified paleontologist (if discoveries are made). • The qualified paleontologist is responsible for determining the appropriate treatment of the discovery. • The Construction Contractor is responsible for cooperating with the qualified paleontologist if resources are discovered.	
TRIBAL CULTURAL RESOURCES				
TCR-1: Cultural Resources and Tribal Cultural Resources Sensitivity WEAP Training. Prior to commencement of any ground-disturbing activity, all personnel involved in project-related ground-disturbing activities (e.g., on-site construction managers, backhoe operators) shall be required to participate in a cultural resources and tribal cultural resources sensitivity and awareness training program (Worker Environmental Awareness Program [WEAP]). The WEAP shall be developed by an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in archaeology,	• Include measure as Condition of Approval. • Implementation actions are outlined in the measure.	Prior to commencement of any ground-disturbing activities	• The City is responsible for confirming compliance and completion of requisite training. • The project sponsor is responsible for hiring a Qualified Archaeologist. • The Qualified Archaeologist is responsible for	

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in consultation with input from the Confederated Villages of Lisjan Nation and the Amah Mutsun Tribal Band of San Juan Bautista. The WEAP training shall be conducted before any project-related ground-disturbing activities (including building foundation or subsurface tank removal) begin at the project site. The WEAP will include relevant information regarding sensitive cultural resources and tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The WEAP will also describe appropriate avoidance and impact minimization measures for cultural resources and tribal cultural resources that could be located at the project site and will outline what to do and whom to contact if any potential cultural resources or tribal cultural resources are encountered. The WEAP will emphasize the requirement for confidentiality and culturally appropriate treatment of any discovery of significance to Native Americans and will discuss appropriate behaviors and responsive actions, consistent with Native American tribal values. The WEAP training shall be presented by an archaeologist and a representative from the Tribe. The City of Richmond shall maintain a record of all construction personnel that have received the WEAP training. WEAP training recipient records shall be maintained by the applicant throughout the duration of construction..			implementing this measure.	
TCR-2: Native American Monitoring. Prior to ground disturbing activities, Tribal monitor(s) from the Confederated Villages of Lisjan Nation (CVLN) and Amah Mutsun Tribal Band of San Juan Bautista (AMTB) shall be retained. Tribal monitor(s) will have the authority to halt and redirect work should any archeological or tribal cultural resources be identified during monitoring. If archeological or Tribal cultural resources are encountered during ground disturbing activities, work within 100 feet of the find must halt and the find evaluated for listing in the California Register of Historic Resources (CRHR) and National Register of Historic Places (NRHP). Monitoring may be reduced or halted at the discretion of the Tribal monitor(s), in consultation with the lead agency, if site conditions indicate that	● Include measure as Condition of Approval. ● Implementation actions are outlined in the measure.	Prior to and during ground-disturbing activities	● The City is responsible for contacting the Tribe and confirming that the project sponsor has executed appropriate agreements with Tribes, and confirming compliance during construction. ● The Tribal Monitor(s) are responsible for	

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there is little likelihood of encountering intact deposits (e.g., encountering bedrock, sediments being excavated are fill or negative findings for 50 percent of ground disturbance). If monitoring is reduced to spot checking, spot checking shall occur when ground disturbing activities move to a new location within the project site and when ground disturbance will extend to depths not previously reached (unless those depths are within bedrock).			implementing this measure.	
TCR-3: Unanticipated Discovery of Tribal Cultural Resources. If cultural resources of Native American origin are identified during grading or excavation of the proposed project, all ground disturbing activities within 100 feet must cease until a qualified professional archaeologist (either an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archeology or an archaeologist supervised by such an archaeologist) has evaluated the nature and significance of the find as a cultural resource, and the City of Richmond (City) Planning Division representative has consulted a representative from the Confederated Villages of Lisjan Nation (CVLN) and the Amah Mutsun Tribal Band of San Juan Bautista (AMTB). The archeologist will stake the area of discovery, placing stakes no more than 10 feet apart, forming a circle having a radius of no less than 100 feet from the point of discovery. If the City in consultation with the consulting Tribe(s), determines that the resource is a Tribal Cultural Resource and thus significant under CEQA and/or the Tribe(s), the entity shall retain a qualified archeologist and a Tribal monitor, at the applicant's expense, to prepare and implement a mitigation plan, in accordance with state guidelines and in consultation with the consulting Tribe(s). The mitigation plan shall include avoidance of the resource or, if avoidance of the resource is infeasible, the plan shall outline appropriate treatment of the resource in coordination with the consulting Tribe(s) and, if applicable, the qualified archeologist. Examples of appropriate mitigation for the Tribal cultural resources include, but are not limited to, protecting the cultural character and integrity of the resources, protecting	● Include measure as Condition of Approval. ● Implementation actions are outlined in the measure.	Throughout the construction period.	● The City is responsible for contacting the Tribe and confirming that the project sponsor has executed appropriate agreements with Tribes, and confirming compliance during construction. ● The Tribal Monitor(s), the Qualified Archaeologist, and the Construction Contractor are responsible for implementing this measure.	

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traditional use of the resources, or protecting the confidentiality of the resources, or heritage recovery.				
TCR-4: Halt Work/Coroners Evaluation/Impact to Previously Undiscovered Human Remains. If human remains are encountered during construction and ground disturbing activities, the applicant or the applicant's contractor must redirect all work within 100 feet of the remains and immediately contact the County Coroner, the City of Richmond Planning Manager, and a qualified professional archeologist (either an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archeology or an archaeologist supervised by such an archaeologist) to assess the situation. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC will identify a Native American Most Likely Descendent (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and any associated funerary objects. The archaeologist shall recover scientifically-valuable information, as appropriate and in accordance with the recommendations of the MLD. Upon completion of the archeologist's assessment, a report must be prepared documenting, methods and results, as well as recommendations regarding the treatment of the human remains and any associated archeologist materials. The report must be submitted to the City, the project proponent, the Northwest Information Center (NWIC) and the consulting Tribe. Tribal representatives will rebury the Native American human remains and associated funerary objects with the appropriate dignity either: in accordance with the recommendations of the MLD if available; or in the project vicinity at a location selected in consultation with the Tribe, the professional archeologist, the City and the project proponent, where the reburial would be accessible to Tribal members in perpetuity and would not be subject to further disturbance. The discovery and reburial is to be kept confidential and secure to prevent any further disturbance.	● Include measure as Condition of Approval. ● Implementation actions are outlined in the measure.	Throughout the construction period.	● The City is responsible for contacting the County Coroner and for confirming compliance during construction. ● The Construction Contractor is responsible for stopping work and contacting the City. ● The Qualified Archaeologist is responsible for examining the find and making recommendations. ● The MLD is responsible for reviewing the report and making recommendations regarding reburial.	

Source: LSA (2026).

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