

MITIGATION MONITORING AND REPORTING PROGRAM

This document is the Mitigation Monitoring and Reporting Program (MMRP) for the Scannell Properties Industrial Project (project). This MMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to “adopt a reporting and 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.” A MMRP is required for the proposed project because the Initial Study / Mitigated Negative Declaration (IS/MND) has identified significant adverse impacts, and measures have been identified to mitigate those impacts.

The numbering of the individual mitigation measures follows the numbering sequence as found in the IS/MND.

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The MMRP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in the IS/MND.

The City of Lathrop will be the primary agency responsible for implementing the mitigation measures and will continue to monitor mitigation measures that are required to be implemented during the operation of the project.

The MMRP is presented in tabular form on the following pages. The components of the MMRP are described briefly below:

- **Mitigation Measures:** The mitigation measures are taken from the IS/MND in the same order that they appear in that document.
- **Mitigation Timing:** Identifies at which stage of the Project mitigation must be completed.
- **Monitoring Responsibility:** Identifies the agency that is responsible for mitigation monitoring.
- **Compliance Verification:** This is a space that is available for the monitor to date and initial when the monitoring or mitigation implementation took place.

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TABLE 1: MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
BIOLOGICAL RESOURCES				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	Mitigation Measure BIO-1: Prior to commencement of any grading activities, the Project applicant shall seek coverage under the SJMSCP to mitigate for habitat impacts to covered special status species. Coverage involves compensation for habitat impacts on covered species through implementation of incidental take and minimization Measures (ITMMs) and payment of fees for conversion of lands that may provide habitat for covered special status species. These fees are used to preserve and/or create habitat in preserves to be managed in perpetuity. Obtaining coverage for a project includes incidental take authorization (permits) under the Endangered Species Act Section 10(a), California Fish and Game Code Section 2081, and the MBTA. Coverage under the SJMSCP would fully mitigate all habitat impacts on covered special-status species. Mitigation Measure BIO-2: Prior to the commencement of grading activities or other ground disturbing activities on the Project site, the Project applicant shall arrange for a qualified biologist to conduct a preconstruction survey for nesting raptors in accordance with SJMSCP requirements. If no nests are detected, then construction activities may commence. If occupied nests are discovered, then the Project applicant shall coordinate with SJCOG regarding the appropriate buffer needed to avoid the particular bird species. If burrowing owl is discovered during the non-breeding season (September 1 through January 31) they should be evicted from the Project site by passive relocation as described in the California Department of Fish and Game's Staff Report on Burrowing Owls (Oct., 1995). Implementation of this mitigation shall occur prior to grading or site clearing activities. SJCOG shall be responsible for monitoring and a qualified biologist shall conduct surveys and relocate owls as required.	City of Lathrop Community Development Department San Joaquin Council of Governments City of Lathrop Community Development Department San Joaquin Council of Governments	Prior to commencement of any grading activities Prior to commencement of any grading activities or other ground disturbing activities	

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CULTURAL RESOURCES				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5? b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Mitigation Measure CUL-1: If cultural resources (i.e., prehistoric sites, historic sites, isolated artifacts/features, and paleontological sites) are discovered during construction, work shall be halted immediately within 50 meters (165 feet) of the discovery, the City of Lathrop shall be notified, and a qualified archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology (or a qualified paleontologist in the event paleontological resources are found) shall be retained to determine the significance of the discovery. The City of Lathrop shall consider recommendations presented by the professional for any unanticipated discoveries and shall carry out the measures deemed feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Specific measures are developed based on the significance of the find.	City of Lathrop Community Development Department Qualified archaeologist	If cultural resources (i.e., prehistoric sites, historic sites, isolated artifacts / features, and paleontological sites) are discovered during construction	
c) Disturb any human remains, including those interred outside of formal cemeteries?	Mitigation Measure CUL-2: If any human remains are found during grading and construction activities, all work shall be halted immediately within 50 meters (165 feet) of the discovery and the County Coroner must be notified, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed. Additionally, if the Native American resources are identified, a Native American monitor, following the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites established by the Native American Heritage Commission, may also be required and, if required, shall be retained at the applicant's expense.	San Joaquin County Coroner Native American Heritage Commission	If any human remains are found during grading and construction activities	
GEOLOGY AND SOILS				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: iii) Seismic-related ground failure, including liquefaction?	Mitigation Measure GEO-1: Prior to issuance of building permits, the project applicant shall submit a design-level geotechnical study and building plans to the City of Lathrop for review and approval. The building plans shall demonstrate that they incorporate all applicable recommendations of the design-level geotechnical study and comply with all applicable requirements of the most recent version of the California Building Standards Code. A licensed professional engineer shall prepare the plans, including	City of Lathrop Building Division	Prior to the issuance of building permits	

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c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	those that pertain to soil engineering, structural foundations, pipeline excavation, and installation. The approved plans shall be incorporated into the proposed project. All onsite soil engineering activities shall be conducted under the supervision of a licensed Geotechnical Engineer or Certified Engineering Geologist.			
b) Result in substantial soil erosion or the loss of topsoil?	Mitigation Measure GEO-2: The Project applicant shall submit a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB in accordance with the NPDES General Construction Permit requirements. The SWPPP shall be designed to control pollutant discharges utilizing Best Management Practices (BMPs) and technology to reduce erosion and sediments. BMPs may consist of a wide variety of measures taken to reduce pollutants in stormwater runoff from the Project site. Measures shall include temporary erosion control measures (such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) that will be employed to control erosion from disturbed areas. Final selection of BMPs will be subject to approval by the City of Lathrop and the RWQCB. The SWPPP will be kept on site during construction activity and will be made available upon request to representatives of the RWQCB.	City of Lathrop Engineering Division	Prior to the issuance of building permits	
HAZARDS AND HAZARDOUS WASTE				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Mitigation Measure HAZ-1: Prior to the issuance of grading or building permits, the Project Applicant shall destroy the permanently inactive wells located within the Project site, in accordance with standards developed by the Department of Water Resources pursuant to Section 13800 of the Water Code and adopted by the State Water Resources Control Board or local agencies in accordance with Section 13801 of the Water Code.	San Joaquin Department of Environmental Health Department.	Prior to the issuance of a grading or building permits.	

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HYDROLOGY AND WATER QUALITY				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) Result in substantial erosion or siltation on- or off-site; (ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; (iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Mitigation Measure HYDRO-1: Prior to the issuance of a building or grading permit, the Project applicant shall submit a drainage plan to the City of Lathrop for review and approval. The plan shall include an engineered storm drainage plan that demonstrates attainment of pre-project runoff requirements and describe the volume reduction measures and treatment controls used to reach attainment consistent with the Lathrop Storm Drainage Master Plan.	City of Lathrop Engineer	Prior to the issuance of a building or grading permit.	
	Mitigation Measure HYDRO-2: The Project applicant shall implement the following nonstructural BMPs that focus on preventing pollutants from entering stormwater: • Pollution Prevention/Good Housekeeping ○ Prior to clearing, grading, and disturbances to the ground such as stockpiling, or excavation in each phase of the project, the Project applicant shall develop a spill response and prevention plan as a component of (1) SWPPPs prepared for construction activities, (2) SWPPPs for facilities subject to the NPDES Stormwater Permit, and (3) spill prevention control and countermeasure plans for qualifying facilities. The spill response and prevention plan shall be implemented during all construction activities. • Operation and Maintenance (O&M) of Treatment Controls ○ Prior to clearing, grading, and disturbances to the ground such as stockpiling, or excavation in each phase of the project, the Project applicant shall develop an Operation and Maintenance (O&M) Plan for the storm drainage facilities to ensure long-term performance. The O&M plan shall incorporate the manufacturers' recommended maintenance procedures and include (1) provisions for debris removal, (2) guidance for addressing public health or safety issues, and (3) methods and criteria for assessing the efficacy of the storm drainage system. An annual report shall be submitted to the City certifying that maintenance of the facilities was conducted according to the O&M plan.	City of Lathrop Engineer	Prior to the issuance of a building or grading permit.	

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NOISE				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Mitigation Measure NOI-1: During project construction activities, the applicant shall require its construction contractors to adhere to the following noise attenuation requirements: - Construction activities shall be limited to the hours between 7 a.m. to 8 p.m. daily. The City of Lathrop Director of Public Works shall have the discretion to permit construction activities to occur outside of allowable hours if compelling circumstances warrant such an exception (e.g., weather conditions necessary to pour concrete). - All construction equipment shall use noise-reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer. If no noise-reduction features were installed by the manufacturer, then the contractor shall require that at least a muffler be installed on the equipment. - Construction staging and heavy equipment maintenance activities shall be performed on the northernmost part of the Project site (along Atherton Road) to create the greatest separation from the nearest residence, unless safety or technical factors take precedence (e.g., an equipment breakdown). Alternatively, staging and maintenance could be performed on adjacent vacant parcels so long as the separation to the nearest residence is greater than what could be achieved on the Project site.	City of Lathrop Community Development Department	During construction activities.	
PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios,	Mitigation Measure PSU-1: Prior to issuance of building permits for any project uses, the Project applicant shall provide the City of Lathrop with all applicable fire protection development fees in accordance with the latest adopted fee schedule.	City of Lathrop Engineer	Prior to the issuance of building permits.	

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response times or other performance objectives for any of the public services: Fire Protection?				
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