

1.0 DRAFT MITIGATION MONITORING AND REPORTING PROGRAM

1.1 Public Resources Code

When approving projects with Initial Studies (IS) that identify significant impacts, the California Environmental Quality Act (CEQA) requires public agencies to adopt monitoring and reporting programs or conditions of project approval to mitigate or avoid the identified significant effects (Public Resources Code Section 21081.6(a)(1)). A public 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 program must be designed to ensure project compliance with mitigation measures during project implementation.

The Mitigation Monitoring and Reporting Program (MMRP) is organized in a table format (see Table 1: Mitigation Monitoring and Reporting Program for the Maverick Hanford Project), keyed to each significant impact and each mitigation measure. Only mitigation measures adopted to address significant impacts are included in this program. Each mitigation measure is set out in full, followed by a tabular summary of monitoring requirements. The column headings in the tables are defined as follows:

- **Mitigation Measures:** This column presents the mitigation measure identified in the EIR.
- **Monitoring/Reporting Responsibility:** This column contains an assignment of responsibility for the monitoring and reporting tasks.
- **Timing of Implementation:** This column refers to when the measure is required to be implemented.
- **City Staff/Notes:** This column will be used by the lead agency to document the person who verified the implementation of the mitigation measure and the date on which this verification occurred.

1.2 Enforcement

If the project is approved, the MMRP for the development would be incorporated as a condition of such approval. Therefore, all mitigation measures for significant impacts must be carried out to fulfill the requirements of approval. A number of the mitigation measures would be implemented during the course of the development review process. These measures would be checked on plans, in reports, and in the field prior to construction. Most of the remaining mitigation measures would be implemented during the construction, or project implementation phase

Table 1: Mitigation Monitoring and Reporting Program for the Maverik Hanford Project

Mitigation Measure	Monitoring/ Reporting Responsibility	Timing of Implementation	City Staff Notes; Initials/Date when Done
Biological Resources			
MM BIO-1: Pre-construction Survey and Impact Avoidance for Burrowing Owls, Raptors, and Other Nesting Birds. To prevent the loss of active special-status and non-special-status bird nests, juveniles or adults, project activities including vegetation clearing shall be conducted outside of the breeding season (February 1 through August 31) to the extent feasible. If project activities will occur between February 1 and August 31, a pre-construction nesting bird survey shall be conducted by a qualified biologist no more than 7 working days prior to the activity to survey for special-status and non-special-status bird and raptor nests. The survey area shall include the project footprint and a 100-foot buffer for passerine species, a 300-foot buffer for burrowing owls, and a 300-foot buffer for raptor species. Following the survey, the following shall be implemented: • A nesting bird survey report shall be submitted prior to the initiation of project activities. The report shall detail the methods and results of the survey including identification of the location of any active nests and make a determination if ongoing monitoring should be conducted and/or no-disturbance buffers should be established. • If active nests are identified during the survey and/or work is scheduled to take place within 100 feet of active passerine nests, or 300 feet of active burrowing owl burrows or active raptor nests, a qualified biologist shall determine appropriate no-disturbance buffers. The buffer shall be the minimum distance required to avoid take of the nest and shall be determined based on the species identified, activities proposed, level of existing noise, and line of sight from the disturbance to the nest.	Project Applicant, Qualified Biologist, City of Hanford	Preconstruction and Continuous compliance during construction	

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- A qualified biological monitor shall be present at the initiation of project activities occurring within 100 feet of active passerine nests, or 300-feet of active burrowing owl burrows and active raptor nests, to ensure that project activities do not negatively affect the success of the nest. Duration and frequency of monitoring shall be determined at the discretion of the qualified biologist. - If nesting bird monitoring is conducted, a nesting bird monitoring report shall be submitted to the City detailing the results of monitoring activities. The report shall be submitted within 30 days of the completion of the activities or nesting season.			
MM BIO-2: Pre-Construction Survey and Impact Avoidance for Crotch's Bumble Bee. To avoid potential impacts to Crotch's bumble bee (<i>Bombus crotchii</i>), the following measures should be implemented: - To the extent feasible, ground disturbance and vegetation removal should be conducted outside of the colony active period (April 1 through August 31). - If ground-disturbing activities are scheduled to occur during the colony active period, a qualified biologist should conduct a pre-construction survey of the project footprint and within 100-feet of anticipated disturbance areas, no more than 14 days prior to ground disturbance to determine the presence of suitable floral resources and potential bumble bee activity. - If Crotch's bumble bee individuals or nesting colonies are observed, a qualified biologist should establish appropriate no-disturbance buffers around occupied	Project Applicant, Qualified Biologist, City of Hanford	Preconstruction and Continuous compliance during construction	

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habitat areas. The size of the buffer should be determined by the qualified biologist based on site conditions and species behavior. • If an active colony is identified and cannot be avoided, the qualified biologist in coordination with the applicant should coordinate with the California Department of Fish and Wildlife, as appropriate, and implement additional avoidance measures as necessary to avoid impacts. • A pre-construction survey report should be submitted to the City following completion of the pre-construction survey.			
MM BIO-3: Pre-Construction Survey and Impact Avoidance for Special-Status Bats. Although suitable bat roosting habitat is limited within the project footprint, special-status bats such as hoary bat (<i>Lasiurus cinereus</i>) may occur in adjacent areas. To avoid and minimize potential impacts, the following measures shall be implemented: • If project activities include removal or trimming of trees within or immediately adjacent to the project footprint, a qualified biologist should conduct a pre-construction assessment of trees to identify potential bat roosting no more than 14 days prior to tree removal or trimming. • If evidence of bat roosting is observed, the qualified biologist should establish appropriate no-disturbance buffers around the roost site until bats have vacated the area. • To the extent feasible, tree removal should occur outside of the bat maternity season (April 1 through August 31).	Project Applicant, Qualified Biologist, City of Hanford	Preconstruction and Continuous compliance during construction	

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If bats are observed during construction activities and are in jeopardy of being directly impacted, work in the immediate vicinity should cease until a qualified biologist evaluates the situation and provides appropriate avoidance recommendations.			
MM BIO-4: Pre-Construction Survey and Impact Avoidance for Special-Status Plants. The biological field survey for the project was conducted during the winter season when special-status plant species may not have been detectable. To avoid or minimize potential impacts to special-status plant species, the following measures shall be implemented: - Within one year prior to the initiation of ground-disturbing activities, a qualified botanist should conduct a focused rare plant survey of the project footprint and within fifty feet of proposed disturbance areas. - The focused rare plant survey should be conducted in accordance with the California Native Plant Society (CNPS) Botanical Survey Guidelines, be conducted during the appropriate blooming period for special-status plant species with potential to occur in the site (refer to Attachment 2), and should confirm the presence or absence of special-status plant species. - If special-status plant species are identified, the qualified botanist should map the boundaries of the population. The biologist should work with the project design and/or contractor team to avoid the special-status plant occurrence(s), as mapped in the field by the botanist. If complete avoidance of the special-status plant	Project Applicant, Qualified Botanist, City of Hanford	Preconstruction and Continuous compliance during construction	

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occurrence(s) is not feasible, the following mitigation measures should be implemented: • If the identified species is listed under the CESA as candidate, threatened, or endangered, all project activities that could impact the occurrences should cease and the applicant should coordinate with the CDFW to determine the need for a 2081-Incidental Take Permit. Direct or indirect impacts to the occurrence(s) or within 50-feet of the occurrence(s) must be avoided unless the applicant obtains a 2081-Incidental Take Permit or other authorization from the CDFW. • If the special-status plant species are not CESA-listed and are CNPS Rare Plant Rank 1 or 2 and/or listed under the Federal Endangered Species Act, the following should be implemented: • For annual and perennial species, the biologist will collect seed prior to project disturbance, store the seed in a cool and dry place, and redistribute the collected seed in suitable soil in the temporarily disturbed portions of the project area following completion of disturbance. • If seed is not available due to project timing, the applicant and the botanist should implement a soil seed bank salvage program to promote the continued existence of the species on the parcel. Soil from the project disturbance areas containing the special-status species seed should be collected and reapplied. To			

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accomplish this, the upper 6 inches of soil located within the vicinity of occurrence(s) should be collected prior to grading activities. The collected soil should be distributed in the temporary disturbance areas following completion of the grading activities or in adjacent undisturbed areas on the parcel. • The broadcasted seed and/or salvaged soil distribution area should be monitored for two consecutive seasons to determine if the redistributed seed and/or soil supports germination of the targeted species. If germination is not observed, the applicant and their biologist should continue the seed collection and distribution efforts until germination is confirmed in the distribution areas. • A rare plant survey report should be submitted to the City prior to initiation of ground-disturbing activities if focused surveys are conducted.			
MM BIO-5: Worker Environmental Awareness Program (WEAP). Prior to initiation of construction activities (including staging and mobilization), all personnel associated with project construction should attend a WEAP training, conducted and prepared by a qualified biologist, to aid workers in recognizing special-status species, native or nesting birds and other biological resources that may occur in the construction area. The specifics of this program will include identification and habitats of special-status species with potential to occur at the project site, a description of the regulatory status and general ecological characteristics of sensitive resources, a review of the limits of construction, and an explanation of the mitigation measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this	All personnel associated with project construction, Qualified biologist, Project Applicant, City of Hanford	Preconstruction	

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information shall also be prepared by the qualified biologist for distribution to all contractors, their employers, and other personnel involved with construction. All personnel shall sign a form provided by the trainer indicating they have attended the WEAP and understand the information presented to them.			
MM BIO-6: General Best Management Practices. The following General BMPs would be implemented by project personnel: • Prior to mobilization, the contractor would clearly delineate the project limits and prohibit any project-related work outside those boundaries. • Project-related vehicles would observe a 5-mile-per-hour speed limit within the unpaved limits of the project. • All food-related trash items such as wrappers, cans, bottles, and food scraps generated during the proposed project would be disposed of in closed containers only and removed daily from the project site. • No deliberate feeding of wildlife would be allowed. • No pets would be allowed on the project site. • No firearms would be allowed on the project site. • If vehicle or equipment maintenance is necessary, it would be performed in the designated staging areas. • If project activities must occur at night (between dusk and dawn), all lighting would be shielded and directed downward to minimize the potential for glare or spillover onto adjacent properties and to reduce impacts on local wildlife. • Heavy equipment would be operated in accordance with	Project applicant, Contractor	Continuous compliance	

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standard BMPs. Equipment used on-site would be properly maintained to avoid leaks of oil, fuel, or residues. Provisions would be in place to remediate any accidental spills.			
Cultural Resources			
MM CUL-1: Inadvertent Discoveries of Cultural Resources. In the event that cultural resources are discovered during Project implementation, all earthwork and ground-disturbing activities will halt within 50 feet of the discovery. An archaeologist meeting the Secretary of Interior's professional qualification standards (Qualified Archaeologist) will coordinate with the City of Hanford and identify whether the resource may qualify as a historical resource or unique archaeological resource (defined in CEQA Guidelines Section 15064.5), a tribal cultural resource (defined in PRC Section 21080.3), and if it requires further evaluation. If the cultural resources are Native American in origin, the Consulting Tribe(s) must be immediately contacted and consulted regarding potential significance and treatment of the resource. For any potential significant cultural resources, the Qualified Archaeologist will make recommendations to the City to avoid or mitigate impacts on the resource. Preservation in place (i.e. avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery to excavate the resource along with subsequent laboratory processing and analysis. Disposition of significant Native American archaeological materials, such as reburial or curation by a qualified repository within Kings County, will be agreed upon by the City and Consulting Tribe(s). Any significant non-Native American archaeological material shall be curated at a public, non-profit institution with a research interest in the materials within Kings County, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.	Project Applicant, Qualified Archaeologist, City of Hanford	Prior to, during, and upon completion of any ground disturbing activities	

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All identified cultural resources will be recorded on appropriate CA DPR 523 series forms and evaluated for significance. All findings will be included within a Monitoring Report drafted by the Qualified Archaeologist and submitted to the City and Consulting Tribe(s) for review. Final copies of the Monitoring Report will be submitted to the City, Consulting Tribe(s), and Southern San Joaquin Valley Information Center (SSJVIC).			
MM CUL-2: Inadvertent Discoveries of Human Remains. If human remains are encountered during the undertaking, California State Health and Safety Code Section 7050.5 states that excavation shall stop and no further disturbance shall occur within 100 feet of the discovery until the County Coroner has made a determination of origin and disposition of the remains pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), who will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery within 48 hours of notification. If the NAHC is unable to identify an MLD, the MLD fails to make a recommendation, or the landowner or his/her authorized representative rejects the recommendation, the human remains, and associated items will be interred on the property with appropriate dignity in a location that will not be subject to future disturbance.	County Coroner, Project Applicant	Prior to, during, and upon completion of any ground disturbing activities	
Geology and Soils			
MM GEO-1: Final Geotechnical Report. Prior to issuance of building permits, the project applicant shall submit a design-level geotechnical study and building plans to the City of Hanford 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 those that pertain to soil engineering, structural foundations, pipeline excavation, and installation. The approved plans shall be incorporated into the	Project Applicant, a licensed Geotechnical Engineer or Certified Engineering Geologist, and the City of Hanford	Prior to the issuance of building permits	

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proposed project. All onsite soil engineering activities shall be conducted under the supervision of a licensed Geotechnical Engineer or Certified Engineering Geologist.			
MM GEO-2: Paleontological Monitoring. Prior to issuance of improvement plans, the City shall ensure that a qualified paleontologist shall be retained to prepare a Paleontological Resources Monitoring and Mitigation Plan (PRMMP). This plan will address specifics of monitoring and mitigation and comply with the recommendations of the Society of Vertebrate Paleontology's 2010 Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources. All ground disturbances in the project area that occur in previously undisturbed sediment with high paleontological sensitivity will require monitoring. The project Paleontologist may periodically inspect construction activities to adjust the level of monitoring in response to subsurface conditions. In the event that any potentially significant paleontological resources are discovered, the paleontological monitor shall stop work inside a zone designated by him/her where additional paleontological resources could be found. A plan for the evaluation of the resource shall be submitted to the Community Development Department for approval.	Qualified paleontologist, City of Hanford, City of Hanford Community Development Director	Prior to the issuance of improvement plans and during construction activities	
Greenhouse Gas Emissions			
MM GHG-1: Require All-Electric Development. Prior to the issuance of building permits, the Building Department shall confirm that building plans require the project to use all-electric appliances, and end uses instead of natural gas. The project shall not include natural gas utility lines or connections.	City of Hanford Building Department	Prior to the issuance of building permits	
MM GHG-2: CALGreen Tier 2 Electric Vehicle Requirements. Prior to the issuance of a building permit, the Project Applicant or successor in interest shall provide documentation to the Building Department demonstrating that the project is designed to meet or exceed 2025 CALGreen Tier 2 electric vehicle requirements in effect at the time of building permit application.	Project Applicant or successor in interest, City of Hanford Building Department	Prior to the issuance of a building permit	
Hydrology and Water Quality			
MM HYD-1: Stormwater Pollution Prevention Plan. Prior to the issuance of grading or building permits for each proposed activity within the project area, the project applicant shall prepare and submit a Stormwater Pollution Prevention Plan (SWPPP) to	Project Applicant, City of Hanford –	Prior to the issuance of grading or building permits	

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the City of Hanford for approval that identifies specific actions and Best Management Practices (BMPs) to prevent stormwater pollution during construction activities. The SWPPP shall identify a practical sequence for BMP implementation, monitoring, and maintenance; site restoration; contingency measures; responsible parties; and agency contacts. The SWPPP shall include but not be limited to the following elements: • Temporary erosion control measures shall be employed for disturbed areas. • Specific measures shall be identified to protect the onsite open drainages during construction of the proposed project. • No disturbed surfaces shall be left without erosion control measures in place during the winter and spring months. • Sediment shall be retained onsite by a system of sediment basins, traps, or other appropriate measures. • The construction contractor shall prepare Standard Operating Procedures for the handling of hazardous materials on the construction site to eliminate or reduce discharge of materials to storm drains. • BMP performance and effectiveness shall be determined either by visual means where applicable (e.g., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination (such as inadvertent petroleum release) is required by the RWQCB to determine adequacy of the measure. • In the event of significant construction delays or delays in final landscape installation, native grasses or other appropriate vegetative cover shall be established on the construction site as soon as possible after disturbance, as an interim erosion control measure throughout the wet season.	Engineering Department		
MM HYD-2: Stormwater Quality Control Plan. Prior to the issuance of building or grading permits for any development activities the project applicant shall submit a	Project Applicant, City of Hanford –	Prior to the issuance of	

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stormwater quality control plan to the City of Hanford for review and approval. The plan shall include a detailed drainage plan and identify expected site-specific pollutants and required measures to treat those pollutants before they reach the municipal storm drain. The approved measures shall be incorporated into the proposed project. The plan will describe monitoring and performance measures and standards required in order to ensure water quality is adequately protected during operation of all proposed sites within the project area. Examples of stormwater pollution prevention measures and practices to be incorporated into the plan include but are not limited to: • Strategically placed bioswales and landscaped areas that promote percolation of runoff • Pervious pavement • Roof drains that discharge to landscaped areas • Trash enclosures with screen walls and roofs • Stenciling on storm drains • Curb cuts in parking areas to allow runoff to enter landscaped areas • Rock-lined areas along landscaped areas in parking lots • Catch basins • Oil/water separators • Regular sweeping of parking areas and cleaning of storm drainage facilities • Employee training to inform maintenance personnel of stormwater pollution prevention measures	Engineering Department	building permits or grading permits	