

RESOLUTION NO. 1326

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES OF THE CITY OF SANTA ROSA ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM AND APPROVING THE FULTON RD SEWER MAIN IMPROVEMENTS, WEST 3RD ST TO SANTA ROSA CREEK PROJECT

WHEREAS, the Fulton Rd Sewer Main Improvements, West 3rd St to Santa Rosa Creek Project (“Project”) replaces the existing sewer main that is located on Fulton Road and serves the Countryside subdivision; and

WHEREAS, the City of Santa Rosa ("City") proposes to undertake the Project to improve the sewer service to the Countryside subdivision and to protect Santa Rosa Creek by replacing the existing sewer main that is deformed and subject to potential failure; and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”), an Initial Study/ Mitigated Negative Declaration (“IS/MND”) that included a “Mitigation Monitoring and Reporting Program” (“MMRP”) was prepared for the Project and circulated for 30 days starting on June 30, 2022; and

WHEREAS, a Notice of Intent ("NOI") to adopt a Mitigated Negative Declaration (“MND”) was posted at the Sonoma County Clerk in accordance with CEQA requirements on June 30, 2022; and

WHEREAS, the NOI to adopt a MND was uploaded to the State Clearinghouse CEQA Submit system in accordance with CEQA requirements on June 30, 2022; and

WHEREAS, the NOI to adopt a MND was published in The Press Democrat in accordance with CEQA requirements on July 15, 2022; and

WHEREAS, the NOI to adopt a MND was mailed to surrounding property owners within 500 feet of the Project in accordance with CEQA requirements on June 30, 2022; and

WHEREAS, the NOI to adopt an MND was also posted to the City’s website at <http://cippublic.srcity.org/ciplist.html> under Project CIP Number 2117 on June 30, 2022; and

WHEREAS, to solicit input from Native American tribes in accordance with Assembly Bill 52 and CEQA guidelines, Project notification letters were sent to the Lytton Rancheria of California and the Federated Indians of Graton Rancheria, and mitigation measures were included to monitor and address any inadvertent discovery of Tribal Cultural Resources; and

WHEREAS, comments on the MND were received from the California Department of Fish and Wildlife (“CDFW”) and CDFW requested additional information and revisions to the mitigation measures proposed in the MND; and

WHEREAS, responding to CDFW comments did not result in a “substantial revision” as defined by Section 15073.5(b) of the CEQA Guidelines and no new, avoidable significant effects were identified from the comments that would require the document to be recirculated.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities (“Board”) of the City of Santa Rosa hereby finds and determines:

1. The IS/MND and MMRP have been prepared and completed in compliance with the requirements of CEQA and the CEQA Guidelines and presented to the Board of Public

Utilities along with comments received and minor revisions and clarifications to the MND and MMRP.

2. The Board has reviewed and considered the information in the IS/MND and MMRP and the MND reflects the Board's independent judgment and analysis of the potential environmental effects of the Project.
3. The potential environmental impacts of the Project are fully disclosed in the MND, and based upon the record, the proposed Project will not have a significant effect upon the environment if specific environmental protection actions, mitigation measures, and monitoring actions listed in the MND and MMRP are implemented.
4. The Board hereby approves and adopts the MND and MMRP, and the mitigation measures set forth in the attached MMRP are hereby imposed as conditions of approval of the Project.
5. The Board hereby determines that impacts identified in the MND as potentially significant will be reduced to a less than significant level because the City has agreed to mitigation measures and thus a MND is appropriate for the Project.

BE IT FURTHER RESOLVED that the Board of Public Utilities of the City of Santa Rosa approves the Fulton Rd Sewer Main Improvements, West 3rd St to Santa Rosa Creek Project.

BE IT FURTHER RESOLVED that the Board of Public Utilities directs staff to file a Notice of Determination for the Project consistent with the requirements of CEQA and the CEQA Guidelines.

DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities this 3rd day of August, 2023.

AYES: (7) Chair Galvin III, Vice Chair Arnone, Board Member Badenfort, Board Member Bartholow, Board Member Walsh, Board Member Watts, and Board Member Wright

NOES: (0)
ABSENT: (0)
ABSTAIN: (0)

APPROVED: _____ /S/
Daniel J. Galvin III
Chair

ATTEST: _____ /S/
Michelle Montoya
Recording Secretary

APPROVED AS TO FORM:

_____/S/
City Attorney

ATTACHMENT: MITIGATION MONITORING AND REPORTING PLAN

Fulton Road Sewer Main Improvements, West 3rd Street to Santa Rosa Creek June 2021 Revised December 2022

Pursuant to Section 21081.6 of the State CEQA Guidelines¹, the mitigation measures listed in this Mitigation Monitoring and Reporting Plan (MMRP) are to be implemented as part of the proposed project. The MMRP identifies the time at which each mitigation measure is to be implemented and the person or entity responsible for implementation. The initials of the designated responsible person will indicate completion of their portion of the mitigation measure. The City of Santa Rosa Transportation and Public Works' (City) project manager's signature on the Certification of Compliance will indicate complete implementation of the MMRP.

The mitigation measures included in the MMRP are considered conditions of approval of the proposed project. The City agrees to implement the mitigation measures proposed in the MMRP. Implementation of the mitigation measures included in the MMRP is expected to avoid, minimize, rectify, reduce, or compensate potentially significant impacts to a less than significant level.

TIME OF IMPLEMENTATION

- Project Design: The mitigation measure will be incorporated into the project conditions of approval plans and specifications prior to approving the project.
- Pre-construction: The mitigation measure will be implemented prior to project construction.
- Construction: The mitigation measure will be implemented during construction.
- Post-construction: The mitigation measure will be implemented or monitored after project construction is complete.

RESPONSIBLE PERSONS AND DEPARTMENTS

The City as Lead Agency will be responsible for overall implementation of the MMRP. The City's project manager will sign off on the mitigation measures included in the MMRP. Periodically, other City staff, consultants or regulatory agencies will be involved in the implementation of specific mitigation measures. In these instances, the staff, department, or agency will be identified in the MMRP.

CERTIFICATION OF COMPLIANCE

The City will be responsible for providing signatures on the Certification of Compliance. The Certification of Compliance is a double-check to ensure that the MMRP was fully implemented.

RECORD KEEPING

The City's project manager will maintain the records of the MMRP. When the MMRP is fully implemented, the original signed copy will be maintained by the City.

¹ California Code of Regulations Title 14.

CERTIFICATION OF COMPLIANCE

Complete the Certification of Compliance after mitigation measures have all been initialed. Use this Certification of Compliance to ensure the full implementation of each mitigation measure.

Project Design

The City’s project manager has reviewed the project design, the plans, and the contract special provisions to verify that designated mitigation measures have been incorporated.

Signature & title Date

Pre-construction

The City’s project manager has verified that designated mitigation measures were implemented prior to construction.

Signature & title Date

Construction

The City’s project manager has verified that designated mitigation measures were implemented during construction.

Signature & title Date

Post-construction

The City’s project manager has verified that designated mitigation measures were implemented and/or monitored after completion of construction.

Signature & title Date

AIR QUALITY

AQ1

The following Feasible Control Measures, as described by the Bay Area Air Quality Management District, shall be implemented during construction to minimize fugitive dust and emissions:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day or be covered.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-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 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed or stabilized as soon as possible. Building slabs shall be poured as soon as possible after grading unless seeding or soil binders are used to stabilize the pad.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified visible emissions evaluator.
- A publicly visible sign shall be posted with the telephone number and person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BBAQMD’s phone number shall also be visible to ensure compliance with applicable regulations.

Implementation & Monitoring

Project Design: The City’s project manager will verify that the mitigation measure is incorporated into the project plans and specifications prior to issuing final project approvals.

Initials _____ Date _____

Construction: The City’s project manager shall ensure that Mitigation Measure AQ1 is being implemented during construction. Failure to comply shall result in issuance of a stop work order until corrective action has been taken.

Initials _____ Date _____

BIOLOGICAL RESOURCES

BIO1

~~To avoid impacts to roosting western red bats, any felled trees should be left overnight prior to removal from the site or on-site chipping to allow any bats to exit the roost.~~

Prior to any tree removal, a qualified biologist shall conduct a habitat assessment for bats. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree removal and shall include a visual inspection of potential roosting features. (e.g., cavities, crevices in wood and bark, exfoliating bark for colonial species, suitable canopy for foliage roosting species). If suitable habitat trees are found, they shall be flagged or otherwise clearly marked, CDFW shall be notified immediately, and tree trimming or removal shall not proceed without approval in writing from CDFW. Trees may be removed only if: a) presence of bats is presumed, or documented during the surveys described below, in trees with suitable habitat, and removal using the two-step removal process detailed below occurs only during seasonal periods of bat activity from approximately March 1 through April 15 and September 1 through October 15, or b) after a qualified biologist, under prior written approval of the proposed survey methods by CDFW, conducts night emergency surveys or complete visual examination of roost features that establish absence of roosting bats. Two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices or deep bark fissures shall be avoided, and 2) the second day the entire tree shall be removed. If a bat roosting or maternity colony cannot be avoided, the project shall prepare and implement a bat mitigation and monitoring plan approved in writing by CDFW.

Implementation & Monitoring

Project Design: The City's project manager will verify that the mitigation measure is incorporated into the project plans and specifications prior to issuing final project approvals.

Initials

Date

Pre-construction: The City's project manager shall ensure that Mitigation Measure BIO1 is implemented prior to construction.

Initials

Date

BIO2

To avoid potential impacts to Yellow-breasted chat and other migratory bird species (nesting birds), to the extent practical, all construction activities should be performed between September 1 and January 31 to be outside the nesting season. If work must be performed during the nesting season (between February 1 and August 31), a pre-construction nesting bird survey shall be performed in all areas within ~~250~~ 500 feet of proposed activities The survey shall be conducted within seven days of construction and whenever a lapse in construction exceeds seven days. If nests are found, an appropriately sized no-disturbance buffer shall be placed around the nest at the direction of the qualified biologist conducting the survey. Buffers shall remain in place until all young have fledged, or the biologist has confirmed that the nest has been naturally predated.

Implementation & Monitoring

Project Design: The City’s project manager will verify that the mitigation measure is incorporated into the project plans and specifications prior to issuing final project approvals.

Initials _____ Date _____

Pre-construction: The City’s project manager shall ensure that Mitigation Measure BIO2 is implemented prior to construction.

Initials _____ Date _____

BIO3

To reduce potential harm to Foothill yellow-legged frog and Western pond turtle, the following measures shall be implemented:

- An environmental training shall be provided to all construction workers prior to the start of work. Training shall include a description of all biological resources that may be found on or near the project site, the laws and regulations that protect those resources, the consequences of non-compliance with those laws and regulations, instructions for inspecting equipment each morning prior to activities, and a contact person if protected biological resources are discovered in the project area.
- A pre-construction survey shall be conducted within 48 hours of ground disturbing activities for foothill yellow-legged frog and western pond turtle. If possible, the animal shall be allowed to leave the area on its own.
- A qualified biological monitor shall be present during riparian vegetation removal activities. If either species is found, the animal may be relocated to suitable habitat outside the project area by a CDFW-approved biologist.
- Trenches and holes shall be covered and inspected daily for stranded animals, to the extent possible. Trenches and holes deeper than one foot shall contain escape ramps at a maximum slope of 2:1 to allow trapped animals to escape.
- During project activities, all trash that may attract predators shall be properly contained, removed from the work site, and disposed of regularly. Following maintenance activities, all trash and maintenance debris shall be removed from work areas.

Implementation & Monitoring

Project Design: The City’s project manager will verify that the mitigation measure is incorporated into the project plans and specifications prior to issuing final project approvals.

Initials _____ Date _____

Pre-construction: The City’s project manager shall ensure that Mitigation Measure BIO3 is implemented prior to construction.

Initials _____ Date _____

Construction: The City’s project manager shall ensure that Mitigation Measure BIO3 is being implemented during construction. Failure to comply shall result in issuance of a stop work order until corrective action has been taken.

Initials _____ Date _____

BIO4

To protect steelhead and Coho salmon that may be present, the following measures shall be implemented:

- The *Fish Management Plan for South Fulton Trunk Sewer Replacement Project, City of Santa Rosa, California* prepared by Hagar Environmental Science, August 2020, shall be implemented.
- All dewatering will be conducted within the ~~NOAA/NMFS~~ CDFW work window of August 1 to ~~November 30~~ October 15. Pumps used in the dewatering process will be fitted with screens not larger than 0.2 inch to prevent the impingement or entrainment of fish species. A qualified fisheries biologist will conduct fish salvage during dewatering operations. Salvaged fish will be relocated to suitable nearby habitat outside the Project Action Area.
- A spill prevention plan will be prepared describing measures to be taken to minimize the risk of fluids or other materials used during construction (e.g., oils, transmission and hydraulic fluids, cement, fuel) from entering streams or contaminating adjacent riparian areas. In addition to a spill prevention plan, a cleanup protocol will be developed before construction begins and will be implemented in case of a spill.

Implementation & Monitoring

Project Design: The City’s project manager will verify that the mitigation measure is incorporated into the project plans and specifications prior to issuing final project approvals.

Initials _____ Date _____

Pre-construction: The City’s project manager shall ensure that Mitigation Measure BIO4 is implemented prior to construction.

Initials _____ Date _____

Construction: The City’s project manager shall ensure that Mitigation Measure BIO4 is being implemented during construction. Failure to comply shall result in issuance of a stop work order until corrective action has been taken.

Initials _____ Date _____

BIO5

The following measures shall be implemented to mitigate for the construction-related loss of riparian habitat:

- A special status plant survey shall be conducted at the appropriate time of year prior to the start of the construction season according to CDFW’s 2018 Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities. The results of the survey shall be provided to CDFW for acceptance.
- Planting within the Santa Rosa Creek channel shall be according to the Riparian Restoration Plan, ~~South Fulton Trunk Sewer Project~~ Fulton Road Sewer Main Improvements West 3rd St to Santa Rosa Creek, City of Santa Rosa, City of Santa Rosa, prepared by Sol Ecology September 2020, revised November 2022. The Restoration Plan and any revisions to the Restoration Plan shall be approved in writing by CDFW.
- Prepare re-vegetation and erosion control plans for all graded and disturbed areas to prevent sedimentation to the low flow channel.
- Protect and preserve all healthy native trees as per tree ordinance. When grading for hydraulic capacity requires removal, mitigate all tree removals with replacement of appropriate native species.
- Create a vegetation and tree protection plan. Orange construction fencing shall be placed around all existing riparian vegetation to avoid potential effects to this sensitive vegetation community during construction activities.
- Grading operations shall be confined to smallest work area possible for construction.

Implementation & Monitoring

Project Design: The City’s project manager will verify that the mitigation measure is incorporated into the project plans and specifications prior to issuing final project approvals.

Initials _____ Date _____

Pre-construction: The City’s project manager shall ensure that Mitigation Measure BIO5 is implemented prior to construction.

Initials _____ Date _____

Construction: The City’s project manager shall ensure that Mitigation Measure BIO5 is being implemented during construction. Failure to comply shall result in issuance of a stop work order until corrective action has been taken.

Initials _____ Date _____

Post-construction: The City’s project manager shall ensure that post-construction monitoring and reporting requirements specified in the *Riparian Restoration Plan, South Fulton Trunk Sewer Project, City of Santa Rosa* are adhered to.

Initials _____ Date _____

BIO6

The City shall comply with permit terms from USACE (Nationwide Permit 58 under Section 404 of the Clean Water Act), Regional Board (Section 401 Water Quality Certification) and CDFW (Section 1600 Lake and Streambed Alteration Agreement). At a minimum, permit terms shall include in-stream construction methodologies contained in the *In-stream Construction Methodologies Memorandum* contained as Appendix A of the Initial Study.

Implementation & Monitoring

Project Design: The City’s project manager will verify that project permit terms are incorporated into the project plans and specifications prior to issuing final project approvals.

Initials _____ Date _____

Pre-construction: The City’s project manager shall ensure pre-construction permit terms are implemented.

Initials _____ Date _____

Construction: The City’s project manager shall ensure that project terms are being implemented during construction. Failure to comply shall result in issuance of a stop work order until corrective action has been taken.

Initials _____ Date _____

Post-construction: The City’s project manager shall ensure that any post-construction permit monitoring and reporting requirements are adhered to.

Initials _____ Date _____

CULTURAL RESOURCES

CR1

The project plans and specifications shall provide that in the event prehistoric-era or historic-era archaeological site indicators are unearthed during the course of grading, excavation and/or trenching, all ground disturbing work in the vicinity of the discovery shall cease and all exposed materials shall be left in place. Prehistoric-era archaeological site indicators could include chipped chert and obsidian tools and tool manufacture waste flakes, grinding implements such as mortars and pestles, and locally darkened soil containing the previously mentioned items as well as fire altered stone and dietary debris such as bone and shellfish fragments. Historic-era archaeological site indicators could include items of ceramic, glass and metal, and features such as structural ruins, wells and pits containing such artifacts. After cessation of excavation, the contractor shall immediately contact the City. The City shall contact a qualified professional archaeologist immediately after the find. Such archaeologist shall conduct an evaluation of significance of the site and assess the necessity for mitigation and contact local Native American tribes, as appropriate. The contractor shall not resume construction activities until authorization to proceed is received from the City.

Implementation & Monitoring

Project Design: The City’s project manager will verify that Mitigation Measure CR1 is incorporated into the project plans and specifications prior to issuing final project approvals.

Initials

Date

Construction: The City’s project manager shall ensure that Mitigation Measure CR1 is being implemented during construction. Failure to comply shall result in issuance of a stop work order until corrective action has been taken.

Initials

Date

CR2

If human remains are encountered during grading, excavation or trenching, all construction activity shall cease and the contractor shall immediately contact the City and the Sonoma County Coroner’s Office. If the remains are determined by the Coroner’s Office to be of Native American origin, the Native American Heritage Commission shall be contacted and the procedures outlined in CEQA §15064.5 (d) and (e) shall be implemented by the City or its designee.

Implementation & Monitoring

Project Design: The City’s project manager will verify that Mitigation Measure CR2 is incorporated into the project plans and specifications prior to issuing final project approvals.

Initials _____ Date _____

Construction: The City’s project manager shall ensure that Mitigation Measure CR2 is being implemented during construction. Failure to comply shall result in issuance of a stop work order until corrective action has been taken.

Initials _____ Date _____

GEOLOGY & SOILS

GS1

The City shall prepare an erosion control plan for the project. Appropriate BMPs will be implemented by the project to minimize construction-related erosion and runoff. Suggested BMPs include, but are not limited to:

- Schedule construction activities during dry weather. Keep grading operations to a minimum during the rainy season (October 15 through April 15).
- Protect and establish vegetation.
- Stabilize construction entrances and exits to prevent tracking onto roadways.
- Protect exposed slopes from erosion through preventative measures. Cover the slopes to avoid contact with storm water by hydroseeding, applying mulch or using plastic sheeting.
- Install straw wattles and silt fences on contour to prevent concentrated flow. Straw wattles should be buried 3 to 4 inches into the soil, staked every 4 feet, and limited to use on slopes that are no steeper than 3 units horizontal to 1 unit vertical. Silt fences should be trenched 6 inches by 6 inches into the soil, staked every 6 feet, and placed 2 to 5 feet from any toe of slope.
- Designate a concrete washout area to avoid wash water from concrete tools or trucks from entering gutters, inlets or storm drains. Maintain washout area and dispose of concrete waste on a regular basis.
- Establish a vehicle storage, maintenance and refueling area to minimize the spread of oil, gas and engine fluids. Use oil pans under stationary vehicles.
- Protect drainage inlets from receiving polluted storm water through the use of filters such as fabrics, gravel bags or straw wattles.
- Check the weather forecast and be prepared for rain by having necessary materials onsite before the rainy season.
- Inspect all BMPs before and after a storm event. Maintain BMPs on a regular basis and replace as necessary.

Additionally, erosion control measures contained in the applicable permits from the USACE, Regional Board and CDFW shall be incorporated into the project specifications.

Implementation & Monitoring

Project Design: The City’s project manager will verify that erosion control measures are incorporated into the project plans and specifications prior to issuing final project approvals.

Initials _____ Date _____

Construction: The City’s project manager shall ensure that erosion control measures are being implemented during construction. Failure to comply shall result in issuance of a stop work order until corrective action has been taken.

Initials _____ Date _____

GS2

The City shall comply with bank stabilization measures contained in the applicable permits from the USACE, Regional Board and CDFW and those measures shall be incorporated into the project specifications. At a minimum, those measures shall include slope protection including the placement of an erosion control blanket and prepared willow cuttings as live stakes:

- Per the recommendation of RGH, once the pipeline has been backfilled per the recommendations presented herein and the requirements of the City of Santa Rosa, the creek bank should be re-established. Creek bank fill should be keyed and benched into the surrounding creek bank face for a distance of at least 5 feet on either side of the trench. Fill should be placed in thin horizontal lifts (approximately 8 inches thick), moisture conditioned to near-optimum moisture content, and compacted to at least 90 percent of the maximum dry density per ASTM test standard D-1557. The fill materials should be free of perishable matter and rocks or lumps over 6 inches in diameter and must be approved by the geotechnical engineer prior to use.
- The erosion control blanket shall be biodegradable with a functional longevity of 24 months. It shall be of consistent thickness and covered on the top and the bottom with biodegradable fiber netting. It shall be capable of withstanding a shear stress of 2.0 psf and flow velocity of 6 fps.
- Lives stakes shall be willow cuttings from a healthy, native stand. Cut poles while the plant is dormant. Species shall be Arroyo willow (*Salix lasiolepis*). Species may not be substituted without project biologist's written approval. Live stakes shall be 1-inch to 3-inch in diameter and of sufficient length to reach the ordinary high water level, at approximately 2 feet on center. Stakes shall be pierced through the erosion control blanket. Select the longest, straightest poles available and use only two- to four-year old plants. Strip all but the top two or three side branches from poles. Trim off the terminal bud on top. Cut the bottom end at a 45 degree angle to make a point. Poles and branches shall be trimmed with sharp tools. Soak poles for 5 to 7 days before planting.

Implementation & Monitoring

Project Design: The City's project manager will verify that bank stabilization measures are incorporated into the project plans and specifications prior to issuing final project approvals.

Initials _____ Date _____

Construction: The City's project manager shall ensure that bank stabilization measures are being implemented during construction. Failure to comply shall result in issuance of a stop work order until corrective action has been taken.

Initials _____ Date _____

Post-construction: The City's project manager shall ensure that bank stabilization measures and any post-construction permit monitoring and reporting requirements are adhered to.

Initials _____ Date _____

GS3

The project plans and specifications shall provide that in the event paleontological site indicators are unearthed during the course of grading, excavation and/or trenching, all ground disturbing work in the vicinity of the discovery shall cease and all exposed materials shall be left in place. After cessation of excavation, the contractor shall immediately contact the City. The City shall contact a qualified professional geologist or paleontologist immediately after the find. Such consultant shall conduct an evaluation of significance of the site, and assess the necessity for mitigation. The contractor shall not resume construction activities until authorization to proceed is received from the City.

Implementation & Monitoring

Project Design: The City’s project manager will verify that Mitigation Measure GS3 is incorporated into the project plans and specifications prior to issuing final project approvals.

Initials _____ Date _____

Construction: The City’s project manager shall ensure that that Mitigation Measure GS3 is implemented during construction, if required. Failure to comply shall result in issuance of a stop work order until corrective action has been taken.

Initials _____ Date _____

HAZARDS & HAZARDOUS MATERIALS

HM1

The contractor shall be required to follow the provisions of § 5163 through 5167 of the General Industry Safety Orders (California Code of Regulations, Title 8) to protect the project area from being contaminated by accidental release of any hazardous materials.

In general, the Contractor shall maintain awareness of potential signs of soil and groundwater contamination throughout the project limits and shall notify the District immediately upon discovery of any potential soil or groundwater contamination.

If hazardous materials are encountered during construction or occur as a result of an accidental spill, the contractor shall halt construction immediately, notify the City, and implement remediation in accordance with the project specifications and applicable requirements of the Regional Board. Disposal of all hazardous materials shall be in compliance with current California hazardous waste disposal laws.

Implementation & Monitoring

Project Design: The City’s project manager will verify that Mitigation Measure HM1 is incorporated into the project plans and specifications prior to issuing final project approvals.

Initials

Date

Construction: The City’s project manager shall ensure that that Mitigation Measure HM1 is implemented during construction, if required. Failure to comply shall result in issuance of a stop work order until corrective action has been taken.

Initials

Date

HM2

For portions of the project occurring within the Santa Rosa Creek channel, the City shall adhere to all permit terms contained in the USACE, Regional Board and CDFW permits for such construction. In-stream containment shall, at a minimum, include:

- Refueling of equipment within the floodplain or within 300 feet of the waterway is prohibited. If critical equipment must be refueled within 300 feet of the waterway, spill prevention and countermeasures must be implemented to avoid spills. Refueling areas shall be provided with secondary containment including drip pans and/or placement of absorbent material. No hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, or other construction-related potentially hazardous substances should be stored within a floodplain or within 300 feet of a waterway. The Applicant must perform frequent inspections of construction equipment prior to utilizing it near surface waters to ensure leaks from the equipment are not occurring and are not a threat to water quality.
- The Applicant shall develop and maintain onsite a project-specific Spill Prevention, Containment and Cleanup Plan outlining the practices to prevent, minimize, and/or clean up potential spills during construction of the Project. The Plan must detail the Project elements, construction equipment types and location, access and staging and construction sequence.
- Raw cement, concrete (or washing thereof), asphalt, drilling fluids, lubricants, paints, coating material, oil, petroleum products, or any other substances which could be hazardous to fish and wildlife resulting from or disturbed by project-related activities, shall be prevented from contaminating the soil and/or entering waters of the United States.
- The discharge of petroleum products, any construction materials, hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, raw cement, concrete, asphalt, paint, coating material, drilling fluids, or other construction-related potentially hazardous substances to surface water and/or soil is prohibited.
- Discharge of unset cement, concrete, grout, damaged concrete spoils, or water that has contacted uncured concrete or cement, or related washout to surface waters, ground waters, or land is prohibited. If concrete washout is necessary at a site, washout containment to prevent any discharge shall be used. Wastewater may only be disposed by delivery to a sanitary wastewater collection system/facility (with authorization from the facility's owner or operator) or a properly licensed disposal or reuse facility.
- The contractor shall install the necessary containment structures to control the placement of wet concrete and to prevent it from entering into the channel outside of those structures. No concrete shall be poured within the channel if the 15-day weather forecast indicates any chance of rain greater than 20 percent.
- All cement-based products (concrete, mortar, etc.) poured or applied wet onsite shall be excluded from the wetted channel or areas where they may come into contact with water flow. The product shall be kept moist for 30 days and runoff from the product shall not be allowed to enter the stream. Commercial sealants may be applied to the product surface or mixture where difficulty in excluding flow for a long period may occur. If sealant is used, water shall be excluded from the situ until the sealant is cured.
- At all times when the contractor is pouring or working with wet concrete, there shall be a designated monitor to inspect the containment structures and ensure that no concrete or other debris enters into the channel outside of those structures.

Implementation & Monitoring

Project Design: The City’s project manager will verify that in-stream containment measures specified in Mitigation Measure HM2 and any additional permit terms are incorporated into the project plans and specifications prior to issuing final project approvals.

Initials _____ Date _____

Construction: The City’s project manager shall ensure that in-stream containment measures and permit terms are being implemented during construction. Failure to comply shall result in issuance of a stop work order until corrective action has been taken.

Initials _____ Date _____

NOISE

N1

The following measures shall be implemented at the construction site to reduce the effects of construction noise on adjacent residences:

- Noise-generating activities at the construction sites or in areas adjacent to the construction sites associated with the project in any way shall generally be restricted to the hours of 7:00 a.m. to 7:00 p.m. Any work outside of these hours shall require special permission from the City. There should be a compelling reason for permitting construction outside the designated hours.
- The City shall provide notice to all residents within 100 feet of the construction activities at least 48 hours prior to commencing construction. The notice shall include the contact information for the City’s noise disturbance coordinator and the anticipated construction schedule.
- All internal combustion engine driven equipment shall be equipped with intake and exhaust mufflers which are in good condition and appropriate for the equipment.
- Unnecessary idling of internal combustion engines shall be strictly prohibited.
- Staging of construction equipment and all stationary noise-generating construction equipment, such as air compressors and portable power generators, shall be staged as far as practical from existing noise sensitive receptors.
- “Quiet” air compressors and other “quiet” stationary noise sources shall be utilized where technology exists.
- Noise from construction workers’ radios shall be controlled to the point where radio noise is not audible at existing residences bordering the project site.
- A sign providing contact information for the construction manager shall be posted onsite of construction-related questions/complaints.

Implementation & Monitoring

Project Design: The City’s project manager will verify that Mitigation Measure N1 is incorporated into the project plans and specifications prior to issuing final project approvals.

Initials _____ Date _____

Construction: The City’s project manager shall ensure that Mitigation Measure N1 is being implemented during construction. Failure to comply shall result in issuance of a stop work order until corrective action has been taken.

Initials _____ Date _____

RECREATION

R1

The contractor shall develop a bicycle and pedestrian bypass plan for the portion of the Santa Rosa Creek Trail during construction for City review and approval. The plan shall include adequate signage and direction to route bicycle and pedestrian traffic around the construction area and to the detour route. Maps of the bypass route shall be posted at all Santa Rosa Creek Trail access locations impacted by construction. Additionally, Sonoma County Regional Parks requires the following:

- Two weeks prior to starting construction and closing the trail, post temporary and/or detours signs on the trail. The temporary signs shall include information such as the start and end dates of the trail closure.
- The Contractor shall obtain a revocable license agreement from Regional Parks prior to starting construction activity on the northern trail.

Implementation & Monitoring

Project Design: The City’s project manager will verify that Mitigation Measure R1 is incorporated into the project plans and specifications prior to issuing final project approvals.

Initials _____ Date _____

Pre-construction: The City’s project manager shall review and approve the contractor’s trail bypass plan and ensure Regional Parks has issued a revocable license prior to construction on the north side.

Initials _____ Date _____

Construction: The City’s project manager shall ensure that Mitigation Measure R1 is being implemented during construction. Failure to comply shall result in issuance of a stop work order until corrective action has been taken.

Initials _____ Date _____

TRANSPORTATION

T1

The contractor shall develop and submit an appropriate Traffic Control Plan (TCP) in accordance with the California Manual of Uniform Traffic Control Devices (MUTCD) for review and approval by the City for all project elements that impact traffic circulation. The TCP shall ensure through traffic access during periods where active construction is not taking place and ensure at least one passable lane of south bound traffic is maintained.

Implementation & Monitoring

Project Design: The City’s project manager will verify that Mitigation Measure T1 is incorporated into the project plans and specifications prior to issuing final project approvals.

Initials _____ Date _____

Pre-construction: The City’s project manager shall review and approve the contractor’s traffic management plan.

Initials _____ Date _____

Construction: The City’s project manager shall ensure that Mitigation Measure T1 is being implemented during construction. Failure to comply shall result in issuance of a stop work order until corrective action has been taken.

Initials _____ Date _____

T2

The contractor shall provide advanced notice regarding timing, location and the duration of construction activities to local emergency responders. The contractor shall ensure emergency responders can always have access through the construction area. The contractor shall also ensure that all traffic lanes in Fulton Road are passable or can be immediately made passable in the event of evacuation.

Implementation & Monitoring

Project Design: The City’s project manager will verify that Mitigation Measure T2 is incorporated into the project plans and specifications prior to issuing final project approvals.

Initials _____ Date _____

Construction: The City’s project manager shall ensure that Mitigation Measure T2 is being implemented during construction. Failure to comply shall result in issuance of a stop work order until corrective action has been taken.

Initials _____ Date _____

TRIBAL CULTURAL RESOURCES

TCR1

Protection of Archaeological and Tribal Cultural Resources (TCR), and Construction Monitoring: The City shall ensure that an Archaeological and Tribal Cultural Resources Treatment Plan (Treatment Plan) is developed and implemented for the project's Area of Potential Effect (APE). The Treatment Plan shall be reviewed and approved by the City and Federated Indians of Graton Rancheria (FIGR) prior to the start of project construction. The Treatment Plan shall detail recommended steps for protecting, and preserving, archaeological resources and TCRs in the event they are discovered during construction. The Treatment Plan shall include Construction Monitoring and describe Protection and Preservation strategies to ensure that appropriate actions are taken to protect any archaeological resources and TCRs encountered during construction. Construction Monitoring, Protection and Preservation are described in more detail below:

- Construction Monitoring: The City shall ensure that if potential unanticipated archaeological resources or TCRs are uncovered during construction, the contractor shall halt work, and workers shall avoid altering the materials and their context. Project personnel shall not collect cultural materials, examples of which are provided in the following description. Prehistoric archaeological site indicators include: obsidian and chert flakes and chipped stone tools; grinding and mashing implements (e.g., slabs and handstones, and mortars and pestles); bedrock outcrops and boulders with mortar cups; and locally darkened midden soils. Midden soils may contain a combination of any of the previously listed items with the possible addition of bone and shell remains, and fire affected stones. Historic period site indicators generally include: fragments of glass, ceramic, and metal objects; milled and split lumber; and structure and feature remains such as building foundations and discrete trash deposits (e.g., wells, privy pits, dumps).

A program of archaeological and Tribal monitoring shall be instituted for ground-disturbing activities associated with the project's APE. Monitoring shall be performed by a qualified archaeologist and a FIGR Tribal monitor and will consist of directly watching the excavation, grading, trenching, and other earth-moving processes. If archaeological deposits are encountered, the piece of equipment that encounters the suspected materials must be stopped, and the find inspected by the monitoring archaeologist and FIGR Tribal monitor. If the deposit contains Historic Resources, Archaeological Resources, or TCRs as defined by CEQA, all work must be stopped in the immediate vicinity. The City, archaeologist and FIGR will determine if Protection and Preservation is possible, consistent with the Treatment Plan. Work may proceed after a find has been appropriately addressed and a qualified archaeologist and FIGR Tribal representative agree that no further damage would result.

- Protection and Preservation: The preferred treatment of archaeological resources and TCRs is protection and preservation. Protection can be achieved by either avoidance (not developing within the boundaries of an archaeological resource), by covering an archaeological resource with geo-fabric and sufficient fill to protect it during and after construction, or by reducing/restricting development within the boundaries of a resource. Opportunities for Protection and Preservation of resources directly within the pipeline route are limited but shall be implemented, where feasible.
- Consultation: In the event Opportunities for Protection and Preservation are not feasible, the City and FIGR shall engage in good faith consultation and determine appropriate next steps.

Implementation & Monitoring

Project Design: The City’s project manager will verify that Mitigation Measure TCR1 is incorporated into the project plans and specifications prior to issuing final project approvals.

Initials _____ Date _____

Pre-construction: The City’s project manager shall ensure that a Archaeological and Tribal Cultural Resources Treatment Plan has been prepared and approved by FIGR prior to construction.

Initials _____ Date _____

Construction: The City’s project manager shall ensure that Mitigation Measure TCR1 and the Archaeological and Tribal Cultural Resources Treatment Plan are being implemented during construction. Failure to comply shall result in issuance of a stop work order until corrective action has been taken.

Initials _____ Date _____