
Appendix L

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

California Environmental Quality (CEQA) (PRC Section 21081.6) requires that a Mitigation Monitoring and Reporting Program (MMRP) be adopted upon certification of an Environmental Impact Report (EIR) to ensure that the mitigation measures are implemented. The MMRP specifies what the mitigation is, the entity responsible for monitoring the program, and when in the process it should be accomplished. This MMRP for the Nelson Sloan Quarry Restoration and Beneficial Reuse of Sediment Project is designed to ensure compliance with PRC Section 21081.6 during implementation of mitigation measures.

The MMRP table below includes the following information:

- A list of mitigation measures
- The timing for implementation of the mitigation measures
- The party responsible for implementing or monitoring the mitigation measures

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Mitigation Measure	Mitigation Monitoring	
	Timing of Implementation	Responsible Party
Air Quality		
<p>MM AQ-1: Prior to the lead and/or responsible agency’s approval of any construction-related permits, the California Department of Parks and Recreation (and/or designee or responsible agency) shall place the following requirements on all plans, which shall be implemented during each construction phase to minimize diesel particulate matter emissions:</p> <ul style="list-style-type: none"> a. Heavy-duty diesel-powered construction equipment shall be equipped with Tier 4 Final or better diesel engines for engines 75 horsepower or greater. The City of San Diego and/or County of San Diego shall verify and approve all pieces within the construction fleet that would not meet Tier 4 Final standards. Vehicles in loading and unloading queues shall not idle for more than 5 minutes and shall turn their engines off when not in use to reduce vehicle emissions. b. All construction equipment shall be properly tuned and maintained in accordance with manufacturer specifications c. When construction equipment units that are less than 50 horsepower would be employed, that equipment shall be electrical or natural-gas-powered, where available. d. A Construction Traffic Control Plan shall be developed to ensure construction traffic and equipment use is minimized to the extent practicable. The Construction Traffic Control Plan shall include measures to reduce the amount of large pieces of equipment operating simultaneously during peak construction periods, schedule vendor and haul truck trips to occur during non-peak hours, establish dedicated construction parking areas to encourage carpooling and efficiently accommodate construction vehicles, identify alternative routes to reduce traffic congestion during peak activities, and increase construction employee carpooling. 	Prior to and during construction	CDPR
Biological Resources		
<p>MM-BIO-1: Restoration of Vegetation. Temporary impacts to Diegan coastal sage scrub shall require restoration. Restoration shall be provided at a minimum 1.5:1 ratio (restoration acreage: impact acreage). Due to the extended period of sediment placement on site, restoration will be phased to correspond to construction phases. The Restoration Plan shall include the responsible parties, revegetation implementation plan, 5-year maintenance plan, monitoring plan, contingency measures, and notification of completion of the restoration.</p> <p>To avoid impacts to high-quality host plants for Quino checkerspot butterfly, the Restoration Plan requires a biologist to survey the mesa for Quino checkerspot butterfly host plants prior to the pre-restoration phase activities. All host plant populations shall be flagged and a 20-foot buffer</p>	During construction	CDPR

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<p>established around the host plant populations. Restoration activities within this avoidance area shall be restricted to hand weeding and/or herbicide application only. No mechanical work shall be done in this avoidance area. Existing roads or disturbed areas within the 20-foot buffer can be excluded from the avoidance area as determined by the Project biologist.</p>		
<p>MM-BIO-2: Special-Status Species Take Avoidance Surveys. Prior to initiation of each phase of site clearing, the applicant shall develop a relocation and exclusion plan for special-status terrestrial reptiles, Dulzura pocket mouse, Northwestern San Diego pocket mouse, and San Diego desert woodrat with the potential to occur on site. The relocation and exclusion plan shall be submitted to the California Department of Parks and Recreation (and/or designee or Responsible Agency) for review and approval prior to site clearing for each phase of the Project. The plan shall at minimum include the timing and locations where surveys should be conducted, the habitat and conditions in the proposed relocation site(s), the methods that would be used for trapping and relocating the individual species, the method for documentation/recordation of the species and number of animals relocated, and the method of exclusion so that species cannot re-enter active construction areas. In addition, the choice of a proposed relocation site should consist of a large patch of quality habitat appropriate to the species, which would be more likely to have the carrying capacity to accommodate one or more relocated individuals of a particular species.</p> <p><i>Pre-Construction Surveys.</i> No more than 7 days prior to each phase of site clearing, a qualified biologist shall conduct a preconstruction survey within areas of suitable habitat for special-status species wildlife. The biologist shall survey for special-status species that may be located within or immediately adjacent to the Project work areas, as permitted by access. If determined by the qualified biologist that based on the construction activities, time of year, and location of the special-status wildlife species relocation is necessary, relocation will occur to nearby undisturbed areas within suitable habitat in the open space preserve as specified in the plan and a California scientific collecting permit (SCP) (if applicable), but as close to their origin as possible (consistent with the approved plan). The biologist relocating the species shall possess a California SCP to handle these species if required by applicable California Department of Fish and Wildlife regulations.</p> <p><i>Monitoring.</i> A qualified biologist shall be present during each phase of initial ground-disturbing activities (i.e., vegetation removal) immediately adjacent to or within the vegetation communities and/or disturbed habitats that could support populations of special-status wildlife species to monitor vegetation and topsoil removal. If special-status species reptiles or small mammals are detected in the work area during biological monitoring, the individual(s) will be documented and</p>	<p>Prior to and during construction</p>	<p>CDPR</p>

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relocated as per the approved plan and in accordance with the SCP conditions as applicable. Periodic monitoring shall also be conducted by a qualified biologist following initial ground-disturbing activities, to ensure that exclusion fencing remains in place to minimize the potential for special-status species to re-enter active construction area.		
<p>MM-BIO-3: Coastal California Gnatcatcher Avoidance and Surveys. No clearing, grubbing, grading, or other ground-disturbing activities shall occur during the coastal California gnatcatcher breeding season (March 1 through August 15) on Multi-Habitat Planning Area (MHPA) lands, until the following requirements have been met to the satisfaction of the California Department of Parks and Recreation (CDPR) (and/or designee or Responsible Agency):</p> <p>A Qualified Biologist (possessing a valid Endangered Species Act Section 10[a][1][a] Recovery Permit) shall survey those habitat areas within the MHPA that would be subject to construction noise levels exceeding 60 A-weighted decibels (dBA) hourly average for the presence of the coastal California gnatcatcher. Surveys for coastal California gnatcatcher shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season prior to the commencement of any construction.</p> <ol style="list-style-type: none"> 1. If coastal California gnatcatchers are present, then the following conditions must be met: <ol style="list-style-type: none"> a. March 1 through August 15 on MHPA lands, no clearing, grubbing, or grading of occupied coastal California gnatcatcher habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a Qualified Biologist; and b. March 1 through August 15 on MHPA lands, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dBA hourly average at the edge of occupied coastal California gnatcatcher habitat. An analysis showing that noise generated by construction activities would not exceed 60 dBA hourly average at the edge of occupied habitat must be completed by a Qualified Acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by CDPR (and/or designee or Responsible Agency) at least 2 weeks prior to the commencement of construction activities. Prior to the commencement of construction activities during the nesting season, areas restricted from such activities shall be staked or fenced under the supervision of a Qualified Biologist; or 	Prior to and during construction	CDPR

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<p>c. A least 2 weeks prior to the commencement of construction activities, under the direction of a Qualified Acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities would not exceed 60 dBA hourly average at the edge of habitat occupied by the coastal California gnatcatcher. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dBA hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the Qualified Acoustician or Biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the nesting season (August 16). Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dBA hourly average or to the ambient noise level if it already exceeds 60 dBA hourly average. If not, other measures shall be implemented in consultation with the biologist and CDPR (and/or designee or Responsible Agency), as necessary, to reduce noise levels to below 60 dBA hourly average or to the ambient noise level if it already exceeds 60 dBA hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.</p> <p>2. If coastal California gnatcatchers are not detected during the protocol survey, the Qualified Biologist shall submit substantial evidence to CDPR (and/or designee or Responsible Agency) and applicable resource agencies that demonstrates whether or not mitigation measures such as noise walls are necessary from March 1 through August 15 on MHPA lands as follows:</p> <p>A. If this evidence indicates that the potential is high for coastal California gnatcatcher to be present based on historical records or site conditions, then Condition 1(a) shall be adhered to as specified above.</p> <p>B. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.</p>		
<p>MM-BIO-4: Quino Checkerspot Butterfly Take Authorization. The California Department of Parks and Recreation (CDPR) (and/or designee or Responsible Agency) shall consult with the U.S. Fish and Wildlife Service (USFWS) to determine if take authorization is required for impacts to Quino checkerspot. If such take authorization is required, CDPR (and/or designee or Responsible Agency) shall demonstrate to the satisfaction of the City of San Diego that it has secured any necessary take authorization prior to the issuance of the first grading permit that impacts suitable</p>	Prior to construction	CDPR and USFWS

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<p>Quino checkerspot butterfly habitat. Take authorization may be obtained through the Section 7 Consultation or Section 10 incidental take permit requirements. The Project applicant will comply with any and all conditions, including preconstruction surveys that USFWS may require for take of Quino checkerspot butterfly pursuant to the Endangered Species Act. If required as a permit condition, a preconstruction survey will be conducted in accordance with USFWS protocols unless USFWS authorizes a deviation from those protocols.</p>		
<p>MM-BIO-5: Nesting Bird Surveys. To avoid direct impacts to nesting birds (exclusive of coastal California gnatcatcher; see MM-BIO-3), removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the nesting season for these species (January 15 to September 15). If removal of habitat in the proposed area of disturbance must occur during the nesting season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to removal of vegetation. The California Department of Parks and Recreation (CDPR) (and/or designee or Responsible Agency) shall submit the results of the pre-construction survey to the City and/or County of San Diego for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the City of San Diego's Biology Guidelines and applicable state and federal law (i.e., appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of nesting activities is avoided. The report or mitigation plan shall be submitted to the City and/or County of San Diego for review and approval and implemented to the satisfaction of the City and/or County of San Diego. A CDPR (and/or designee or Responsible Agency) Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction. If more than 14 days lapse between clearing, grubbing, grading, or other ground-disturbing activities, nesting bird surveys should be reinitiated prior to commencing activities and follow the methods described above.</p>	<p>Prior to and during construction</p>	<p>CDPR</p>
<p>Archaeological, Historic, and Tribal Cultural Resources</p>		
<p>MM-ARCH-1: An archaeological survey of the direct Project area of potential effects shall be conducted to update the recordation of current site conditions prior to the start of any future ground-exposing or ground-disturbing activities. A Kumeyaay Native American monitor shall be present for this survey. Survey may include use of forensic dog to assist with detection of human remains.</p>	<p>Prior to construction</p>	<p>CDPR, qualified archaeologist, and Kumeyaay Native American monitor</p>

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<p>MM-ARCH-2: An archaeological and Kumeyaay Native American monitor shall be present on site for any project-related future ground-exposing and/or ground-disturbing activities (e.g., brushing/grubbing of vegetation or grading of road surfaces) as determined by the Cultural Mitigation Monitoring and Treatment section of the Operations and Maintenance Plan. Should any potentially significant archaeological resources and/or tribal cultural resources be discovered on site, avoidance is the preferred treatment method. If avoidance is not feasible, a formal evaluation for listing on the California Register of Historical Resources should be conducted. If an archaeological resource or tribal cultural resource is determined to be significant, appropriate treatment/mitigation measures developed in consultation with the California Office of Historic Preservation and in accordance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties must be implemented prior to any construction activities that have potential to cause significant impacts to the site.</p>	During construction	CDPR, qualified archaeologist, and Kumeyaay Native American monitor
<p>MM-ARCH-3: Pursuant to Section 7050.5 of the California Health and Safety Code, if human remains are discovered during Project operations, no further work shall occur in the immediate vicinity of the discovered remains until the County Medical Examiner has made the necessary findings as to the origin of the remains. If the remains are determined to be Native American in origin, the Medical Examiner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the Most Likely Descendant/s (MLD) of the deceased. As provided in California Public Resources Code, Section 5097.98, the MLD may make recommendation for treatment or disposition with appropriate dignity of the human remains and any associated grave goods. The remains shall be left in place and free from disturbance until recommendations for treatment have been made. Every effort shall be made to accommodate the MLD’s recommendations.</p>	During construction	Contractor/Operator
<p>MM-ARCH-4: Prior to project implementation, an Operations and Maintenance Plan shall be completed and shall include a Cultural Mitigation Monitoring and Treatment section (section) that addresses the future sediment management process (e.g., sorting, placement, landform construction) and Native American monitoring program. Development of the section shall be done in continued collaboration with representatives from local Kumeyaay bands as determined by the Kumeyaay Diegueño Land Conservancy. The Kumeyaay Cultural Repatriation Committee shall be identified in the section as the authority on matters related to the treatment of humans remains in accordance with state law as described in MM-ARCH-3. This Operations and Maintenance Plan will be adopted with the future issuance of required project regulatory permits (e.g., Coastal Development Permit).</p>	Prior to construction	CDPR

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Geology and Soils		
<p>MM-PAL-1: Prior to Permit Issuance.</p> <p>Prior to issuance of any construction permits, including, but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, California Department of Parks and Recreation and/or other Agency or Operator (Permittee) shall implement the City of San Diego’s Paleontological Monitoring Program as described in Chapter 14, Article 2, Division 1 of the City of San Diego Municipal Code (Section 142.0151) Paleontological Resources Requirements for Grading Activities and the Land Development Manual - Appendix P – General Grading Guidelines For Paleontological Resources.</p> <p>The need for Paleontological monitoring shall be based on the results of a site specific paleontological records search as well as information regarding existing known soil conditions (native or formation) a field survey for paleontological resources shall be conducted by a qualified paleontologist. If unique paleontologist resources are not discovered during the field survey, then excavation and/or construction activities can commence. If unique paleontological resources are discovered during excavation and/or construction activities, construction shall stop within 25 feet of the find, and the qualified paleontologist shall be consulted to determine whether the resource requires further study. The paleontologist shall make recommendations to the City of San Diego to protect the discovered resources and determine the appropriate methodology for the salvage and recovery of fossil resources before construction activities can continue in the area. Any paleontological resources recovered shall be provided to the South Central Coastal Information Center and permanently curated with an appropriate institution, such as, but not limited to the San Diego Natural History Museum, in accordance with industry standards, or repository willing and able to accept and house the resource to preserve for future scientific study and a final monitoring report prepared and provided to the City of San Diego for review.</p>	Prior to construction	CDPR
Wildfire		
<p>MM-WF-1: Pre-Construction Requirements. Vegetation management shall be conducted prior to the start of construction and throughout all phases of the Project. Adequate firebreaks consisting of vegetation removal or thinning of dead and dry vegetation at least 50 feet wide or as required by local fire agencies shall be created around all grading, staging areas, and other construction activities in areas where there is flammable, non-irrigated vegetation (special-status species and</p>	Prior to construction	Contractor/Operator

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<p>irrigated native species planted as part of the Project would be exempt). The area around the sediment processing plant staging area shall be cleared and kept clear of all flammable vegetation, invasive plant species, debris, or other potentially flammable materials, in accordance with the City of San Diego Municipal Code Section 142.0412, Brush Management, and approved by the City of San Diego Fire-Rescue Department and County of San Diego.</p> <p>The Project shall comply with the following risk reducing vegetation management guidelines:</p> <ul style="list-style-type: none"> ▪ Temporary construction power lines may be allowed in areas that have been cleared of combustible vegetation. Width of clearance along the temporary construction power line alignment shall be consistent with local fire agency and California Public Utilities Commission General Order 95. ▪ Caution must be used to avoid causing erosion or ground (including slope) instability or water runoff due to vegetation removal, vegetation management, maintenance, landscaping, or irrigation. 		
<p>MM-WF-2: Fire Management and Prevention Plan. Prior to the start of Project work, the California Department of Parks and Recreation (and/or designee or Responsible Agency) shall prepare and implement a Fire Management and Prevention Plan to ensure the safety of workers and the public during site preparation, operation and maintenance, and future monitoring activities for the Project. CDPR (and/or designee or Responsible Agency) shall submit the Fire Management and Prevention Plan to the City of San Diego Fire-Rescue Department (SDFD) and County of San Diego for review and approval prior to the commencement of Project activities. The Fire Management and Prevention Plan shall include fire prevention, training, and reporting procedures including, but not limited to:</p> <ul style="list-style-type: none"> ▪ Procedures for minimizing potential ignition, including, but not limited to, vegetation clearing, parking requirements/restrictions, idling restrictions, smoking restrictions, proper use of gas-powered equipment, and hot work restrictions ▪ All personnel visiting the Project site shall receive training on fire prevention procedures, the proper use of fire suppression equipment, and procedures to be followed in the event of a fire. Fire prevention and suppression training shall be included in the Project’s Worker Environmental Awareness Program (WEAP) and discussed during morning tailboard meetings prior to the start of work ▪ Designation of on-site personnel to serve as fire watch during all hot work or other spark-generating activities 	Prior to construction	CDPR

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<ul style="list-style-type: none"> ▪ Designation of an emergency services coordinator from among the full-time on-site personnel who shall perform routine patrols of the site during the fire season equipped with a portable fire extinguisher and communications equipment ▪ Fire containment and extinguishing equipment shall be kept on site and readily accessible during Project activities. The location and proper use of fire containment and extinguishing equipment shall be included in the WEAP ▪ All internal combustion engines used at the Project site shall be equipped with spark arrestors and spark arrestors shall be in good working order ▪ Curtailment of Project activities in the event of a fire or when fuel and weather conditions result in Red Flag Warnings and High to Extreme Fire Danger days, as determined by the National Weather Service and SDFD, with specific Project-related activities to be allowed during very high or extreme weather conditions at the discretion of SDFD. The Project would be subject to additional requirements/restrictions, as required by SDFD ▪ Equipment staging and parking areas shall be cleared of all flammable materials ▪ Emergency response and evacuation measures that would be required to be followed during emergency situations ▪ Smoking shall be prohibited in all vegetated areas and within 50 feet of combustible materials storage and shall be limited to paved areas or areas cleared of all vegetation ▪ Fires ignited on site shall be immediately reported to SDFD ▪ Fire rules shall be posted on the Project bulletin board at the contractor’s field office and areas visible to employees 		