



**Mitigation Monitoring and Reporting
Program**

**North Village Wastewater
Infrastructure Project**

Valley Center, CA

December 2014

Lead Agency:
Valley Center Municipal Water District
29300 Valley Center Road
Valley Center, CA 92082

Prepared by:
HDR
3230 El Camino Real, Suite 200
Irvine, CA 92602



MITIGATION MONITORING AND REPORTING PROGRAM

Valley Center Municipal Water District North Village Wastewater Infrastructure Project

The Valley Center Municipal Water District will adopt this Mitigation Monitoring and Reporting Program (MMRP) in accordance with Public Resources Code (PRC) Section 21081.6 and Section 15097 of the California Environmental Quality Act (CEQA) Guidelines. The purpose of the MMRP is to ensure that the North Village Wastewater Infrastructure Project, which is the subject of the Mitigated Negative Declaration (MND), complies with all applicable environmental mitigation requirements. The mitigation measures for the project will be adopted by the Valley Center Municipal Water District, in conjunction with the adoption of the MND. The mitigation measures have been integrated into this MMRP. Within this document, the approved mitigation measures are organized and referenced by subject category and includes: Biological Resources and Cultural Resources in Table 1. The specific mitigation measures are identified, as well as the method and timing of verification and the responsible party that will ensure that each action is implemented.

Public Resources Code Section 21081.6 requires the Lead Agency, for each project that is subject to CEQA, to monitor performance of the mitigation measures included in any environmental document to ensure that implementation does, in fact, take place. The Valley Center Municipal Water District is the designated lead agency for the MMRP. The Valley Center Municipal Water District is responsible for review of all monitoring reports, enforcement actions, and document disposition. The Valley Center Municipal Water District will rely on information provided by the monitor as accurate and up to date and will field check mitigation measure status as required.

A record of the MMRP will be monitored at Valley Center Municipal Water District, 29300 Valley Center Road, Valley Center, CA 92082. All mitigation measures contained in the MND shall be made conditions of the project as may be further described below.



Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Time Frame	Implementation Responsibility	Verification Responsibility	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
Biological Resources					
<p>Mitigation Measure BR-1: Protection of Special Status Plants and Habitat with Potential to Support Special Status Species.</p> <p>The following measures shall be implemented to protect habitat with the potential to support special-status species during project-related construction.</p> <ol style="list-style-type: none"> 1. A qualified biologist will conduct focused surveys for special-status plant species prior to construction of the Orchard Run and North Village Lift Stations. The surveys shall be conducted during the blooming season for the species. If special-status species are observed, the lift stations (4,500 square foot) and 20-foot wide access roads will be relocated as needed within the properties to avoid the species. In the unlikely event that special-status species are identified on site and impacts cannot be avoided then Valley Center Municipal Water District will consult with USFWS and CDFW as required by the federal and state law for federally or state listed endangered or threatened species. Mitigation for unavoidable impacts to federally or state listed endangered or threatened species may include an in-lieu fee payment, preservation of occupied habitat and/or restoration of habitat through seed collection and dispersal. Although unlikely, if other special status species are identified and the lift station and access roads cannot be relocated to provide 90-percent avoidance, then a seed collection and dispersal program shall be implemented under the guidance of a restoration specialist/botanist with rare plant propagation experience. 2. Valley Center Municipal Water District will comply with all regulatory permit requirements and shall designate an approved biologist (project biologist) who will be responsible for overseeing compliance with regulatory permits including protective measures for the biological resources during clearing and work activities within and adjacent to areas of native habitat. The project biologist will be familiar with the 	Prior to, during, and post construction	Valley Center Municipal Water District (VCMWD)	VCMWD		VCMWD Office ¹

¹ VCMWD Office is located on 29300 Valley Center Road, Valley Center, CA 92082. Office Hours: 7:30am – 4:00pm, M-F. (760) 749-1600



Mitigation Measure	Implementation Time Frame	Implementation Responsibility	Verification Responsibility	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
<p>local habitats, plants, and wildlife and maintain communications with the contractor to ensure that issues relating to biological resources are appropriately and lawfully managed. The project biologist will review final plans, designate areas that need temporary fencing, and monitor construction. The biologist will monitor activities within designated areas during critical times such as vegetation removal, the installation of BMPs and fencing to protect the open space buffer, and ensure that all avoidance and minimization measures are properly constructed and followed.</p> <p>3. Project employees and contractors that will be on-site shall complete environmental worker-awareness training conducted by the project biologist. The training will advise workers of potential impacts on sensitive habitats and listed species and the potential penalties for impacts on such habitats and species. At a minimum, the program will include the following topics: occurrences of the listed species and sensitive vegetation communities in the area, a physical description and their general ecology, sensitivity of the species to human activities, legal protection afforded these species, penalties for violations of Federal and State laws, reporting requirements, and work features designed to reduce the impacts on these species; and to the extent practicable, promote continued successful occupation of areas adjacent to the work footprint. Included in this program will be color photos of the listed species, which will be shown to the employees. Following the education program, the photos will be posted in the contractor and resident engineer's office, where they will remain through the duration of the work. Photos of the habitat in which sensitive species are found will also be posted on-site. The contractor will be required to provide Valley Center Municipal Water District with evidence of the employee training (e.g., sign-in sheet or stickers) upon request. Employees and contractors will be instructed to immediately notify the project biologist of any incidents, such as construction vehicles that move outside of the work area boundary. The project biologist will be responsible for notifying the USFWS within 72 hours of any similar incident.</p>					



Mitigation Measure	Implementation Time Frame	Implementation Responsibility	Verification Responsibility	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
<p>4. Prior to construction, Valley Center Municipal Water District shall delineate staging areas and the construction limits for lift stations. Limits of the exclusionary fencing shall be confirmed by the project biologist prior to habitat clearing. Exclusionary fencing shall be maintained throughout the duration of construction work or until permanent fencing is in place.</p> <p>All construction-related vehicles and equipment storage shall occur in the construction area and/or previously disturbed areas as approved by the project biologist. Project-related vehicle traffic shall be restricted to established roads, construction areas, storage areas, and staging and parking areas.</p> <p>If construction activity extends beyond the exclusionary fencing into avoided native habitat, areas of disturbance shall be quantified and an appropriate restoration approach shall be developed in consultation with the USFWS and the CDFW. For example, if construction extends beyond the limits of the exclusionary fencing, temporarily disturbed areas shall be restored to the natural (preconstruction) conditions, which may include the following: salvage and stockpiling or topsoil, re-grading of disturbed sites with salvaged topsoil, and re-vegetation with native locally available species.</p>					
<p>Mitigation Measure BR-2: California Gnatcatcher/Least Bell's Vireo/Southwestern Willow Flycatcher.</p> <p>The following measures will be implemented to minimize indirect impacts on listed species during construction:</p> <ol style="list-style-type: none"> 1. Construction will be timed to avoid the breeding season for listed avian species (February 15 to September 15; as early as January for some raptor species) to the maximum extent feasible. 2. If construction must occur within 500 feet of potentially suitable habitat during the breeding season, then pre-construction surveys (≤3 days prior to project initiation) will be conducted by a qualified biologist. If active nests are identified during pre-construction surveys and noise levels at the nest exceed 60dBA Leq, noise attenuation structures will be placed or other noise attenuation measures (e.g., reducing the number of construction vehicles or using 	<p>Prior to and during construction</p>	<p>VCMWD</p>	<p>VCMWD</p>		<p>VCMWD Office</p>



Mitigation Measure	Implementation Time Frame	Implementation Responsibility	Verification Responsibility	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
<p>different types of construction vehicles) will be implemented to reduce noise levels at the nest to 60 dBA Leq (or ambient noise level if greater than 60 dBA Leq). During construction adjacent to these areas, noise monitoring shall occur during the breeding season and be reported daily to the USFWS. Construction activities that create noise in excess of the aforementioned levels will cease operation until effective noise attenuation measures are in place to the extent practicable.</p>					
<p>Measure BR-3: Burrowing Owl.</p> <p>Valley Center Municipal Water District will conduct breeding season surveys for burrowing owl no more than 14 days prior to initiating ground disturbance activities. Burrowing owls may re-colonize a site after only a few days; therefore, time lapses between project activities trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance.</p> <ol style="list-style-type: none"> 1. If burrowing owl is identified during the breeding season (February 1 through August 31), and the project cannot be refined to avoid occupied habitat, then off-site mitigation will be provided as described below: <ol style="list-style-type: none"> a. Replacement of occupied habitat with occupied habitat: 1.5 times 6.5 (9.75) acres per pair or single bird. b. Replacement of occupied habitat with habitat contiguous to currently occupied habitat: 2 times 6.5 (13.0) acres per pair or single bird. c. Replacement of occupied habitat with suitable unoccupied habitat: 3 times 6.5 (19.5) acres per pair or single bird. <p>The location of off-site mitigation will be identified during negotiations with CDFW if permanent loss of occupied habitat cannot not be avoided. There is suitable habitat in the vicinity, including, but not limited to, fallow agricultural lands, pasture lands and non-native grasslands which are common in the vicinity of the project.</p> 2. If burrowing owl is not identified during breeding season surveys, but suitable burrows occur within 50 meters of the 	<p>Prior to, during, and post construction</p>	<p>VCMWD</p>	<p>VCMWD</p>		<p>VCMWD Office</p>



Mitigation Measure	Implementation Time Frame	Implementation Responsibility	Verification Responsibility	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
<p>proposed project, then take avoidance (pre-construction) surveys for burrowing owl will be conducted no more than 7 days prior to initiating disturbance.</p> <ul style="list-style-type: none"> If burrowing owl is identified during the non-breeding season (September 1 through January 31), then a 50 meter buffer will be established by the biological monitor. Construction within the buffer will be avoided until a qualified biologist determines that burrowing owl is no longer present or until a CDFW-approved exclusion plan has been implemented. The buffer distance may be reduced if noise attenuation buffers such as hay bales are placed between the occupied burrow and construction activities. If burrowing owl is identified during the breeding season (February 1 through August 31), then an appropriate buffer will be established by the biological monitor in accordance with the <i>2012 Staff Report on Burrowing Owl Mitigation</i> (CDFG, 2012). Construction within the buffer will be avoided until a qualified biologist determines that burrowing owl is no longer present or until young have fledged. The buffer distance may be reduced in consultation with CDFW if noise attenuation buffers such as hay bales are placed between the occupied burrow and construction activities. 					
<p>Mitigation Measure BR-4: MBTA Covered Species.</p> <p>Should clearing and grubbing be required during the avian breeding season (February 15-August 15; as early as January for some raptor species), a qualified biologist shall conduct a pre-construction nest survey (in suitable areas) for migratory birds within 10 days of construction. Should an active nest of any MBTA covered species occur within or adjacent to the project impact area, a 100-foot buffer (300 feet for raptors) shall be established around the nest and no construction shall occur within this area until a qualified biologist determines the nest is no longer active or the young have fledged. Construction may occur within the buffer if a biologist determines that nesting behavior is not affected by construction activities or natural buffers such as the river levee adequately protect the active nest(s).</p>	<p>Prior to and during construction</p>	<p>VCMWD</p>	<p>VCMWD</p>		<p>VCMWD Office</p>



Mitigation Measure	Implementation Time Frame	Implementation Responsibility	Verification Responsibility	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
Cultural Resources					
<p>Mitigation Measure CR-1.</p> <p>Cultural resources monitoring shall be conducted by a qualified archaeologist for all phases of construction that involve ground disturbing activities. A Native American monitor shall be present during ground disturbance at the lift station sites, and as deemed necessary by the archaeologist during the pipeline construction. In the event of a discovery, work will be stopped within the immediate area of the find until a professional archaeologist, in consultation with the Native American monitor, can determine the nature of the resources discovered. The Native American monitor shall be requested from a group identified by the Native American Heritage Commission as having affiliation with the project vicinity. On agreement between the qualified archaeologist and the Native American monitor, the archaeological monitor may notify the Native American monitor in the event of an archaeological discovery for the pipeline portion of the project. As appropriate, the archaeologist and/or Native American monitor will assist Project personnel in avoiding the newly discovered resources or in implementing management measures to evaluate the significance and potential eligibility of the resources for listing on the National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR), or any local registers, as appropriate.</p> <p>If the archeologist determines that the find is significant or may qualify as significant, the archaeologist shall prepare a treatment plan. Preservation in place shall be implemented as treatment, where feasible. Results of monitoring and any archaeological treatment shall be reported in an appropriate technical report to be filed with Valley Center Municipal Water District and the California Historical Resources Information System. Any artifacts recovered during monitoring or treatments shall be curated at an appropriate facility.</p>	During construction	VCMWD	VCMWD		VCMWD Office
<p>Mitigation Measure CR-2.</p> <p>A qualified paleontologist shall monitor all grading that includes initial cutting that may affect Jurassic marine sedimentary and metasedimentary rocks and Mesozoic granitics. If any paleontological resources are identified during these activities, the paleontologist shall temporarily divert construction until the significance of the resources is ascertained.</p>	During grading	VCMWD	VCMWD		VCMWD Office



Mitigation Measure	Implementation Time Frame	Implementation Responsibility	Verification Responsibility	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
<p>Mitigation Measure CR-3. Paleontological monitoring shall occur only for those undisturbed sediments wherein fossil plant or animal remains are found with no associated evidence of human activity or any archaeological context.</p>	During construction	VCMWD	VCMWD		VCMWD Office
<p>Mitigation Measure CR-4. Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays, and to remove samples of sediments which are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units are not present or if the fossiliferous units present are determined by a qualified paleontological monitor to have low potential to contain fossil resources.</p>	During construction	VCMWD	VCMWD		VCMWD Office
<p>Mitigation Measure CR-5. All recovered paleontological specimens shall be prepared to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.</p>	During construction	VCMWD	VCMWD		VCMWD Office
<p>Mitigation Measure CR-6. Paleontological specimens shall be identified and curated into an established, accredited, professional museum repository with permanent retrievable storage. The paleontologist shall have a written repository agreement in hand prior to the initiation of mitigation activities.</p>	Post-construction	VCMWD	VCMWD		VCMWD Office
<p>Mitigation Measure CR-7. A report of findings with an appended itemized inventory of identified paleontological specimens shall be prepared and submitted to Valley Center Municipal Water District. The report will address paleontological items. The report and inventory, when submitted to Valley Center Municipal Water District, will signify completion of the program to mitigate impacts on paleontological resources.</p>	Post-construction	VCMWD	VCMWD		VCMWD Office