6.0 MITIGATION MONITORING PROGRAM

As the Lead Agency under the CEQA, the CSLC is required to adopt a program for reporting or monitoring regarding the implementation of mitigation measures for this project, if it is approved, to ensure that the adopted mitigation measures are implemented as defined in this EIR. This Lead Agency responsibility originates in Public Resources Code section 21081.6(a) (Findings), and the State CEQA Guidelines sections 15091(d) (Findings) and 15097 (Mitigation Monitoring or Reporting).

6.1 MONITORING AUTHORITY

The purpose of a Mitigation Monitoring Program (MMP) is to ensure that measures adopted to mitigate or avoid significant impacts are implemented. An MMP can be a working guide to facilitate not only the implementation of measures by the project proponent, e.g., *Anchoring Plan* (Appendix D), *Seafloor Debris Removal Plan* (Appendix E), *Oil Spill Response Plan* (Appendix G), but also the monitoring, compliance and reporting activities of the CSLC and any monitors it may designate.

The CSLC may delegate duties and responsibilities for monitoring to other environmental monitors or consultants as deemed necessary, and some monitoring responsibilities may be assumed by responsible agencies, such as affected jurisdictions and cities, and the CDFG. The number of construction monitors assigned to the project will depend on the number of concurrent activities and their locations. The CSLC or its designee(s), however, will ensure that each person delegated any duties or responsibilities is qualified to monitor compliance.

Any mitigation measure study or plan that requires the approval of the CSLC must allow at least 60 days for adequate review time. When a mitigation measure requires that a mitigation program be developed during the design phase of the project, the Applicant must submit the final program to the CSLC for review and approval for at least 60 days before construction begins. Other agencies and jurisdictions may require additional review time. It is the responsibility of the environmental monitor to ensure that appropriate agency reviews and approvals have been obtained.

The CSLC or its designee will also ensure that any deviation from the procedures identified under the monitoring program is approved by the CSLC. Any deviation and its correction shall be reported immediately to the CSLC or its designee by the environmental monitor assigned to the Proposed Project.

6.2 ENFORCEMENT RESPONSIBILITY

The CSLC is responsible for enforcing the procedures adopted for monitoring through the environmental monitor assigned to each activity. Any assigned environmental monitor shall note problems with monitoring, notify appropriate agencies or individuals about any problems, and report the problems to the CSLC or its designee.

6.3 MITIGATION COMPLIANCE RESPONSIBILITY

The Applicant is responsible for successfully implementing all the mitigation measures in the MMP and is responsible for ensuring that these requirements are met by all of its construction contractors and field personnel. Standards for successful mitigation also are implicit in many mitigation measures that include such requirements as obtaining permits or avoiding a specific impact entirely. Other mitigation measures include detailed success criteria. Additional mitigation success thresholds will be established by applicable agencies with jurisdiction through the permit process and through the review and approval of specific plans for the implementation of mitigation measures.

6.4 GENERAL MONITORING PROCEDURES

Environmental Monitors

Many of the monitoring procedures will be conducted during the operations of the project. The CSLC and the environmental monitor(s) are responsible for integrating the mitigation monitoring procedures into the process in coordination with the Applicant. To oversee the monitoring procedures and to ensure success, the environmental monitor assigned to each activity must be onsite during that portion that has the potential to create a significant environmental impact or other impact for which mitigation is required. The environmental monitor is responsible for ensuring that all procedures specified in the monitoring program are followed.

Contractor Personnel

A key feature contributing to the success of mitigation monitoring will be obtaining the full cooperation of contractor personnel and supervisors. Many of the mitigation measures require action on the part of the field supervisors or crews for successful implementation. To ensure success, the following actions, detailed in specific mitigation measures, will be taken:

- Procedures to be followed by the companies hired to complete the operation will be written into contracts between the Applicant and any contractors. Procedures

to be followed by crews will be written into a separate document that all personnel will be asked to sign, denoting agreement.

- One or more preconstruction meetings will be held prior to activities to inform and train all personnel about the requirements of the monitoring program.

- A written summary of mitigation monitoring procedures will be provided to supervisors for all mitigation measures requiring their attention.

General Reporting Procedures

Site visits and specified monitoring procedures performed by other individuals will be reported to the environmental monitor assigned to the relevant disposition activity. A monitoring record form will be submitted to the environmental monitor by the individual conducting the visit or procedure so that details of the visit can be recorded and progress tracked by the environmental monitor. A checklist will be developed and maintained by the environmental monitor to track all procedures required for each mitigation measure and to ensure that the timing specified for the procedures is adhered to. The environmental monitor will note any problems that may occur and take appropriate action to rectify the problems.

Public Access to Records

The public is allowed access to records and reports used to track the monitoring program. Monitoring records and reports will be made available for public inspection by the CSLC or its designee on request.

6.5 MITIGATION MONITORING TABLE

The following sections present the mitigation monitoring tables for each environmental discipline. Each table lists the following information, by column:

- Impact (impact number, title, and impact class);
- Mitigation Measure (title only; full text of the measure is presented in Section 4);
- Location (where the impact occurs and the mitigation measure should be applied);
- Monitoring/reporting action (the action to be taken by the monitor or Lead Agency);
- Effectiveness criteria (how the agency can know if the measure is effective);

- Responsible agency; and
- Timing (before, during, or after construction; during operation, etc.).

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Mitigation Monitoring Program

Impact	Mitigation/Preventative Measure	Location	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing
Section 4.1 – Marine Biological Biological Resources						
BIO-1: Project activities could impact groundfish and pelagic Essential Fish Habitat by disturbing existing habitat from anchoring, excavation, and sedimentation.	**WAT-1a.** Use closed-cap dredge bucket.	Entire conduit alignment	Compliance monitoring	Low level of turbidity during excavation	CSLC	During excavation
	WAT-1b. Minimize sediment drop height to 10 feet (3 m) maximum.	Entire conduit alignment	Compliance monitoring	No sediment spill during excavation	CSLC	During excavation
	WAT-1c. Minimize spoil placement distance from excavation; create heightened spoil profile.	Excavation locations	Compliance monitoring	Successful reestablishment of habitat without penetration into preexisting benthic surface	CSLC	Following excavations
	WAT-1d. Minimize anchor dragging	Anchor locations	Compliance monitoring	No increase in turbidity due to anchors dragging along bottom of seafloor	CSLC	Prior to anchoring

Impact	Mitigation/Preventative Measure	Location	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing
BIO-2: The Proposed Project could directly impact biologically significant habitats such as surfgrass beds and kelp forests by damaging the substrate, and increasing turbidity and sedimentation.	**WAT-1a.** Use closed-cap dredge bucket.	Entire conduit alignment	Compliance monitoring	Low level of turbidity during excavation	CSLC	During excavation
	WAT-1b. Minimize sediment drop height to 10 feet (3 m) maximum.	Entire conduit alignment	Compliance monitoring	No sediment spill during excavation	CSLC	During excavation
	WAT-1c. Minimize spoil placement distance from excavation; create heightened spoil profile.	Excavation locations	Compliance monitoring	Successful reestablishment of habitat without penetration into preexisting benthic surface	CSLC	Following excavations
	WAT-1d. Minimize anchor dragging	Anchor locations	Compliance monitoring	No increase in turbidity due to anchors dragging along bottom of seafloor	CSLC	Prior to anchoring
BIO-3: Proposed activities could result in indirect impacts to sensitive habitat beyond the footprint of the Proposed Project.	**WAT-1a.** Use closed-cap dredge bucket.	Entire conduit alignment	Compliance monitoring	Low level of turbidity during excavation	CSLC	During excavation
	WAT-1b. Minimize sediment drop height to 10 feet (3 m) maximum.	Entire conduit alignment	Compliance monitoring	No sediment spill during excavation	CSLC	During excavation

Impact	Mitigation/Preventative Measure	Location	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing
	WAT-1c. Minimize spoil placement distance from excavation; create heightened spoil profile.	Excavation locations	Compliance monitoring	Successful reestablishment of habitat without penetration into preexisting benthic surface	CSLC	Following excavations
	WAT-1d. Minimize anchor dragging	Anchor locations	Compliance monitoring	No increase in turbidity due to anchors dragging along bottom of seafloor	CSLC	Prior to anchoring
Section 4.2 – Commercial Fishing						
FSH-2: The proposed disposition could substantially interfere with commercial fishing in the disposition area for more than 1 month during open fishing season(s) or preclude setting lobster or fish traps within a substantial area where it would otherwise be permitted.	**FSH-2.** Schedule offshore project activities to begin after the close of lobster season (the first Wednesday after March 15) and conclude 2 weeks prior to the opening of the subsequent lobster season (the first Wednesday in October).	Offshore portion of conduits	Set offshore start date	Avoidance of lobster season	CSLC	Prior to excavation
Section 4.3 – Marine Water Quality						
WAT-1: Turbidity impacts during operations would reduce water column light transmittance and clarity.	**WAT-1a:** Minimize turbidity by using a closed-cap buckets for mechanical dredging around the terminal structures and all excavation areas	Entire conduit alignment	Compliance monitoring	Low level of turbidity during excavation	CSLC	During excavation

Impact	Mitigation/Preventative Measure	Location	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing
	WAT-1b: Minimize turbidity by minimizing horizontal and vertical travel of sediment spoils using a maximum drop height of 10 feet	Entire conduit alignment	Compliance monitoring	No sediment spill during excavation	CSLC	During excavation
	WAT-1c: Minimize dredge spoils footprint by placing spoils upcurrent and as close to excavated area as possible, configure spoil height to take advantage of nearshore current infill, and partially fill excavations of depths greater than 21 feet	Excavation locations	Compliance monitoring	Successful reestablishment of habitat without penetration into preexisting benthic surface	CSLC	Following excavations
	WAT-1d: suspend anchors within the water column using a support vessel before dropping	Anchor locations	Compliance monitoring	No increase in turbidity due to anchors dragging along bottom of seafloor	CSLC	Prior to anchoring
Section 4.4 – Recreation						
REC-2: Project activities could pose a safety hazard for recreational boaters	**PM REC-2:** Notify U.S. Coast Guard to include project information in Local Notice to Mariners	Offshore and nearshore portions of alignment	Ensure that project is listed in the Local Notice to Mariners	Recreational marine vessels have awareness of project	U.S. Coast Guard	Prior to and during disposition
REC-3: Project activities could interfere with coastal recreational activities	**PM REC-2** Notify U.S. Coast Guard to include project information in Local Notice to Mariners	Offshore and nearshore portions of alignment	Ensure that project is listed in the Local Notice to Mariners	Recreational marine vessels have awareness of project	U.S. Coast Guard	Prior to and during disposition

Impact	Mitigation/Preventative Measure	Location	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing
Section 4.6 – Transportation						
TRA-2: Project activities could create a short-term hazard to waterborne navigation	**PM REC-2:** Notify U.S. Coast Guard to include project information in Local Notice to Mariners	Offshore and nearshore portions of alignment	Ensure that project is listed in the Local Notice to Mariners	Marine vessels have awareness of project	U.S. Coast Guard	Prior to disposition
Section 4.7 – Geology and Soils						
GEO-1: Dredging during the Proposed Project would cause sedimentation effects in downcoast areas	**WAT-1a:** Minimize turbidity by using a closed-cap buckets for mechanical dredging around the terminal structures and all excavation areas	Entire conduit alignment	Compliance monitoring	Low level of turbidity during excavation	CSLC	During excavation
	WAT-1b: Minimize turbidity by minimizing horizontal and vertical travel of sediment spoils using a maximum drop height of 10 feet	Entire conduit alignment	Compliance monitoring	No sediment spill during excavation	CSLC	During excavation
	WAT-1c: Minimize dredge spoils footprint by placing spoils upcurrent and as close to excavated area as possible, configure spoil height to take advantage of nearshore current infill, and partially fill excavations of depths greater than 21 feet	Excavation locations	Compliance monitoring	Successful reestablishment of habitat without penetration into preexisting benthic surface	CSLC	Following excavation
	WAT-1d: suspend anchors within the water column using a support vessel before dropping	Anchor locations	Compliance monitoring	No increase in turbidity due to anchors dragging along bottom of seafloor	CSLC	Prior to anchoring

Impact	Mitigation/Preventative Measure	Location	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing
Section 4.8 Hazards						
HAZ-1: Activities could expose people to potential hazards, including explosion, exposure to hazardous substances, and/or spills from marine vessels.	**PM REC-2:** Notify U.S. Coast Guard to include project information in Local Notice to Mariners	Offshore and nearshore portions of alignment	Ensure that project is listed in the Local Notice to Mariners	Marine vessels have awareness of project	U.S. Coast Guard	Prior to disposition
HAZ-2: Activities could interfere with Emergency Response or Evacuation Plans	**PM REC-2:** Notify U.S. Coast Guard to include project information in Local Notice to Mariners	Offshore and nearshore portions of alignment	Ensure that project is listed in the Local Notice to Mariners	Emergency marine vessels have awareness of project	U.S. Coast Guard	Prior to disposition

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