

## 5.0 MITIGATION MONITORING PROGRAM

---

The California State Lands Commission (CSLC) is the lead agency under the California Environmental Quality Act (CEQA) for the GWF Outfall Removal Project (Project). In conjunction with approval of this Project, the CSLC adopts this Mitigation Monitoring Program (MMP) for implementation of mitigation measures (MMs) for the Project to comply with Public Resources Code section 21081.6, subdivision (a) and State CEQA Guidelines sections 15091, subdivision (d) and 15097.

The Project authorizes GWF Power Systems, L.P. (GWF or Applicant) to remove the outfall piping, diffusers and timber pile markers in accordance with the terms and conditions of its existing CSLC Lease No. PRC 7230.1.

### 5.1 PURPOSE

It is important that potentially significant impacts from the Project are mitigated to the maximum extent feasible. The purpose of a MMP is to ensure compliance with and implementation of MMs; this MMP shall be used as a working guide for implementation, monitoring, and reporting for the Project's MMs.

### 5.2 ENFORCEMENT AND COMPLIANCE

The CSLC is responsible for enforcing this MMP. The Project Applicant is responsible for the successful implementation of and compliance with the MMs identified in this MMP. This includes all field personnel and contractors working for the Applicant.

### 5.3 MONITORING

The CSLC staff may delegate duties and responsibilities for monitoring to other environmental monitors or consultants as necessary. Some monitoring responsibilities may be assumed by other agencies, such as affected jurisdictions, cities, and/or the California Department of Fish and Wildlife (CDFW). The CSLC and/or its designee shall ensure that qualified environmental monitors are assigned to the Project.

Environmental Monitors. To ensure implementation and success of the MMs, an environmental monitor must be on site during all Project activities that have the potential to create significant environmental impacts or impacts for which mitigation is required. For the Project, a qualified biologist will be the environmental monitor; he/she will conduct the Worker Environmental Awareness Program (WEAP) training and be on-call during the conduct of all Project activities. Among other duties, the qualified biologist shall have the authority to halt work to ensure impacts to species are minimized and/or avoided. If a listed species is detected, the qualified biologist will also notify CSLC and CDFW staff. Along with the CSLC staff, the qualified biologist is responsible for:

- 1 • Ensuring that the Applicant has obtained all applicable agency reviews and  
2 approvals;
- 3 • Coordinating with the Applicant to integrate the mitigation monitoring procedures  
4 during Project implementation (for this Project, many of the monitoring  
5 procedures shall be conducted during the Project implementation phase); and
- 6 • Ensuring that the MMP is followed.

7 The qualified biologist shall immediately report any deviation from the procedures  
8 identified in this MMP to the CSLC staff or its designee. The CSLC staff or its designee  
9 shall approve any deviation and its correction.

10 Workforce Personnel. Implementation of the MMP requires the full cooperation of  
11 Project personnel and supervisors. Many of the MMs require action from the site  
12 supervisor and the crew. The following actions shall be taken to ensure successful  
13 implementation.

- 14 • Relevant mitigation procedures shall be written into contracts between the  
15 Applicant and any contractors.
- 16 • For this Project, a WEAP (under MM BIO-1) shall be implemented and all  
17 personnel will be required to participate.

18 General Reporting Procedures. A monitoring record form shall be submitted to the  
19 Applicant, and once the Project is complete, a compilation of all the logs shall be  
20 submitted to the CSLC staff. The CSLC staff or its designated environmental monitor  
21 shall develop a checklist to track all procedures required for each MM and shall ensure  
22 that the timing specified for the procedures is followed. The environmental monitor shall  
23 note any issues that may occur and take appropriate action to resolve them.

24 Public Access to Records. Records and reports are open to the public and would be  
25 provided upon request.

## 26 **5.4 MITIGATION MONITORING TABLE**

27 This section presents the mitigation monitoring table (Table 5-1) for the following  
28 environmental disciplines: Biological Resources, Hazards and Hazardous Materials, and  
29 Hydrology and Water Quality. All other environmental disciplines were found to have  
30 less than significant or no impacts and are therefore not included below. The table lists  
31 the following information, by column:

- 32 • Impact;
- 33 • Mitigation measure (full text of the measure);
- 34 • Location (where impact occurs and mitigation measure should be applied);

- 1 • Monitoring/reporting action (action to be taken by monitor or Lead Agency);
- 2 • Timing (before, during, or after removal activities; during operation, etc.);
- 3 • Responsible agency; and
- 4 • Effectiveness criteria (how the agency can know if the measure is effective).

**Table 5-1: Mitigation Monitoring Program**

Potential Impact	Mitigation Measure (MM)	Location	Monitoring / Reporting Action	Timing	Responsible Party	Effectiveness Criteria
<b>Biological Resources</b>						
Disrupt/Disturb Vulnerable Life Stages and Habitat of Fisheries Resources	<b>MM BIO-1 Worker Environmental Awareness Program.</b> A qualified biologist shall conduct pre-Project training (WEAP) for work crew members prior to any Project site activities. The training shall include a discussion of sensitive biological resources within the Project area and the potential presence of special-status species, special-status species' habitats, and protection measures to ensure species are not impacted by Project activities and Project boundaries. The WEAP shall also include daily trash containment/removal requirements, and prohibit workers from bringing domestic animals (e.g., dogs) and firearms to the Project site, in order to ensure the protection of native wildlife.	Not applicable	Include WEAP in final plans for submittal to CSLC; compliance monitoring  Signature sheet completed for workers taking training	Pre- removal activities, and during removal, as appropriate and necessary	GWF	Sensitive species and habitats are avoided
Disrupt/Disturb Vulnerable Life Stages and Habitat of Fisheries Resources	<b>MM BIO-2 Work Windows.</b> All Project activities shall be conducted between September 1 and October 31.	Bay and shoreline work areas	Include protections in final plan documents for submittal to CSLC; compliance monitoring  Submittal of Monitoring Record	Pre- removal activities, and during removal, and demobilization	GWF	In-water work performed between September 1 and October 31
Disrupt/Disturb Vulnerable Life Stages and Habitat of Fisheries Resources	<b>MM BIO-3 In Water Turbidity Protections.</b> A turbidity curtain shall be installed to protect fish from potential water quality/turbidity effects. The curtain (100 linear feet) shall be installed and maintained around the shoreline terminus flange of the pipe to contain muddy water and sediment	Bay and shoreline work areas	Include protections in final plan documents for submittal to CSLC;	Pre- removal activities, and during removal, and demobilization	GWF	Sediment resuspension is minimized

Table 5-1: Mitigation Monitoring Program

Potential Impact	Mitigation Measure (MM)	Location	Monitoring / Reporting Action	Timing	Responsible Party	Effectiveness Criteria
	materials that escape from the 6-inch-diameter outfall pipe during pipe removal. Sawdust generated during cutting and removal of timber pilings will also be contained in this curtain and/or skimmed and removed if floating in water (and disposed of in plastic bags). No activities that would entrain or impinge fish shall be used.		compliance monitoring  Submittal of Monitoring Record			
Exposure of Wildlife and Fisheries Resources to Toxic Substances	<p><b>MM BIO-4. Protection from Release of Toxic Substances.</b> The Applicant shall implement the following measures to prevent the release of toxic substances.</p> <ul style="list-style-type: none"> <li>All engine-powered equipment used and operated upon and from the deck of the barge shall incorporate the use of drip-pans or other means to retain fluids beneath the equipment.</li> <li>Only approved and certified fuel cans with “no-spill” spring loaded lids shall be used when fueling up diesel or gas engines. Engines will be turned OFF and fueling will not be done over the water. A spill kit with absorbent diapers shall be readily available next to each filling area.</li> <li>A continuous floating oil-absorbent sock shall be deployed and maintained around the entire barge to contain any accidental leakage of fuel or hydraulic fluids.</li> </ul>	Bay and shoreline work areas	<p>Include protections in final plan documents for submittal to CSLC; compliance monitoring</p> <p>Submittal of Monitoring Record</p>	Pre- removal activities, and during removal and demobilization, as appropriate and necessary	GWF	Toxic materials exposure is minimized; oil and/or fuel spills are prevented
Disturbance and Disruption of Vulnerable Life Stages (i.e., nesting season) of Special-status Wildlife in	<p><b>MM BIO-1 WEAP</b> (see above)</p> <p><b>MM BIO-2 Work Windows</b> (see above)</p> <p><b>MM BIO-5. Confine Vehicle Use to Established Roadway.</b> Project-related vehicle use and any other terrestrial activity shall be</p>	Bay and shoreline work areas	Include WEAP and protections in final plan documents for submittal to CSLC;	Pre- removal activities, and during removal and demobilization as appropriate and necessary	GWF	Sensitive species and habitats are avoided

**Table 5-1: Mitigation Monitoring Program**

Potential Impact	Mitigation Measure (MM)	Location	Monitoring / Reporting Action	Timing	Responsible Party	Effectiveness Criteria
Adjacent Marsh	confined to the established levee road. No staging, driving, walking, or any other human activity shall occur in the salt marsh habitat. Vehicles shall not exceed 20 miles per hour to ensure birds/wildlife that may be on or crossing the road have an opportunity to move out of harm's way.		compliance monitoring  Signature sheet completed for workers taking training			
<b>Hazards and Hazardous Materials</b>						
Potential Release of Hazardous Substances	<b>MM BIO-3 In Water Turbidity Protections</b> (see above)  <b>MM BIO-4 Protection from Release of Toxic Substances</b> (see above)	Bay and shoreline work areas	Include protections in final plan documents for submittal to CSLC; compliance monitoring  Submittal of Monitoring Record	Pre-removal activities, and during removal and demobilization, as appropriate and necessary	GWF	Sediment resuspension is minimized  Toxic materials exposure is minimized; oil and/or fuel spills are prevented
<b>Hydrology and Water Quality</b>						
Turbidity and Resuspension of Bay Sediments in Water Column	<b>MM BIO-3 In Water Turbidity Protections</b> (see above)  <b>MM BIO-4 Protection from Release of Toxic Substances</b> (see above)	Bay and shoreline work areas	Include protections in final plan documents for submittal to CSLC; compliance monitoring  Submittal of Monitoring Record	Pre-removal activities and during removal and demobilization, as appropriate and necessary	GWF	Sediment resuspension is minimized  Toxic materials exposure is minimized; oil and/or fuel spills are prevented