

SECTION 5 MITIGATION MONITORING

As the Lead Agency under CEQA, the County of San Bernardino (County) 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 for during the project. This Lead Agency responsibility originates in Public Resources Code Section 21081.6(a) (Findings), and CEQA Guidelines Sections 15091(d) (Findings) and 15097 (Mitigation Monitoring or Reporting).

5.1 MONITORING AUTHORITY

The purpose of a Mitigation Monitoring and Compliance Program (MMCP) is to ensure that measures adopted to mitigate or avoid significant impacts are implemented. A MMCP can be a working guide to facilitate not only the implementation of mitigation measures by the project proponent (also referred to as the Applicant), but also the monitoring, compliance and reporting activities of the County. Some monitoring responsibilities may be assumed by responsible agencies, such as the California Department of Fish and Game (CDFG), California Integrated Waste Management Board (CIWMB) or the Lahontan Regional Water Quality Control Board (RWQCB).

Any mitigation measure study or plan that requires the approval of the County must allow at least 30 days for adequate review time. Other agencies and jurisdictions may require additional review time. The County will also ensure that any deviation from the procedures identified under the monitoring program is approved by the County.

5.2 MITIGATION COMPLIANCE AND ENFORCEMENT RESPONSIBILITIES

The Applicant, Nursery Products, LLC, is responsible for successfully implementing all the mitigation measures in the MMCP, and is responsible for assuring that these requirements are met by all contractors and field personnel.

All mitigation measures are fully enforceable through permit conditions and other measures. The County is responsible for enforcing the mitigation measures included in this EIR. The public is allowed access to records and reports used to track the MMCP. Monitoring records and reports will be made available for public inspection by the County or its designee on request.

5.3 MITIGATION MONITORING TABLES

The following sections present the mitigation monitoring tables for each environmental discipline (as presented in this EIR). Each table lists the following information, by column:

- Mitigation Measure
- 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
- Timing (before, during, or after construction; during operation, etc.)
- Date Completed
- Approved by

Mitigation Monitoring Program – Air Quality

Mitigation Measure	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing	Date Completed	Approved by
A-1: The Applicant shall develop an Odor Impact Minimization Plan (OIMP) that will outline operating requirements that will avoid or mitigate all potentially significant odor impacts. The OIMP shall be submitted to the Local Enforcement Agency (LEA) for review and approval prior to operation.	Verify that the OIMP has been approved prior to operation. Verify that the OIMP includes: A) Odor-Screening and Load-Checking Procedures. B) Feedstock Storage and Processing Measures. C) Windrow Management Measures. D) Good Housekeeping Procedures. E) Odor Complaint Response System.	Plan prepared, and approved prior to operations and measures in the plan are implemented during operations. Offensive odors are minimized.	San Bernardino Env. Health Division as the solid waste Local Enforcement Agency (LEA).	Prior to operation.		
A-2: All unpaved on-site and access roads shall be sprayed with water frequently enough to minimize the generation of visible dust. Alternatively, these roads may be paved to eliminate the watering requirement.	Operator shall maintain a log of all road-watering. LEA to verify that adequate watering of unpaved roads has occurred.	Air-borne dust generation minimized and minimal dust complaints are received.	LEA	Ongoing during construction and operation.		
A-3: The Applicant shall maintain a functioning anemometer at the Hawes site at all times, and shall refrain from turning the windrows during episodes of high wind speeds (30mph or higher).	Operator to maintain a log of windrow turning to include wind speed at the time. LEA to verify if turning of windrows has occurred in high wind speeds (>30 mph.).	Odor complaints are not received during windy conditions. Windrows are not turned when wind speed >30mph.	LEA	Ongoing during operation.		

Mitigation Monitoring Program – Air Quality

Mitigation Measure	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing	Date Completed	Approved by
A-4 Heavy equipment powered by diesel fuel used at the site shall use lower emitting diesel fuels. All trucks owned and operated by the applicant that make deliveries to the site shall also use lower emitting diesel fuels. The Applicant shall also encourage truckers the delivering materials to the proposed facility that are not under the control of the applicant to use Nursery Products lower emitting diesel fuels. Biodiesel is the preferred lower emitting fuel.	Operator will maintain fuel receipts demonstrating lower emitting fuels are used. Operator shall prepare a notice requesting the use of lower emitting fuels. This notice is to be provided to all truckers that deliver materials to the site.	Operator maintains records that demonstrate the use of appropriate fuels in trucks and equipment.	LUSD	Ongoing		

Mitigation Monitoring Program – Biology

Mitigation Measure	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing	Date Completed	Approved by
B-1: The Project shall be phased, with the initial phase not to exceed 80 acres in size. Prior to developing any subsequent phase, the Applicant shall provide, and the County shall review and approve, an operating plan demonstrating the need for such subsequent phase.	Verify that project construction has been phased, with the initial phase not to exceed 80 acres in size. Verify approval of the operational plan outlining the conditions that would demonstrate the need for each subsequent phase.	Initial acreage disturbed is limited to 80 acres to reduce potential direct/indirect impacts to the desert tortoise habitat.	San Bernardino County Land Use Services Department (LUSD)	During construction and operation.		
B-2: Prior to commencing any ground-disturbing activity, the Applicant shall mitigate and/or avoid impacts to federally- and state-protected species by obtaining required incidental take permits from the United States Fish and Wildlife Service and the California Department of Fish and Game, and by complying with the terms of those permits, including, without limitation, the purchase and conservation of such habitat as required, the preparation and approval of an adequate Habitat Conservation Plan, and the installation of permanent tortoise fencing along roads as required.	Verify that an offsite conserved habitat purchase has been completed based upon the requirements of the CDFG and USFWS, and follow the WMP if in effect at the time.	Offset impacts to desert tortoise habitat loss.	LUSD with input from CDFG and USFWS.	Prior to ground disturbance or construction.		

Mitigation Monitoring Program – Biology

Mitigation Measure	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing	Date Completed	Approved by
<p>B-3: All employees, subcontractors, construction personnel, and other individuals who work on-site shall participate in an awareness program covering addressing desert tortoise, burrowing owl, Mohave Ground Squirrel, and other federally- and state-protected species at the Hawes site prior to ground-disturbing activities. The program shall be administered by the Authorized Biologist. It may be given in the field, and shall include truck drivers, delivery personnel, and other Project-related personnel occasionally entering the work site. Wallet-sized certification cards shall be provided to personnel who have attended the training, and personnel shall carry those cards when working on site.</p>	<p>The operator shall maintain a log of all persons trained. LEA and LUSD staff shall review the log and randomly check employee certification cards during visits to the site.</p>	<p>Log is maintained and complete; employees have their certification cards and can demonstrate knowledge of tortoise protection measures when asked.</p>	<p>LEA/LUSD</p>	<p>Before and during construction and operation.</p>		
<p>B-4: A permanent tortoise-proof fence shall be installed around the perimeter of the Project impact area prior to ground disturbing activities. Once the fence is installed, clearance surveys for desert tortoise shall be conducted by qualified biologists to locate and remove any tortoises and close their burrows within the Project impact area. An authorized biological monitor shall be present during construction to ensure that tortoises do not enter the construction area and to remove or rescue any individuals that may be injured. Mortality of any tortoise shall be reported to wildlife agency staff.</p>	<p>An authorized biologist shall verify and document in a log (including date and time): (1) the installation of a tortoise-proof fence prior to grading of the site; (2) clearance surveys for desert tortoise to locate and remove any tortoises and close their burrows; and (3) monitoring to ensure that tortoises do not re-enter the construction area.</p> <p>Copies of the log documentation shall be submitted to the LUSD and LEA. Additionally, mortality of any tortoise shall be noted in the log and reported to the CDFG and USFWS.</p>	<p>Log confirms that the activities are conducted, reducing potential direct/indirect impacts to the desert tortoise.</p>	<p>LUSD</p>	<p>Prior to ground disturbance or construction and during construction.</p>		
<p>B-5: Between February 15 and November 15, the tortoise clearance survey shall occur within 48 hours prior to ground disturbance. Between November 16 and February 14, the survey may be performed several days or weeks prior to ground disturbance, unless ground disturbance will occur during a rain event. Ground disturbance shall not occur during a rain event, unless a clearance survey has occurred within the previous 48 hours.</p>	<p>The authorized biologist shall verify and log that surveys are conducted in the specified time-frame.</p>	<p>Log confirms that the activities are conducted, reducing potential direct/indirect impacts to the desert tortoise.</p>	<p>LUSD</p>	<p>Prior to ground disturbance or construction.</p>		

Mitigation Monitoring Program – Biology

Mitigation Measure	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing	Date Completed	Approved by
B-6: Vegetation clearing activities shall occur when tortoises are least likely to be active, including, but not limited to, the period between November 16 and February 14.	The authorized biologist shall verify and log vegetation clearing.	Log confirms that the activities are conducted during the specified timeframe or that reasons are provided as to why this is not practicable.	LUSD	During construction.		
B-7: Cross-country (off-road) vehicle use is prohibited and signs shall be posted.	Applicant shall provide a site plan showing the locations of all posted signs to the LEA and LUSD. Applicant shall replace within 72 hours any sign that becomes unreadable or missing. LEA shall confirm the presence of the signs during site inspections.	No cross-country off-road vehicle use occurs as a result of the project.	LUSD/LEA	Prior to and during operation.		
B-8: Except on paved roads with posted speed limits, vehicle speeds shall not exceed 20 miles per hour through desert tortoise habitat. This speed limit shall be posted along all access routes associated with the Project. Drivers shall take all feasible steps to avoid tortoises encountered on the roads, including, but not limited to stopping and waiting for tortoises to cross the road.	Applicant shall provide a site plan showing the locations of all posted signs to the LEA and LUSD. Applicant shall replace within 72 hours any sign that becomes unreadable or missing. LEA shall confirm the presence of the signs during site inspections.	No evidence of tortoises being harmed by vehicle traffic from the project.	LUSD/LEA	Prior to and during operation.		
B-9: All trash and discarded food items generated by construction and operation activities shall be promptly contained and regularly removed from the Project site to reduce the attractiveness of the area to ravens and other potential desert tortoise predators. Prior to ground disturbing activities, the Applicant shall submit, and the County and CDFG shall approve, a raven management plan designed to minimize tortoise predation as part of the Incidental take permit or permits required under Mitigation Measure B-2. Additionally, all artificial water sources must be covered or otherwise made inaccessible to wildlife.	The authorized biologist shall verify that all trash and discarded food items generated by construction and operation activities are promptly contained and regularly removed from the Project site. The LEA shall include improper handling of trash and artificial water sources in their routine inspections.	Ravens are not attracted to or observed on the site.	LUSD/LEA with input from CDFG	Ongoing during construction and operation.		

Mitigation Monitoring Program – Biology

Mitigation Measure	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing	Date Completed	Approved by
B-10: Prior to commencing ground-disturbing activities, the Applicant shall submit, and the County shall review and approve, evidence of financial ability to properly manage conserved habitat and to monitor the impact of the Project on surrounding habitat.	The applicant shall submit evidence of funding to LUSD for measures included in the permit/Implementing Agreement with the wildlife agencies.	Funding is adequate to manage conserved habitat and monitor the effects on the surrounding habitat.	LUSD	Prior to ground disturbance or construction.		
B-11: In order to avoid incidental take of birds protected under the Migratory Bird Treaty Act, grading and brush removal of any undisturbed habitat shall be scheduled outside the breeding season of most migratory birds (i.e., grading shall not take place from March through July unless surveys for nesting birds are conducted and no impacts are likely).	Surveys conducted by a qualified biologist.	Survey report is provided by the applicant.	LUSD	Prior to ground disturbance or construction.		
B-12: Prior to commencing ground disturbing activities, Mohave Ground Squirrel trapping surveys shall be conducted to confirm that the species is not present at the Hawes site. If the surveys determine that the Mohave Ground Squirrel is present, the applicant shall avoid or mitigate environmental impacts by obtaining required incidental take permits from the United States Fish and Wildlife Service and/or the California Department of Fish and Game, and by complying with the terms of those permits, including, without limitation, the purchase and conservation of such habitat as required and the preparation and approval of an adequate Habitat Conservation Plan.	An authorized biologist shall conduct and verify surveys. A copy of the survey report shall be provided to LUSD.	Survey completed confirms that the project would not result in adverse impacts to the Mohave ground squirrel.	LUSD in coordination with CDFG and USFWS	Prior to ground disturbance or construction.		

Mitigation Monitoring Program – Biology

Mitigation Measure	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing	Date Completed	Approved by
<p>B-13: Post-construction surveys for invasive plants at the Hawes site and within a 500-foot buffer outside the fire break, shall be conducted and submitted to the County no later than 30 days before the facility opens. The County shall review and approve the surveys before the facility opens. If feasible, these surveys should be conducted in early spring 2007 if the facility will open later that year. All plant species that are present shall be identified and this area monitored annually (early spring) to detect any invasive species that may be present. If an invasive species is detected, an herbicide that is appropriate to the species, as determined by the County and BLM, shall be applied to prevent dispersal of exotic or invasive plant species. The frequency of surveys may be reduced to once every four years if no invasive are detected during the first five years of monitoring.</p>	<p>An authorized biologist shall provide survey reports to LUSD for the following: (1) baseline studies for invasive plants; and (2) annual surveys (or every 4 years, as appropriate).</p> <p>If exotic or invasive plants are observed, the biologist shall recommend an herbicide that is appropriate to the species. The operator shall apply the herbicide to prevent dispersal of the exotic or invasive plant species and shall log the use of the herbicide.</p>	<p>Invasive/exotic plants are not observed spreading in the fire-break or on adjacent property.</p>	<p>LUSD in coordination with BLM</p>	<p>No later than 30 days after the facility opens, baseline surveys in the fire break on the property perimeter, as well as within a 500-foot buffer outside the fire break.</p> <p>Annual surveys are to be conducted in the early spring.</p>		
<p>B-14: The Project site must maintain an adequate water supply and delivery capacity as well as clear aisles between windrows for easy access in case of fire. The Applicant shall submit, and the County shall review and approve, evidence of adequate water supply and plans demonstrating adequate windrow spacing prior to commencing shall operations.</p>	<p>LEA shall verify clear aisles between windrows and adequate water supply during routine inspections of the facility.</p>	<p>Site conditions are managed in a manner that reduces the potential risks of fires on adjacent habitat.</p>	<p>LEA/LUSD in coordination with County Fire Department</p>	<p>During operation.</p>		
<p>B-15: All deliveries of green material to the project shall be made in covered or enclosed vehicles in order to avoid or mitigate the potential for significant environmental impacts related to invasive species and damage to habitat. The Applicant shall not accept deliveries of green material in uncovered vehicles, and shall post a sign at the entrance to the composting facility notifying drivers of that policy.</p>	<p>Operator will maintain log of all loads rejected. LEA will confirm that sign is in place during routine inspections of the facility.</p>	<p>Operator's records are available and sign is in place.</p>	<p>LUSD</p>	<p>Ongoing</p>		

Mitigation Monitoring Program – Biology

Mitigation Measure	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing	Date Completed	Approved by
B-16: All deliveries of biosolids to the project shall be made in covered or enclosed vehicles in order to avoid or mitigate the potential for significant environmental impacts related to damage to habitat, airborne transmission of pathogens, and soil contamination. The Applicant shall not accept deliveries of biosolids in uncovered vehicles, and shall post a sign at the entrance to the composting facility notifying drivers of that policy.	Operator will maintain log of all loads rejected. LEA will confirm that sign is in place during routine inspections of the facility.	Operator's records are available and sign is in place.	LUSD	Ongoing		

Mitigation Monitoring Program – Cultural Resources and Paleontology

Mitigation Measure	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing	Date Completed	Approved by
CR-1: Monitoring by a qualified archaeologist shall occur during grubbing, grading or any construction excavation that disturbs native soils. In the event that an unanticipated find is discovered during construction activities, the construction crew will stop work in the immediate vicinity of the discovery. The applicant will report the discovery to the San Bernardino County Museum and the LUSD. A qualified archaeologist will be required to assess the integrity and significance of any discovery prior to work proceeding in the area. Should human remains be encountered, work in the vicinity must be terminated and the County Coroner will be notified immediately pursuant to Section 7050.5 of the Health and Safety Code, Section 7050.5 (c). If the coroner recognizes the remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she will contact the Native American Heritage Commission. LUSD shall require the applicant to take reasonable measures to avoid or minimize impacts to the resource if the resource is determined to be significant, i.e., eligible for the CRHR.	The applicant shall arrange monitoring by qualified archaeologist during grubbing, grading or any construction excavation that disturbs native soils. The applicant shall provide the County Museum and LUSD a monitoring report prepared by the qualified archaeologist that includes actions taken related to unanticipated discoveries.	Monitoring and report confirms that the project does not result in adverse impacts to cultural resources.	LUSD in coordination with the Museum	During project grading/ excavation.		

Mitigation Monitoring Program – Cultural Resources and Paleontology

Mitigation Measure	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing	Date Completed	Approved by
<p>CR-2: Monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor is required for all excavation into undisturbed sediments of Pleistocene older alluvium, both at the surface and in the subsurface. Paleontologic monitors must be equipped to salvage fossils as they are unearthed, to avoid construction delays, and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens.</p>	<p>The applicant shall arrange monitoring by qualified paleontologist during grubbing, grading or any construction excavation that disturbs native soils.</p> <p>The applicant shall provide the County Museum and LUSD a monitoring report prepared by the qualified paleontologist that includes actions taken related discoveries.</p>	<p>Monitoring and report confirms that the project does not result in adverse impacts to paleontological resources.</p>	<p>LUSD in coordination with the Museum</p>	<p>During project grading/ excavation.</p>		
<p>CR-3: Any recovered specimens shall be prepared and stabilized to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates.</p> <p>CR-4: Any small specimens collected shall be identified and curated into an established, accredited museum repository with permanent retrievable paleontologic storage (e.g., SBCM). These procedures are also essential steps in effective paleontologic mitigation (Scott and others, 2004) and CEQA compliance (Scott and Springer, 2003). The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. Mitigation of adverse impacts to significant paleontologic resources is not complete until such curation into an established museum repository has been fully completed and documented.</p> <p>CR-5: If any paleontological resources are found during excavation, a report of findings with an appended itemized inventory of specimens, shall be prepared and submitted to the County Museum and LUSD.</p>	<p>The applicant shall arrange sample identification, preservation and curation of paleontological specimens retrieved during construction.</p> <p>The applicant shall provide the County Museum and LUSD a monitoring report with an itemized inventory of specimens, prepared by the qualified paleontologist.</p>	<p>Preserving, curating and documenting paleontological specimens reduces adverse impacts to paleontological resources.</p>	<p>LUSD in coordination with the Museum</p>	<p>During project grading/ excavation.</p>		

Mitigation Monitoring Program – Hazards and Hazardous Materials

Mitigation Measure	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing	Date Completed	Approved by
<p>HM-1: The Project design includes guidelines for fuel transfer operations to minimize impacts associated with fueling areas and fuel transfer sites. Prior to commencement of operations, the Applicant shall submit, and the County shall review and approve, an Emergency Contingency Plan for the composting facility. The Plan will provide information such as emergency contact persons and numbers, the types of hazardous materials stored on-site, the correct emergency responders to contact for specific emergencies, and evacuation procedures and routes to use during an emergency event.</p>	<p>Applicant shall submit a copy of the plan to County Fire, LUSD and the LEA.</p>	<p>Plan provided with implementation steps to reduce hazardous materials adverse impacts.</p>	<p>County Fire in coordination with LUSD/LEA</p>	<p>Prior to operation.</p>		
<p>HM-2: A Spill Prevention, Control, and Countermeasure Plan (SPCC) will be prepared and certified prior to the commencement of on-site operations. Measures contained within the SPCC Plan would include: containment, clean-up, and reporting of spilled liquids containing petroleum products or hazardous materials, the use of absorbent pads near the sources of leaks, sand and gravel dikes to contain spills, inspections of containers, dispensers and fueling areas, employee awareness and training, and secondary containment areas. The SPCC Program also refers employees to Material Safety Data Sheets (MSDS) that explain the proper response for clean up of spills and emphasizes the use of personal protection equipment.</p>	<p>Applicant shall submit a certified SPCC to County Fire, LUSD and the LEA.</p>	<p>Plan provided with implementation steps to minimize accidental hazardous materials or fuel spills.</p>	<p>County Fire in coordination with LUSD/LEA</p>	<p>Prior to operation.</p>		
<p>HM-3: The operator shall provide fire prevention, protection and control measures, including, but not limited to, temperature monitoring of windrows and piles, adequate water supply for fire suppression, and the isolation of potential ignition sources from combustible materials. A strip of sufficient width of cleared land must be maintained along the perimeter of site operations to act as a fire barrier or break. The applicant will consult with the local fire agency to determine the size of the fire break and quantity of water to maintain on site. Prior to construction, the Applicant shall submit, and the County shall review and approve, a plan setting out fire prevention, protection and control measures and evidence of consultation with the local fire agency.</p>	<p>Applicant shall submit a copy of the plan, including demonstrated consultation with the local fire agency, to LUSD and the LEA.</p>	<p>Plan provided with implementation steps to minimize accidental fires.</p>	<p>County Fire in coordination with LUSD/LEA</p>	<p>Prior to operation.</p>		

Mitigation Monitoring Program – Hazards and Hazardous Materials

Mitigation Measure	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing	Date Completed	Approved by
HM-4: Following each storm event or surface water discharge, no standing water shall be retained in the impoundment basin for more than 30 days. Water from the basin may be used for process water or for dust control on windrows.	Operator to maintain a log indicating when water begins to accumulate in the impoundment and when the impoundment is empty. LEA shall review this log periodically during inspections of the facility.	Log indicates that standing water is not retained in the basin for more than 30 days.	LEA	During operation.		
HM-5: Compost leachate shall be captured and may be reused to maintain compost moisture levels.	LEA shall confirm during inspections of the facility that the applicant is maintaining the slope and grade so that leachate is captured in the impoundment basin.	Leachate or run-off that contacts composting material always drains toward the basin.	LEA	During operation.		
HM-6: Perform misting or spraying of compost piles when mixing to control airborne spore movement.	LEA will verify during routine inspections that misting and spraying of compost piles is being performed when mixing to control airborne spore movement.	Minimal dust is generated during compost mixing.	LEA	During operation.		
HM-7: Wash down vehicles and equipment at regular intervals to reduce dust and spore levels.	LEA will verify during routine inspections biosolids are not accumulating on facility equipment.	Equipment is found to be generally clean without biosolid accumulation.	LEA	During operation.		
HM-8: Employees engaged in moving or turning compost piles shall be equipped with protective clothing, gloves, and face mask. Training programs shall be instituted to instruct employees on the necessity of wearing protective gear.	Applicant shall submit a copy of the employee training program to the LEA and LUSD prior to operation and a log shall be maintained documenting employee training. The LEA will review the availability of protective equipment and the training log during routine inspections.	Employees are found to be trained and protective equipment is available for employees on-site.	LEA	During operation.		
HM-9: Muscadine, or other suitable bait materials shall be distributed along the external Project boundaries of the composting pad if the LEA determines that periodic fly problems become an area nuisance.	Operator shall apply muscadine and shall maintain a log or muscadine application along the project boundaries if the LEA determines that periodic fly problems become an area nuisance.	Applied muscadine minimizes flies at the site.	LEA	During operation.		

Mitigation Monitoring Program – Hazards and Hazardous Materials

Mitigation Measure	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing	Date Completed	Approved by
HM-10: Biosolids shall be mixed with suitable bulking agents within 4 hours after arrival.	Operator shall maintain a log documenting biosolid delivery and mixing. During routine inspections, the LEA will verify that biosolids have been mixed with suitable bulking agents within 4 hours after arrival.	Biosolids are found to be mixed with suitable bulking agents within 4 hours after arrival.	LEA	During operation.		
HM-11: The Applicant shall ensure that employees are trained in procedures to prevent, detect, and remedy fly breeding areas.	Applicant shall submit a copy of the employee training program to the LEA and LUSD prior to operation and a log shall be maintained documenting employee training. The LEA will review the availability of protective equipment and the training log during routine inspections.	Employees are found to be trained in procedures to prevent, detect, and remedy fly breeding areas.	LEA	During operation.		

Mitigation Monitoring Program – Hydrology and Water Quality

Mitigation Measure	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing	Date Completed	Approved by
W-1: Prior to any modification or redesign of the facility, the Applicant shall submit, and the County and the RWQCB shall approve, plans demonstrating that the facility, as modified or redesigned, will have a retention basin or retention basins designed and sized to contain the entire runoff from the windrow and compost storage area during a 24-hour, 100-year storm event.	RWQCB, LUSD and the LEA will review any redesign of the facility and will not approve a design modification that does not include a retention basin(s) designed and sized to contain the entire runoff from the windrow and compost storage area during a 24-hour, 100-year storm event.	Facility design includes a retention basin(s) designed and sized to contain the entire runoff from the windrow and compost storage area during a 24-hour, 100-year storm event.	LEA/RWQCB	During Solid Waste Facility Permit application review and prior to construction.		

Mitigation Monitoring Program – Hydrology and Water Quality

Mitigation Measure	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing	Date Completed	Approved by
<p>W-2: Prior to beginning operations at the site, the Applicant shall perform a post-construction soil survey. The survey shall include collection of at least ten samples in the portion of the Phase 1 area that would be most frequently used for windrows. Two additional samples shall be collected from the lowest area of the retention basin after construction of the retention basin is complete. Samples shall be collected at each location using a drive sampler to a depth of approximately 1.5 feet. The samples shall be analyzed by an independent laboratory and results submitted to the County and the RWQCB for review and approval. Samples collected at 0.5 and 1 foot shall be analyzed for nitrate, phosphate, chloride, arsenic, copper, lead, mercury, molybdenum, nickel, selenium and zinc. The same sampling program shall be conducted in Phase 2 prior to commencing operations in the Phase 2 area.</p>	<p>The applicant shall arrange for the specified sampling by a qualified professional and a sampling report shall be submitted to the RWQCB, LEA and LUSD for review and approval.</p>	<p>Sampling is completed, report is prepared, submitted, reviewed and approved as specified.</p>	<p>LEA/ RWQCB/ LUSD</p>	<p>Prior to operation of the appropriate phase.</p>		

Mitigation Monitoring Program – Hydrology and Water Quality

Mitigation Measure	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing	Date Completed	Approved by
<p>W-3: Soil beneath the retention basin and the composting pad shall be sampled annually to confirm that the migration of constituents into subsurface soil is not significant. Soil sampling shall be conducted at six different locations on the most frequently used portion of the composting pad. Two soil samples shall be collected at least 100 feet apart at the lowest area of each retention basin. Samples will be collected at each location using a drive sampler to a depth of approximately 1.5 feet. Samples collected at 0.5 and 1 foot will be analyzed. Samples shall be collected by Applicant and sent to an independent laboratory. The analytical results shall be submitted to the County and the RWQCB for review, and approval. The results will be compared to the levels listed in 40 CFR 503.13, Table 1 that specifies the ceiling metals concentrations at which the application of biosolids to land is not allowed. These ceiling concentrations currently are 85 mg/kg arsenic, 4,300 mg/kg copper, 840 mg/kg lead, 57 mg/kg mercury, 75 mg/kg molybdenum, 420 mg/kg nickel, 100 mg/kg selenium and 7,500 mg/kg zinc. These ceiling concentrations will be used as an indicator that further action is necessary. There are no ceiling concentrations for nitrate and phosphorous, therefore the analytical results for the site will be compared to those from the background location.</p> <p>If the sample results indicate that the limits in 40 CFR 503.13 have been exceeded or if the levels show a significant increase compared to the background conditions, the Applicant, the RWQCB, and the LEA shall develop and implement an action plan that will ensure no substantial adverse impact on groundwater resources. Specific elements of the action plan shall be tailored to actual conditions. Plan elements may include, but need not be limited to: removal of soil and replacement of compacted clean soil on the pad and/or retention basin, or lining the pads or basin with an appropriate liner.</p>	<p>The operator shall arrange for the specified sampling by a qualified professional and a sampling report shall be submitted to the RWQCB, LEA and LUSD for review and approval. If contamination migration is observed, the operator shall submit the specified action plan for review and approval.</p>	<p>Sampling is completed, report is prepared, submitted, reviewed and approved as specified that demonstrates that constituents are not migrating from the site. The implementation of an action plan will minimize migration if observed.</p>	<p>LEA/ RWQCB/ LUSD</p>	<p>Annually.</p>		

Mitigation Monitoring Program – Hydrology and Water Quality

Mitigation Measure	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing	Date Completed	Approved by
<p>If there are no significant exceedances of the constituent concentrations after five years of monitoring, the applicant may request, and the County may grant, approval for a reduction in the sampling frequency. Upon closure of the facility, sampling will be conducted and affected soil will be handled in accordance with applicable clean-up criteria.</p>						
<p>W-4: The Applicant shall avoid and/or mitigate potentially significant impacts on water quality by obtaining coverage under the state-wide general construction storm water National Pollutant Discharge Elimination System (NPDES) permit prior to any ground disturbing activities, and by complying with the terms of that permit. As part of this mitigation measure, the Applicant shall prepare a SWPPP and implement the BMPs outlined in the SWPPP.</p>	<p>Applicant shall maintain a copy of the Notice of Intent (NOI) and SWPPP on site.</p>	<p>Plan includes BMP to protect storm water and surface water from contamination.</p>	<p>RWQCB/ LEA/ LUSD</p>	<p>Prior to construction.</p>		
<p>W-5: The Applicant shall avoid or mitigate potentially significant impacts on water quality by obtaining coverage under the State-wide general storm water NPDES permit for industrial facilities or by obtaining an individual facility storm water NPDES permit prior to commencing operations, and by complying with all terms and requirements of the permit.</p>	<p>Applicant shall maintain a copy of the Notice of Intent (NOI) and SWPPP on site.</p>	<p>Plan includes BMP to protect storm water and surface water from contamination.</p>	<p>RWQCB/ LEA/ LUSD</p>	<p>Prior to operations.</p>		

Mitigation Monitoring Program – Hydrology and Water Quality

Mitigation Measure	Monitoring / Reporting Action	Effectiveness Criteria	Responsible Agency	Timing	Date Completed	Approved by
<p>W-6: If a groundwater well is installed to provide water for the site, the Applicant shall perform a groundwater survey prior to well installation. The Applicant shall collect a sample quarterly for the first year. Samples shall be analyzed by an independent laboratory and results submitted to the County and RWQCB for review, and approval. Samples shall be analyzed for the constituents listed in Mitigation Measure W-2 (at a minimum) to establish baseline groundwater conditions at the site. If the thresholds set forth in Mitigation Measure W-3 have been exceeded, or if there is a significant increase over time in the concentration of constituents listed in Mitigation Measure W-2, the Applicant, the County, and the RWQCB shall develop and implement an action plan that will ensure no substantial adverse change in groundwater resources. Specific elements of the action plan shall be tailored to actual conditions. Elements of the action plan may include, but are not limited to, lining composting pads and/or the retention basin with an appropriate liner.</p>	<p>The applicant shall arrange for the specified sampling by a qualified professional and a sampling report shall be submitted to the RWQCB, LEA and LUSD for review and approval.</p>	<p>Sampling report includes all of the specified information.</p>	<p>RWQCB/ LEA/ LUSD</p>	<p>First year after well is installed.</p>		