

MINUTE ITEM

This Calendar Item No. C67 was approved as Minute Item No. 67 by the California State Lands Commission by a vote of 3 to 0 at its 06/26/06 meeting.

CALENDAR ITEM
C67

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06/26/06
PRC 8678 W 26018
N. Smith

GENERAL LEASE - RIGHT OF WAY USE

APPLICANT:

Chevron Pipe Line Company
2360 Buchanan Road
Pittsburg, California 94565

AREA, LAND TYPE, AND LOCATION:

0.018 acres, more or less, of sovereign lands in Pacheco Creek, city of Martinez, Contra Costa County.

AUTHORIZED USE:

Construction, use, operation, and maintenance of a horizontal directionally drilled (HDD) 12-inch diameter carbon steel crude oil pipeline.

LEASE TERM:

20 years, beginning June 27, 2006.

CONSIDERATION:

\$120 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with coverage of no less than \$10,000,000.

Bond:

\$50,000.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the uplands adjoining the lease premises.
2. Chevron owns and operates the Kettleman to Los Medanos (KLM) crude oil pipeline. The KLM pipeline is a common carrier pipeline that extends to the Los Medanos Station in Pittsburg. From Pittsburg, the pipeline

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continues west to Chevron's Vine Hill Station in the city of Martinez. The proposed pipeline project will enable the Valero Benicia Refinery to receive crude oil deliveries from the KLM pipeline.

3. The new pipeline crossing will be installed by the HDD method. The drill entry and exit points are approximately 500 feet on either side of Pacheco Creek. The bore will pass at least 35 feet below the Creek flood control channel.
4. The pipeline will be constructed and tested to meet U.S. Department of Transportation (DOT) construction and safety standards outlined in Title 49 Code of Federal Regulations (CFR) Part 195, *Transportation of Hazardous Liquids by Pipeline: Minimum Federal Safety Standards*. These regulations, which are intended to protect the public and to prevent hazardous liquid accidents and failures, include specifications for material selection and qualification; minimum design requirements; and protection of the pipeline from internal, external, and atmospheric corrosion. Once constructed, the pipeline will be operated and maintained in accordance with all applicable Federal and State regulations
5. A Mitigated Negative Declaration was prepared and adopted for this project by the Contra Costa County Community Development Department. The California State Lands Commission's staff has reviewed such document.
6. A Mitigation Monitoring Plan was adopted by the Contra Costa Community Development Department.
7. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code sections 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by Title 2, California Code of Regulations, section 2954 is not applicable.

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APPROVALS OBTAINED:

Contra Costa County Land Use Permit

FURTHER APPROVALS REQUIRED:

Contra Costa County building permits; US Fish Wildlife Service; US Army Corps of Engineers; and the California Regional Water Quality Control Board

EXHIBITS:

- A. Location Map
- B. Land Description
- C. Mitigation Monitoring Plan

PERMIT STREAMLINING ACT DEADLINE:

September 20, 2006

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PLAN WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE CONTRA COSTA COUNTY COMMUNITY DEVELOPMENT DEPARTMENT AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE MITIGATION MONITORING PLAN, AS CONTAINED IN EXHIBIT C, ATTACHED HERETO.

AUTHORIZATION:

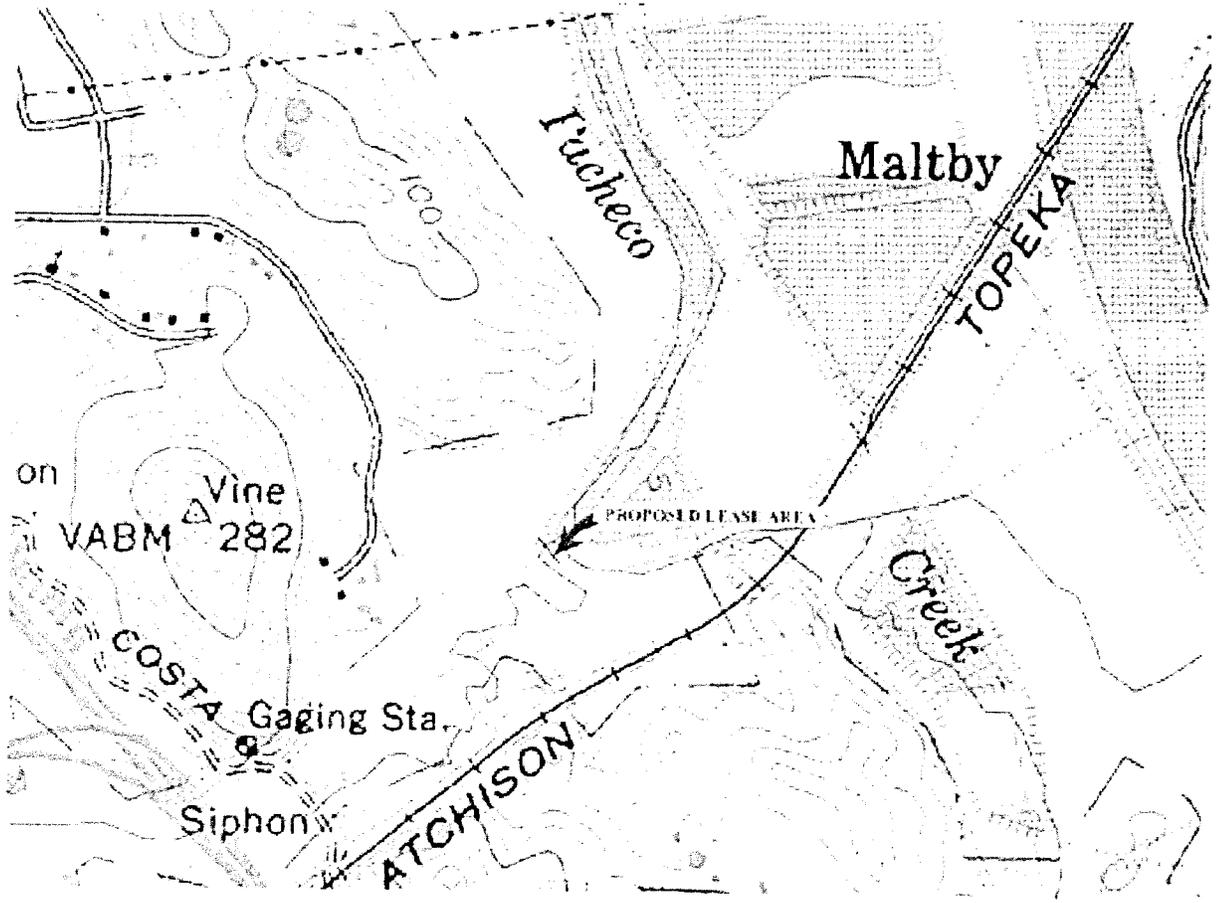
AUTHORIZE ISSUANCE TO CHEVRON PIPE LINE COMPANY OF A GENERAL LEASE - RIGHT OF WAY USE, BEGINNING JUNE 27, 2006, FOR A TERM OF 20 YEARS, FOR THE CONSTRUCTION, USE, OPERATION, AND MAINTENANCE OF A HORIZONTAL DIRECTIONALLY DRILLED 12-INCH DIAMETER WELDED STEEL CRUDE OIL PIPELINE AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$120, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE WITH COVERAGE

CALENDAR ITEM NO. C67 (CONT'D)

OF NO LESS THAN \$10,000,000; SURETY IN THE AMOUNT OF \$50,000.

NO SCALE

SITE



PROPOSED PIPELINE ACROSS PACHECO CREEK,
NEAR THE CITY OF MARTINEZ

NO SCALE

LOCATION

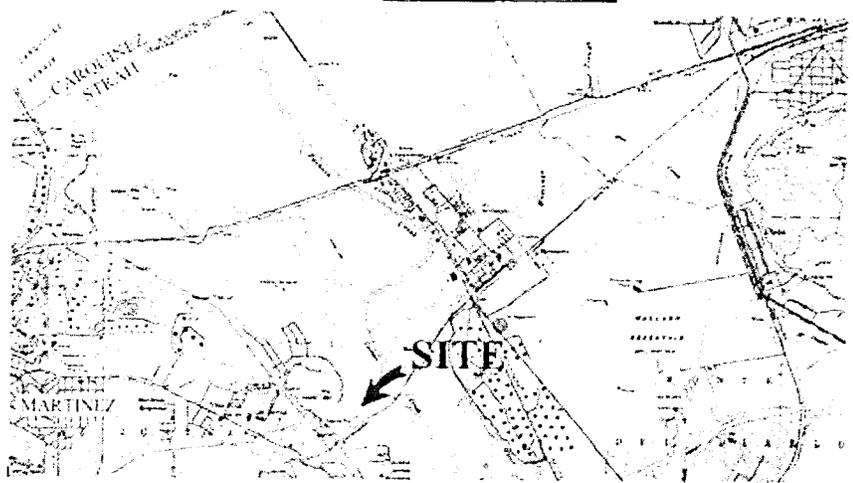


Exhibit A
W 26018
CHEVRON
PIPE LINE CO.
CONTRA COSTA
COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property. MAP SOURCE: USGS QUAD

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Land Description

Parcel A:

A strip of submerged land in the historical bed of Pacheco Creek, being a portion of Swamp and Overflow Survey Number 167, within the County of Contra Costa, State of California, as described in a Grant Deed, recorded June 3, 1969, in Book 5888, Page 588, Contra Costa County Records, Contra Costa County, California, said parcel lying within the Northwest Quarter of protracted Section 22, Township 2 North, Range 2 West, Mount Diablo Base and Meridian, described as follows:

Said strip of land, 10 feet in width, the centerline of which is the centerline of a twelve (12) inch nominal diameter pipeline, described as follows:

Commencing at point "P-9", said point lying along the Southeasterly line, as described in Exhibit A of the Grant Deed recorded in Book 5888, Page 588, in the Contra Costa County Records, said point having California Coordinate System 83, Zone 3, coordinates of N = 2,194,046.09 and E = 6,107,087.26, more or less; thence North 37° 55' 59" East, a distance of 35.37 feet, along said Southeasterly line to the TRUE POINT OF BEGINNING; thence leaving said Southeasterly line, North 39° 16' 29" West, parallel to and approximately 10.00 feet northeast of an existing twenty (20)-inch nominal diameter pipeline, a distance of 158.95 feet, to a point on the Northwesterly line of said Grant Deed.

EXCEPTING THEREFROM any portion of land lying landward of the historic ordinary high water mark.

Said strip of land containing approximately 1590 square feet (0.0365 acre), more or less.

End of Parcel A Description



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EXHIBIT C

MITIGATION MONITORING PLAN

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1. INTRODUCTION

When a Lead Agency approves or carries out a project in which a significant environmental effect has been identified, Section 21081.6 of the Public Resources Code requires that the agency adopt a monitoring and reporting program for the measures required to mitigate the significant effect that have been made a condition of the project approval.

The purpose of this Mitigation Monitoring and Reporting Plan (MMRP) is to establish a clear process for ensuring compliance with the applicant-proposed measures and agency mitigation measures identified in the Mitigated Negative Declaration (MND) for the KLM to Valero Interconnection Pipeline Project. Chevron Pipe Line Company (Chevron) is required to implement the mitigation measures identified in the MND and the responses to comments on the MND, all of which are included in this MMRP, to avoid significant impacts on environmental resources. The MMRP provides guidance to Chevron, Contra Costa County Community Development Department (County), the environmental monitoring team, and local, state, and federal resource agencies throughout the preconstruction, construction, and post-construction periods of project implementation.

The MMRP:

- clearly identifies the measures that have been approved by the County (California Environmental Quality Act [CEQA] Lead Agency for the project) to reduce potentially significant impacts,
- provides guidelines on enforcement roles and responsibilities,
- defines performance standards, and
- identifies the timing for each measure.

This MMRP will be incorporated as a condition of project approval. Therefore, all of mitigation measures listed in Table 1 must be implemented in order to fulfill the approval requirements.

2. ROLES AND RESPONSIBILITIES

As the Lead Agency, the County is required to monitor construction of this project to ensure that the required mitigation measures are implemented. The County will be responsible for ensuring full compliance with the provisions of this MMRP and bears the primary responsibility for implementation of the monitoring and reporting program. The County may delegate duties and responsibilities for monitoring and reporting to other environmental monitors or consultants as deemed necessary, and some monitoring and reporting responsibilities may be assumed by responsible agencies. The County, however, will ensure that each person delegated any duties or responsibilities related to this MMRP is qualified to monitor compliance.

3. ENFORCEMENT AUTHORITY

As described above, the Lead Agency bears the primary responsibility for implementation of this MMRP; therefore it is responsible for tracking and documenting the completion and implementation of mitigation measures. The Lead Agency and responsible agencies have legally mandated authority and responsibility to enforce any laws, ordinances, and regulations that could be violated during construction. While coordinating the activities of the responsible agencies through the Lead Agency

is clearly beneficial, it is also understood that none of the federal or state agencies with legal enforcement mandates have in any way waived their enforcement authorities. When a violation of a permit condition or mitigation measure is documented in the field, it is the responsibility of each responsible agency to determine the appropriate compliance and enforcement action. For this reason, compliance and enforcement actions for this project would be coordinated through the Lead Agency. The Lead Agency may enforce conditions and seek resolution of disputes, enforce permit conditions, and otherwise ensure compliance. Responsible agencies should allow the Lead Agency to carry out its enforcement responsibilities in a coordinated fashion; however, even where the Lead Agency initiates a compliance and enforcement action, further action by any of the responsible agencies is not precluded.

The following federal, state, and local agencies are issuing permits or authorizations for this project and may have roles in overseeing environmental compliance for certain project-related actions:

- U.S. Army Corps of Engineers (USACE)
- U.S. Fish and Wildlife Service (USFWS)
- National Oceanic and Atmospheric Administration (NOAA) Fisheries
- State Historic Preservation Officer
- California State Lands Commission (CSLC)
- California Department of Fish and Game (CDFG)
- Regional Water Quality Control Board (RWQCB)
- Bay Area Air Quality Management District (BAAQMD)
- East Bay Regional Park District (EBRPD)

4. MITIGATION MONITORING AND REPORTING TABLE

Table 1 lists all of the measures identified for this project to reduce potentially significant impacts to the less-than-significant level, along with each measure’s timing, verification method, and responsible party.

Table 1: MITIGATION MONITORING AND REPORTING PLAN

Mitigation Measure #	Impact	Mitigation Measure	Implementing Action	Method of Verification	Timing of Verification	Party Responsible for Verification	Compliance Verification
MM-AIR-1	Construction of the project would generate air emissions from construction vehicles, equipment exhaust, and soil disturbance activities that could affect sensitive receptors.	All active construction areas would be watered at least twice daily.	Dust control implementation throughout construction	Field verification	As needed during construction	Zoning Administrator and County appointed Environmental Monitor	
MM-AIR-2		All unpaved access roads, parking areas, and staging areas would be watered three times daily or stabilized with non-toxic soil stabilizers.	Dust control implementation on unpaved construction areas throughout construction	Field verification	As needed during construction	Zoning Administrator and County appointed Environmental Monitor	
MM-AIR-3		All paved access roads, parking areas, and staging areas would be swept daily with water sweepers.	Daily sweeping of paved areas throughout construction	Field verification	As needed during construction	Zoning Administrator and County appointed Environmental Monitor	
MM-AIR-4		All public streets would be swept daily with water sweepers if visible soil material is carried onto them by construction activities or vehicles.	Maintaining the cleanliness of public streets throughout construction	Field verification	As needed during construction	Zoning Administrator and County appointed Environmental Monitor	
			Monitoring public complaints regarding sediment on public roadways throughout construction				
MM-AIR-5		Inactive construction areas (previously graded areas inactive for 10 days or more) would be hydroseeded or stabilized with non-toxic soil stabilizers.	Stabilization application as needed throughout construction	Field verification	As needed during construction	Zoning Administrator and County appointed Environmental Monitor	
MM-AIR-6		Exposed stockpiles (e.g., dirt, sand, etc.) would be enclosed, covered, and/or watered at least twice daily, or stabilized with non-toxic soil binders.	Stockpile management throughout construction	Field verification	As needed during construction	Zoning Administrator and County appointed Environmental Monitor	
MM-AIR-7		Silt-containing material excavated, stockpiled, or transported during construction would be wetted regularly.	Dust control implementation for excavated, stockpiles, and transported material throughout construction	Field verification	As needed during construction	Zoning Administrator and County appointed Environmental Monitor	
MM-AIR-8		Trucks transporting earth material off site would be covered or maintain a minimum 2-foot freeboard.	Monitoring haul vehicles leaving the construction site throughout construction	Field verification	As needed during construction	Zoning Administrator and County appointed Environmental Monitor	
MM-AIR-9		Traffic speeds on unpaved roads would be limited to 15 miles per hour (mph).	Posting vehicle speed limit signs along unpaved construction access roads	Field verification	At the commencement of construction	Zoning Administrator and County appointed Environmental Monitor	
	Monitoring vehicle speeds on unpaved roads throughout construction		Field verification	As needed during construction	Zoning Administrator and County appointed Environmental Monitor		
MM-AIR-10	Sandbags or other erosion control measures would be installed to prevent silt runoff to public roadways if rain is forecasted within 72 hours.	Installation of erosion control measures within 72 hours of forecasted rain	Field verification	Within 72 hours of forecasted rain during construction	Zoning Administrator and County appointed Environmental Monitor		

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Mitigation Measure #	Impact	Mitigation Measure	Implementing Action	Method of Verification	Timing of Verification	Party Responsible for Verification	Compliance Verification
MM-AIR-11		Wheel washers would be installed for all exiting trucks, or the tires or tracks of all trucks and equipment leaving the site would be washed off.	Confirmation that a wash station has been installed at the commencement of construction	Field verification	At the commencement of construction	Zoning Administrator and County appointed Environmental Monitor	
			Monitoring vehicles to ensure leaving the site to verify they have been properly washed throughout construction	Field verification	As needed during construction	Zoning Administrator and County appointed Environmental Monitor	
MM-AIR-12		Excavation and grading activity would be suspended when winds (instantaneous gusts) exceed 25 mph and visible dust persists.	Monitoring construction activities during windy conditions	Field verification	As needed during construction	Zoning Administrator and County appointed Environmental Monitor	
MM-AIR-13		The area subject to excavation, grading, and other construction activity would be limited at any one time.	Monitoring construction activities throughout construction	Field verification	As needed during construction	Zoning Administrator and County appointed Environmental Monitor	
MM-AIR-14		Vegetation would be replanted in disturbed areas as quickly as possible within the appropriate seeding window (generally fall).	Submittal of a Site Restoration Plan for review and approval	Review and approval of the Site Restoration Plan	Prior to construction	Zoning Administrator to review and approve Site Restoration Plan	
			ROW seeding following construction	Field verification	After construction and prior to the first heavy rain	Zoning Administrator and County appointed Environmental Monitor	
MM-AIR-15		If visible dust persists, temporary wind breaks would be installed at the windward side(s) of the construction staging areas.	Monitoring the use of the staging areas on a periodic basis throughout construction and installation of wind breaks as needed	Field verification	As needed during construction	Zoning Administrator and County appointed Environmental Monitor	
MM-BIO-1	Construction of this project has the potential to adversely affect sensitive resources.	All project personnel would attend a worker environmental education program prior to commencing work on the project. The program would be taught by a qualified biologist and would consist of a briefing on environmental issues relative to the pipeline project. It would include an overview of the legal status, biology, distribution, habitat needs, and compliance requirements for each special-status species that might occur in the project area. As part of the program, the crews would be instructed to alert the biological monitor of any sensitive species including, but not limited to, California red-legged frog, Pacific pond turtle, California clapper rail, California black rail, raptors, nesting birds, and salt marsh harvest mouse, observed in or near the project area. In addition, if one of the listed species enters the work area, all work would be halted in the immediate area until the species is relocated or leaves of its own accord. The contact information, including cellular phone number, for the on-site biological monitor would be provided during this training. Additionally, the construction personnel would be instructed not to handle any sensitive species. An outline of this training program would be submitted to the County and EBRPD for review and approval at least 20 calendar days prior to delivery of the first worker environmental education program.	Submittal of environmental education program outline	Review and approval of the training program outline	Prior to construction	Zoning Administrator to review and approve training program outline EBRPD to review and approve the training program outline	
			Attendance of a worker environmental education program	Attendance of the initial training program delivery	Prior to construction	Zoning Administrator appointed Environmental Monitor to attend training	
				Receipt of training sign-in sheets throughout construction for all personnel trained	Weekly during construction	Zoning Administrator and County appointed Environmental Monitor to review training sign-in sheets	

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Mitigation Measure #	Impact	Mitigation Measure	Implementing Action	Method of Verification	Timing of Verification	Party Responsible for Verification	Compliance Verification	
MM-BIO-2	<p>Construction of this project has the potential to impact protected trees through removal, pruning, and damage to roots.</p> <p>Construction of this project has the potential to further the spread of noxious weeds on vehicles and equipment traveling through the construction zone.</p> <p>Construction of this project has the potential to destroy special-status plants during earth-disturbing activities.</p>	Equipment staging areas, construction crew parking areas, and construction access routes would be established in previously disturbed or developed areas.	Identification of the location of equipment staging areas, construction crew parking areas, and construction access routes on construction alignment sheets	Review and approval of construction alignment sheets	Prior to construction	Zoning Administrator to review and approve construction alignment sheets		
MM-BIO-3	Construction of this project has the potential to injure or kill sensitive species.	<p>Exclusion fencing would be erected at the boundaries of the work areas (except for along existing paved roads) to avoid equipment and human intrusion into adjacent habitats. All access roads would be clearly demarked in the field. No project personnel or equipment would be allowed outside of the project boundaries.</p> <p>In locations where the pipeline ROW is within 200 feet of brackish marshes, the exclusion fencing that would be installed would be specifically designed to prevent salt marsh harvest mouse from entering the work area. Salt marsh harvest mouse exclusion fencing would consist of heavy-gauge plastic sheeting that would be a minimum of 12 inches taller than adjacent vegetation. The plastic sheeting would be installed between wooden stakes positioned every five feet along the barrier perimeter and fastened to the ground with landscape staples at 3-inch intervals. All seams would be aligned between stakes and/or taped with heavy-duty duct tape.</p> <p>The design of the salt marsh harvest mouse exclusion fencing would be submitted to the CDFG for review and approval at least 30 calendar days prior to the start of construction. The exact design and placement of the fence may be finalized in the field (in consultation with a biological monitor) to account for site-specific topographic conditions or other barriers that may not allow installation of the fencing as described.</p>	Identification of the location of exclusion fencing on construction alignment sheets	Review and approval of construction alignment sheets	Prior to construction	Zoning Administrator to review and approve construction alignment sheets		
			Installation of exclusion fencing and approved access road signs in the field	Field verification of fencing and signage	At the commencement of construction	Zoning Administrator and County appointed Environmental Monitor		
			Submittal of the salt marsh harvest mouse exclusion fencing design to the CDFG	Review of documentation of CDFG approval of salt marsh harvest mouse exclusion fencing design	Prior to construction in salt marsh harvest mouse habitat	CDFG to review and approve salt marsh harvest mouse exclusion fencing design	Zoning Administrator and County appointed Environmental Monitor to review documentation of CDFG approval	
			Submittal of a memo prepared by a qualified biologist documenting areas where salt marsh harvest mouse exclusion fencing cannot not be installed and the	Review of the salt marsh harvest mouse exclusion fencing memo prior to work in the area without	Prior to construction in salt marsh harvest mouse habitat	Zoning Administrator appointed County Environmental Monitor		

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Mitigation Measure #	Impact	Mitigation Measure	Implementing Action	Method of Verification	Timing of Verification	Party Responsible for Verification	Compliance Verification
MM-BIO-4		Vegetation within sensitive habitats that would be adversely affected by equipment operations would be removed using hand tools prior to the start of construction. Colonies of invasive species, such as perennial peppergrass (<i>Lepidium latifolium</i>), would be cleared and grubbed to remove tubers and roots. All invasive wetland plants would be collected and disposed of in a suitable upland location. A biological monitor would survey all areas immediately prior to any vegetation clearing to ensure no sensitive species are present.	<p>corresponding rationale</p> <p>Monitoring of vegetation removal in salt marsh harvest mouse habitat (pickleweed, brackish emergent wetlands, and adjacent uplands)</p> <p>Submittal of the results of preconstruction surveys documenting species findings or the lack thereof</p>	<p>the fencing</p> <p>Field verification</p> <p>Review of preconstruction survey results</p>	<p>During construction</p> <p>Prior to construction</p>	<p>Zoning Administrator and appointed Environmental Monitor</p> <p>Applicant to submit preconstruction survey results</p> <p>Zoning Administrator and County appointed Environmental Monitor to review preconstruction survey results</p>	
MM-BIO-5		<p>Temporarily impacted areas would be restored to preconstruction conditions through implementation of a project Site Restoration Plan that fully addresses topsoil stripping and seeding with native species. During clearing, the first 6 inches of topsoil would be stripped from across the entire project ROW (or graded area) and stockpiled separately except in areas dominated by noxious weeds (see MM-BIO-7). This topsoil would not be mixed with subsoil and would be spread over the disturbed area after final grading to facilitate revegetation. All disturbed marsh habitat would be backfilled and graded to match the original preconstruction elevations. Seeding with non-native species would be acceptable only with prior approval by the CDFG, USACE, EBRPD (as applicable), and County.</p> <p>To ensure successful revegetation of the impacted areas, the project would meet the 5-year success or performance criterion listed below for the freshwater wetland, brackish wetland, and non-native grassland plant communities. There would be no performance criteria for open water, ruderal, or developed lands. Data would be collected from impact and reference areas in each community at the same time to ensure similar plant phenology. Data collected from each impacted community would be compared to a reference site near the disturbed area within the same plant community. The reference sites would be in areas not impacted by this project.</p>	<p>Submittal of Site Restoration Plan</p> <p>Submittal of documentation of CDFG, USACE, and EBRPD approval of the Site Restoration Plan</p>	<p>Review and approval of the Site Restoration Plan</p> <p>Receipt of documentation that the Site Restoration Plan has been approved by relevant agencies</p>	Prior to construction	<p>Zoning Administrator and appointed Environmental Monitor to review Site Restoration Plan and documentation of agency approval</p> <p>CDFG to review and approve Site Restoration Plan</p> <p>USACE to review and approve Site Restoration Plan</p> <p>EBRPD to review and approve Site Restoration Plan (as applicable)</p>	

The 5-year total cover success or performance criterion for each plant community would be at least 80 percent total vegetation coverage for each plant community relative to nearby reference site(s) in the same type of plant community. In addition, the wetland plant communities (freshwater wetland and brackish emergent wetland) would meet the following 5-year native plant richness and hydrophytic vegetation cover success or performance criteria:

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Mitigation Measure #	Impact	Mitigation Measure	Implementing Action	Method of Verification	Timing of Verification	Party Responsible for Verification	Compliance Verification	
			Implementation of conditions in the Site Restoration Plan	Field verification	During and/or after construction	Zoning Administrator and County appointed Environmental Monitor		
			Submittal of agency approval for seeding with non-native species	Review of documentation of agency approval(s)	During construction, but prior to commencing restoration activities	Zoning Administrator and County appointed Environmental Monitor		
			Submittal of annual monitoring reports	Review of annual monitoring reports	Annually after construction for 5 years or until performance criterion are met	Zoning Administrator and County appointed Environmental Monitor		
MM-BIO-6	Construction of this project has the potential to impact protected trees through removal, pruning, and damage to roots.	<p>The following measures would be implemented to minimize impacts to existing trees within the vicinity of the project area:</p> <ul style="list-style-type: none"> - Prior to any construction activities, protective fencing would be established around the dripline of non-impacted trees that are in the right-of-way (ROW) and not already behind existing fences. No construction activities would occur within the dripline of non-impacted trees. - A qualified monitor would be on site during construction activities to ensure the protection of trees to remain. Tree roots which are exposed or damaged as a result of project activities would be cleanly cut. - No parking or storing of vehicles, equipment, machinery, construction materials, or construction trailers, and no dumping of oils or chemicals would be permitted within the dripline of any tree to be saved. - All trees that are removed would be replaced in-kind with native tree species at a 3:1 ratio. 	Identification of areas to be fenced on the construction alignment sheets	Review and approval of construction alignment sheets	At the commencement of construction and prior to commencing tree removal	Applicant to submit construction alignment sheets for review and approval of the Zoning Administrator		
			Installation of protective fencing around trees in the field	Field verification	During construction, but prior to work near trees	Zoning Administrator and County appointed Environmental Monitor		
			Monitoring construction daily in the field	Field verification	Daily during construction near trees	Applicant's Biological Monitor to monitor in the field	Zoning Administrator and County appointed Environmental Monitor to confirm	
			Replacement of all removed trees with native tree species	Field verification	After construction	Zoning Administrator and County appointed Environmental Monitor		
MM-BIO-7	Construction of this project has the potential to further the spread of noxious weeds on vehicles and equipment traveling through the construction zone.	<p>For the purpose of this document, noxious weeds are defined as those plant species that are on the California ("List A" or "List B" designation) or Federal ("Noxious" designation) noxious weed lists (http://plants.usda.gov/cgi_bin/noxious.cgi). Noxious weeds would be managed by implementing the following mitigation measures:</p> <ul style="list-style-type: none"> - Preconstruction surveys for noxious weeds would be conducted by qualified plant ecologists in all areas to be impacted by the project. The surveys would include all plant species on the California ("List A" or "List B" designation) or Federal ("Noxious" designation) noxious weed lists. A summary report would be submitted to the County for review and approval at least 30 calendar days prior to the start of construction. This summary report would document the dates of the surveys, the names of the people who conducted the surveys, a list of all species observed, a table and map identifying noxious weed populations or individuals, and proposed methods for destroying the plants 	Submittal of summary report of noxious weed survey results	Review and approval of the summary report	At least 30 calendar days prior to construction	Applicant to submit summary report		
			Monitoring of vegetation removal	Field verification	Prior to and during construction	Zoning Administrator and County appointed Environmental Monitor	Zoning Administrator to review and approve the summary report	
			Verification that equipment is clean or monitoring of on-site washing as appropriate	Field verification	Prior to and during construction	Zoning Administrator and County appointed Environmental Monitor		
			Submittal of weed-free certifications	Receipt of weed-free certifications Field verification	During construction	Applicant to submit certifications Zoning Administrator		

Mitigation Measure #	Impact	Mitigation Measure	Implementing Action	Method of Verification	Timing of Verification	Party Responsible for Verification	Compliance Verification
		<p>and preventing their spread.</p> <ul style="list-style-type: none"> - Prior to construction, vegetation (including root material) in areas dominated by noxious weeds (greater than 75 percent) would be removed, and 5 feet of adjacent topsoil would be scraped (to collect seeds) to a depth as determined by a biological monitor. On EBRPD land, seed salvage would occur within 5 feet of the adjacent topsoil to a depth of 6 inches. No extra topsoil would be scraped in wetlands. This material would be disposed of at a landfill or in a manner that would not spread the weeds at the project site. - All equipment would be washed free of mud and plant material prior to arriving at the construction site. - All materials (including padding material, gravel, seed, and mulch) used during construction, reclamation, and operation would be free of noxious weed seeds. - All use of chemical herbicides or pesticides would be in compliance with all state and federal regulations including those discussed on the California Department of Pesticide Regulation website (http://www.cdpr.ca.gov/). On EBRPD land, herbicides, pesticides, and insecticides would be applied by a Licensed Pest Control Specialist and in compliance with EBRPD policies and practices. 		on an as-needed basis		and County appointed Environmental Monitor to review certifications and spot check materials in the field	
			Submittal of the Pest Control specialist's license	Review of license	During construction, prior to the application of pesticides	Zoning Administrator and County appointed Environmental Monitor	
			Monitoring of herbicide and pesticide application in the field	Field verification	During construction	Zoning Administrator and County appointed Environmental Monitor	
MM-BIO-8	Construction of this project has the potential to destroy special-status plants during earth-disturbing activities.	<p>Rare plant surveys are currently being conducted once a month throughout the appropriate period during which the species are most identifiable (May through August). The results of these plant surveys would be submitted to the County for review and approval at least 30 calendar days prior to the start of construction.</p> <p>The rare plant surveys would be conducted in compliance with the California Native Plant Society (CNPS) "Guidelines Discussing the Effects of Proposed Developments on Rare, Threatened and Endangered Plants and Plant Communities" (Guidelines). An excerpt from the Guidelines follows.</p> <p><i>Field surveys should be conducted in a manner that shall locate any rare, threatened, or endangered species that may be present. Specifically, rare, threatened, or endangered plant surveys should be:</i></p> <p><i>a. Conducted in the field at the proper time of year¹ when rare, threatened, or endangered species are both evident and identifiable. Usually, this is when the plants are flowering. Additionally, field surveys should be conducted with sufficient number of visits spaced throughout the growing season to accomplish a floristic survey of the site. When rare, threatened, or endangered plants are known to occur in the type(s) of habitat present in the project area, nearby accessible occurrences of the plants</i></p>	Submittal of rare plant survey results	Receipt of survey results	At least 30 calendar days prior to construction	<p>Applicant to submit rare plant survey results</p> <p>Zoning Administrator and County appointed Environmental Monitor to review survey results</p>	Complete

¹ The appropriate flowering times are generally May through August.

Mitigation Measure #	Impact	Mitigation Measure	Implementing Action	Method of Verification	Timing of Verification	Party Responsible for Verification	Compliance Verification
		<p><i>(reference sites) should be observed to determine that the species are identifiable at the time of the survey(s). The results of the survey(s) shall be provided to the County at least 30 days prior to construction.</i></p> <p><i>b. Floristic in nature. A complete species list should be included in every botanical survey report.</i></p> <p><i>c. Conducted in a manner that is consistent with conservation ethics. Collections of rare, threatened, or endangered species, or suspected rare, threatened, or endangered species (voucher specimens) should be made only when such actions would not jeopardize the continued existence of the population and in accordance with applicable State and Federal permit requirements. A collecting permit from the Plant Conservation Program of CDFG is required for collection of State-listed plant species. Voucher specimens should be deposited at recognized public herbaria for future reference. Photography should be used to document plant identification and habitat whenever possible, but especially when the population cannot withstand collection of voucher specimens.</i></p> <p><i>d. Conducted using systematic field techniques in all habitats of the site to ensure a thorough coverage of potential impact areas.</i></p> <p><i>e. Well documented. When a rare, threatened, or endangered plant (or rare plant community) is located, a California Native Species (or Community) Field Survey Form or equivalent written form, accompanied by a copy of the appropriate portion of a 7.5 minute topographic map with the occurrence mapped, should be completed and submitted to the CDFG Natural Diversity Data Base.</i></p>					

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Mitigation Measure #	Impact	Mitigation Measure	Implementing Action	Method of Verification	Timing of Verification	Party Responsible for Verification	Compliance Verification
MM-BIO-9		If CNPS List IB or 2 species or a state- or federal-listed species is found within the proposed ROW, the feasibility of avoidance would be evaluated. If soft bird's beak is one of the species identified within the ROW during construction, Chevron would notify the County, EBRPD (as applicable), CDFG, and USFWS within 5 days of the finding. If avoidance of listed plants is infeasible, Chevron would consult with the CDFG and/or USFWS, as appropriate, prior to affecting the plant species. A competent botanist would then collect the seeds, propagules, and topsoils, or other parts of the plant that would ensure successful replanting of the population elsewhere, unless otherwise directed by the CDFG or USFWS. The seeds, propagules, or other plantable portions of the special-status plants would be collected at the appropriate time of year and planted in an area that is permanently protected through recordation of a Conservation Easement or a Grant of Easement naming the County the grantee. Chevron would then conduct annual monitoring surveys of the transplanted population for a 5-year period and would prepare annual monitoring reports noting the success or failure of the transplanting effort. These reports would be submitted to the County and the appropriate resource agency (CDFG or USFWS) no later than December 1 of each monitoring year.	Submittal of written notification of sensitive plant species (if discovered)	Receipt of notification of sensitive plant species discoveries	Notification within 5 days of the finding prior to or during construction	Applicant to notify the County Applicant to notify the CDFG Applicant to notify the USFWS Applicant to notify the EBRPD (as applicable)	
			Submittal of documentation of consultation with applicable agencies if listed plant species cannot be avoided	Receipt of consultation documentation	Prior to or during construction, but before sensitive plant species are disturbed	Applicant to submit documentation of consultation Zoning Administrator and County appointed Environmental Monitor to review documentation	
			Monitoring of seed, propagules, and topsoil collection and replanting	Field verification	During construction	Zoning Administrator and County appointed Environmental Monitor	
			Submittal of the Conservation Easement or Grant of Easement	Review of Conservation Easement or Grant of Easement	Prior to or during construction, but before replanting	Zoning Administrator to review Conservation Easement or Grant of Easement	
			Submittal of annual monitoring reports	Review of annual monitoring reports	After construction annually	Zoning Administrator and County appointed Environmental Monitor to review and approve annual monitoring reports CDFG to review and approve annual monitoring reports USFWS to review and approve annual monitoring reports	

CALENDAR PAGE

000015

MINUTE PAGE

001500

Mitigation Measure #	Impact	Mitigation Measure	Implementing Action	Method of Verification	Timing of Verification	Party Responsible for Verification	Compliance Verification
MM-BIO-10	The permanent footprint of the KLM Tie-In Facility would result in the permanent loss of approximately 0.30 acre of wetland. Construction of the pipeline would temporarily affect 0.98 acre of wetland. Impacts would be minimized by the implementation of	At wetland and drainage crossings, the ROW width would be reduced to 40 feet. This area would be marked with fencing or flagging prior to commencing work in the area.	Identification of the location of the ROW reduction on the construction alignment sheets	Review and approval of the construction alignment sheets	Prior to construction	Applicant to submit construction alignment sheets Zoning Administrator to review and approve construction alignment sheets	
			Installation of ROW reduction fencing or flagging in the field	Field verification	Prior to construction at wetland and drainage crossings	Zoning Administrator and County appointed Environmental Monitor	
MM-BIO-11	Storm Water pollution Prevention Plan (SWPPP) and conditions of the USACE permit. Even with implementation of this plan and permit conditions, the mitigation measures listed would still be required to reduce impacts to the less-than-significant level.	A Wetland Mitigation Plan that complies with USACE and RWQCB requirements would be prepared and implemented for the project. The goal of the plan would be to restore the wetlands to preconstruction conditions. The mitigation ratio for permanent impacts would be 3:1, and the mitigation ratio for temporary disturbance would be 1:1 on site, unless otherwise requested by the USACE.	Submittal of a Wetland Mitigation Plan	Review and approval of the Wetland Mitigation Plan Receipt of documentation of approval by the USACE, RWQCB, and EBRPD	Prior to construction	Zoning Administrator and County appointed Environmental Monitor to review Wetland Mitigation Plan USACE to review and approve Wetland Mitigation Monitoring Plan RWQCB to review and approve Wetland Mitigation Monitoring Plan EBRPD to review and approve Wetland Mitigation Plan Applicant to submit documentation of agency approval of the Wetland Mitigation Plan Zoning Administrator and County appointed Environmental Monitor to review agency approvals	

Mitigation Measure #	Impact	Mitigation Measure	Implementing Action	Method of Verification	Timing of Verification	Party Responsible for Verification	Compliance Verification
MM-BIO-12	<p>The permanent footprint of the KLM Tie-In Facility would result in the permanent loss of approximately 0.30 acre of wetland. Construction of the pipeline would temporarily affect 0.98 acre of wetland. Impacts would be minimized by the implementation of a SWPPP and conditions of the USACE permit. Even with implementation of this plan and permit conditions, the mitigation measures listed would still be required to reduce impacts to the less-than-significant level.</p> <p>Construction of this project has the potential to injure or kill special-status terrestrial animal species. Impacts would be reduced through USFWS consultation and CDFG permitting; however, the listed mitigation measures would still be required to ensure impacts remain at the less-than-significant level.</p>	<p>Chevron would provide an in-lieu fee contribution for on-site compensation at a 1:1 ratio for temporary loss of salt marsh harvest mouse habitat during construction, unless otherwise agreed to with the USFWS. The in-lieu fees that would mitigate the loss of the salt marsh harvest mouse habitat would be provided to the USFWS and would be earmarked for a project that would create, enhance, or conserve salt marsh harvest mouse habitat. These fees would be separate from the fees for the wetland impacts unless the USACE and USFWS agree to combine the mitigation funding. In addition to the mitigation fees, all disturbed areas upon completion of project activities would be restored to pre-project conditions.</p>	<p>Submittal of documentation of payment of the in-lieu fees to the USFWS</p>	<p>Receipt of documentation of the in-lieu fees</p>	<p>Prior to construction</p>	<p>Applicant to submit documentation of submittal of the in-lieu fees</p> <p>Zoning Administrator and County appointed Environmental Monitor to review documentation</p>	
			<p>Restoration of all disturbed areas to preconstruction conditions</p>	<p>Monitoring of restoration activities</p>	<p>After construction</p>	<p>Zoning Administrator and County appointed Environmental Monitor</p>	
MM-BIO-13	<p>The project has the potential to adversely affect sensitive fish species during crossings of drainages, sloughs, and waterways as a result of sedimentation. Chevron has proposed to construct across Pacheco Creek using a horizontal directional drilling (HDD) method to reduce impacts to aquatic species.</p>	<p>If flowing water is present in drainages, sloughs, and waterways at the time of construction, surveys for sensitive aquatic species would be conducted prior to open cutting. The results of these surveys would be submitted to the County, CDFG, and NOAA Fisheries for review at least 15 calendar days prior to commencing construction at these crossings. Work would not proceed until consultation with the CDFG and NOAA Fisheries is completed and written documentation is submitted to the County.</p>	<p>Submittal of aquatic species survey results</p>	<p>Receipt of aquatic species survey results</p>	<p>During construction, but prior to open cutting</p>	<p>Applicant to submit results of surveys and documentation of consultation</p> <p>Zoning Administrator and County appointed Environmental, Monitor to review documentation</p>	
			<p>Submittal of documentation of consultation with the CDFG and NOAA Fisheries if sensitive</p>	<p>Receipt of consultation documentation</p>	<p>During construction, but prior to open cutting</p>	<p>Zoning Administrator to review and approve survey results and</p>	

Mitigation Measure #	Impact	Mitigation Measure	Implementing Action	Method of Verification	Timing of Verification	Party Responsible for Verification	Compliance Verification
	However, the listed mitigation measures still need to be implemented to reduce impacts to the less-than-significant level.		aquatic species are discovered			documentation of consultation CDFG to issue approval through consultation NOAA Fisheries to issue approval through consultation	
MM-BIO-14		During open-cut construction activities at drainages, sloughs, and waterways with flowing water, water flow downstream of the crossing would be maintained similar to upstream flows to protect aquatic species, unless otherwise agreed to with the CDFG and NOAA Fisheries. Best management practices would be implemented during construction so that turbidity and siltation are minimized. Dewatering pump intakes would be screened in accordance with CDFG and NOAA Fisheries requirements. All drainages, sloughs, and waterways would be returned to preconstruction conditions.	Monitoring of open cutting operations during construction	Field verification	During construction	Zoning Administrator and County appointed Environmental Monitor	
MM-BIO-15		Chevron would develop a HDD Procedures Plan that discusses how potential frac-outs would be handled. This plan would be submitted to the County, CDFG, and NOAA Fisheries for review and approval at least 30 calendar days prior to construction. The measures presented in the HDD Procedures Plan, which includes a Drilling Fluid Release Monitoring Plan, would be implemented. Included would be measures that identify clean-up and notification procedures in case of a frac-out. Additionally, the following measures would be implemented: <ul style="list-style-type: none"> - No toxic compounds would be added to the drill mud prior to or during borehole drilling. - Drill mud would be collected and contained for appropriate disposal. 	Submittal of HDD Procedures Plan	Review and approval of HDD Procedures Plan	At least 30 calendar days prior to construction	Zoning Administrator and County appointed Environmental Monitor	
			Submittal of HDD Procedures Plan approval from the County, CDFG, and NOAA fisheries	Receipt of documentation of approval of the Plan by the County, CDFG, and NOAA Fisheries	At least 30 calendar days prior to construction	Zoning Administrator and County appointed Environmental Monitor to review HDD Procedures Plan CDFG to review and approve HDD Procedures Plan NOAA to review and approve HDD Procedures Plan	
MM-BIO-16	Construction of this project has the potential to injure or kill special-status terrestrial animal species and disrupt nesting bird behavior as a result of clearing, grading, excavation, and pipe installation activities. Impacts would be reduced through USFWS consultation and CDFG permitting; however, the listed mitigation measures	Reconnaissance-level preconstruction surveys would be conducted by qualified biologists with suitable experience to determine the presence of sensitive species within the project ROW and adjacent areas. The survey corridor would include the area from the centerline of the proposed pipeline to 150 feet from the centerline of the pipeline in undeveloped areas (i.e., non-residential areas). The qualifications of the biologist(s) conducting the surveys would be submitted to CDFG, USFWS, and County for review and approval prior to conducting the surveys. Surveys would be catered to seasonal wetland invertebrates, California red-legged frog, Pacific pond turtle, California clapper rail, California black rail, and salt marsh harvest mouse. The USFWS and CDFG may add species to this survey list. If any of these species are detected, the appropriate agency would be notified within 24 hours. A preconstruction report detailing the survey methods and results would	Submittal of biologist(s) qualifications	Review and approval of biologists' qualifications	Prior to construction	Zoning Administrator to review and approve biologist(s) qualifications CDFG to review and approve biologist(s) qualifications USFWS to review and approve biologist(s) qualifications	
			Submittal of preconstruction survey reports	Receipt of the preconstruction	Prior to construction	Zoning Administrator and County appointed	

Mitigation Measure #	Impact	Mitigation Measure	Implementing Action	Method of Verification	Timing of Verification	Party Responsible for Verification	Compliance Verification
	would still be required to ensure impacts remain at the less-than-significant level.	be submitted to the CDFG, USFWS, and County for review 15 calendar days prior to the start of construction.		survey reports		Environmental Monitor to review preconstruction survey results CDFG to review preconstruction survey results USFWS to review preconstruction survey results	
			Submittal of USFWS and CDFG approval of the survey list	Receipt of agency approval of survey list	Prior to construction	Zoning Administrator and County appointed Environmental Monitor to review agency approvals	
			Notification of species discoveries	Receipt of notification of species discoveries	During Construction	Zoning Administrator and County appointed Environmental Monitor to review notification(s)	
MM-BIO-17		Land clearing operations within the project site would be conducted prior to the initiation of nesting, or after the completion of nesting to avoid any potential impact to special-status bird species, including those protected under the Migratory Bird Treaty Act (MBTA). Specifically, the following measures would be implemented: <ul style="list-style-type: none"> - Ground clearing activities would be scheduled to occur prior to the initiation of nesting activity (April) or after fledging (August). - If the preceding measure is infeasible, preconstruction surveys would be conducted between February 15 and August 15 in potential raptor and bird nesting habitat to identify nest sites. - If an active nest of a bird listed under the MBTA is observed within the vicinity of the project site, the CDFG would be contacted to establish the appropriate buffer around the nest tree. The buffer would be established by a competent biologist based on site conditions. At a minimum, a 75-foot buffer from the ROW would be established for passerine birds, and a 350-foot buffer from the ROW would be established for raptors. - The nest site would be periodically monitored by a competent biologist in order to evaluate any effects from construction activities. When the biologist has determined that the young have fledged, the project would proceed. 	Submittal of a construction schedule	Review and approval of the construction schedule	Prior to Construction	Applicant to submit the construction schedule Zoning Administrator to review and approve the schedule	
			Submittal of documentation of regular nest surveys and any consultation with the CDFG regarding nest discoveries	Receipt of nesting bird survey results	Weekly during construction	Zoning Administrator and County appointed Environmental Monitor to review documentation of nesting bird surveys	
			Nest monitoring (as applicable)	Field verification	As needed during construction	Zoning Administrator and County appointed Environmental Monitor	
MM-BIO-18		All pipes, culverts, or similar structures that are stored at the construction site overnight would be thoroughly inspected for trapped animals before being buried, capped, or moved. Pipes adjacent to the trenches left overnight would be capped.	Morning inspection of stored materials and nightly capping of pipes in trenches	Field verification	Daily during construction	Applicant's Biological Monitor	
MM-BIO-19		All trash would be collected from the work sites daily and contained in	Monitoring of the worksite	Field verification	Daily during	Zoning Administrator	

Mitigation Measure #	Impact	Mitigation Measure	Implementing Action	Method of Verification	Timing of Verification	Party Responsible for Verification	Compliance Verification
		secure receptacles at the staging areas.	daily		construction	and County appointed Environmental Monitor	
MM-BIO-20		A qualified biological monitor with suitable experience would be present during all construction activities located between Station 9+40 and Station 22+00 and Station 59+50 and 94+50. The qualifications of the biological monitor would be submitted to the EBRPD, CDFG, USFWS, and County for review and approval prior to construction. The biological monitor would survey the project area daily for special-status species, their habitats and wetland plant communities. The biological monitor would have the authority to halt or redirect work in an area if he or she determines that sensitive biological resources are at risk. If sensitive species are detected or if unanticipated additional impacts to wetlands occur, construction would be halted in the immediate area until the appropriate agency is consulted.	Submittal of the Biological Monitor's qualifications	Review and approval of the Biological Monitor's qualifications	Prior to construction	Zoning Administrator to review and approve Applicant's Biological Monitor's qualifications EBRPD to review and approve Applicant's Biological Monitor's qualifications CDFG to review and approve Applicant's Biological Monitor's qualifications USFWS to review and approve Applicant's Biological Monitor's qualifications	
			Submittal of documentation of EBRPD, CDFG, and USFWS approval of the Biological Monitor's qualifications	Receipt of documentation of the EBRPD's, CDFG's, and USFWS' approval of the Biological Monitor's qualifications	Prior to construction	Zoning Administrator and County appointed Environmental Monitor to review documentation of agencies' approval	
			Monitoring construction activities between Station 9+40 and 22+00 and Station 59+50 and 94+50	Field verification	As needed during construction at the specified locations	Zoning Administrator and County appointed Environmental Monitor	
			Written notification of sensitive species in the work area or of unanticipated wetland impacts	Notification of species in the work area and of unanticipated wetland impacts within 24 hours and submittal of documentation of agency consultation	During construction	Zoning Administrator and County appointed Environmental Monitor to review notification and documentation of consultation with applicable agencies	
MM-BIO-21		Chevron would conduct focused (protocol-level) surveys for nesting California clapper rail and California black rail between January 15 and March 15 of the year construction commences. Chevron would submit a methodology for focused presence/absence surveys and habitat evaluation for these species to the USFWS and/or the CDFG for	Submittal of nesting rail survey methodology, relevant agency approval, and survey results	Review and approval of survey methodology, relevant agency approval, and	Prior to construction	Zoning Administrator and County appointed Environmental Monitor to review survey methodology, relevant	

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Mitigation Measure #	Impact	Mitigation Measure	Implementing Action	Method of Verification	Timing of Verification	Party Responsible for Verification	Compliance Verification
		approval prior to conducting the surveys. The surveys for California clapper rail would be conducted by a qualified biologist who is permitted by the USFWS and approved by the CDFG. The surveys for California black rail would be conducted by a qualified biologist who is authorized by the CDFG. The final decision on specific survey methodology and protective measures for nesting California clapper rails would be determined by the USFWS, with concurrence from the CDFG. The final decision on specific survey methodology and protective measures for nesting California black rails would be determined in coordination with the CDFG.		survey results		agency approvals, and survey results EBRPD to review documentation of consultation USFWS (as applicable) to review and approve survey methodology and survey results CDFG (as applicable) to review and approve survey methodology and survey results	
MM-BIO-22		if nesting California clapper rail or California black rail are found within the project boundaries or within 700 feet of the ROW during the surveys described above (MM-BIO-21), no work would be conducted within at least 700 feet of the nesting species. The CDFG and USFWS would be consulted to adjust the buffer and determine if additional measures would be required to ensure that the species is not adversely affected by construction. In addition, a fulltime biological monitor would be deployed to assess disturbance of the rail(s) when construction is conducted in the vicinity until otherwise agreed to with the relevant agency.	Documentation of CDFG and USFWS consultation if rail are found within 700 feet of the ROW	Receipt of documentation of CDG and USFWS consultation	During construction	Applicant to submit documentation of agency consultation Zoning Administrator and County appointed Environmental Monitor to review documentation	
			Monitoring of nesting rails	Field verification	During construction	Zoning Administrator and County appointed Environmental Monitor	
MM-CUL-1	Despite the fact that no potentially significant impacts to known cultural resources would occur from construction or operation of the project, construction has the potential to disrupt or destroy unknown cultural resources, should they be discovered during construction.	In the event that unknown archaeological resources are unearthed during project construction, all earth disturbing work within at least 100 feet of the discovery would be temporarily suspended or redirected and the area staked off or flagged until an archaeologist has evaluated the nature and significance of the find. The County would be notified within 8 hours of a discovery. After the find has been appropriately mitigated, work in the area could resume.	Notification of archaeological resource discoveries	Receipt of notification of archaeological resource discoveries	During construction	Zoning Administrator and County appointed Environmental Monitor to review notification	
				Field verification	During construction	Zoning Administrator and County appointed Environmental Monitor to field verify if resources are discovered	
				Receipt of a report documenting the discovery and the applied mitigation	After construction	Zoning Administrator and County appointed Environmental Monitor to review post-discovery report	

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Mitigation Measure #	Impact	Mitigation Measure	Implementing Action	Method of Verification	Timing of Verification	Party Responsible for Verification	Compliance Verification
MM-CUL-2		<p>If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance occur within at least 100 feet of or in areas reasonably assumed to overlie burials until the Contra Costa County Coroner has determined that no investigation of the cause of death is required pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission. The Native American Heritage Commission would then contact the most likely descendent of the deceased Native American, who also has 24 hours to respond. The most likely descendent of the deceased may then make recommendations to the landowner or the person responsible for the excavation work, and suggest a reasonable manner of treating or disposing of the deceased, pursuant to PRC Section 5097.98. The landowner or assigned representative is responsible to rebury the deceased individual and associated grave goods on the property in an area protected from further disturbance if:</p> <ul style="list-style-type: none"> - the Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission; - the descendent identified fails to make a recommendation; or - the landowner or his authorized representative rejects the recommendation of the descendent and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner. 	Notification of any human remains discoveries	Receipt of notification	During construction	<p>Applicant to submit notification to the County Coroner and Community Development Department</p> <p>County Coroner to make determination as to the cause of death and notify the and Native American Heritage Commission (if applicable)</p>	
MM-HAZ-1	During construction of the project, hazardous materials could be unintentionally released into the environment through leaks or spills, potentially affecting sensitive resources or the public. As a preventative measure, Chevron would implement a SWPPP to minimize potential impacts; however, the listed measures would still be required to reduce impacts to the less-than-significant level.	Each construction vehicle would carry enough absorbent materials to clean up a spill of 5 gallons. Sufficient quantities of spill containment and clean-up materials (at least enough to clean up 20 gallons of spilled material) would be stored at the staging areas for use during refueling or servicing of equipment.	Absorbent materials storage within each vehicle and at the staging area(s)	Field verification	During construction	Zoning Administrator and County appointed Environmental Monitor	
MM-HAZ-2		All spills, regardless of size, would be cleaned up immediately.	Monitoring of construction activities	Field verification	During construction	Zoning Administrator and County appointed Environmental Monitor	
MM-HAZ-3		Incoming project vehicles and equipment would be inspected for leaks and denied entry if leaks could not be contained.	Monitoring of vehicles as they enter the work site	Field verification	<p>Daily during construction</p> <p>As needed during construction</p>	<p>Zoning Administrator and County appointed Environmental Monitor</p> <p>Applicant's Biological Monitor</p>	
MM-HAZ-4		<p>If vehicle or equipment repair or fueling is necessary on site, it would occur at least 100 feet from wetlands and waterbodies or secondary containment would be installed around the equipment being maintained/fueled and a biological monitor would be present during the activity.</p> <p>On EBRPD land, refueling and equipment repair is prohibited, with the exception of refueling of the boring machine and dewatering pumps. When refueling the boring machine and dewatering pumps, secondary</p>	Monitoring of equipment repair and refueling activities	Field verification	<p>Daily during construction</p> <p>During construction</p>	<p>Zoning Administrator and County appointed Environmental Monitor</p> <p>Applicant's Biological Monitor</p>	

Mitigation Measure #	Impact	Mitigation Measure	Implementing Action	Method of Verification	Timing of Verification	Party Responsible for Verification	Compliance Verification
		containment would be used. Staging areas would serve as the designated refueling and repair site for all other equipment.					
MM-HAZ-5		All absorbent material used to clean up leaks and spills would be disposed of in accordance with applicable hazardous materials regulations.	Monitoring of contaminated materials disposal	Field verification	During construction	Zoning Administrator and County appointed Environmental Monitor	
MM-HAZ-6		Hazardous materials utilized for project construction would be stored in their original containers within secure staging areas or storage containers.	Monitoring of hazardous materials storage	Field verification	During construction	Zoning Administrator and County appointed Environmental Monitor	
MM-HAZ-7		All stored hazardous materials would be placed in secondary containment consisting of bermed or diked areas that would be lined or coated with a material that is compatible with the hazardous materials stored. The secondary containment volume would be equal to 150 percent of the volume of the largest stored container.	Monitored of hazardous materials storage	Field verification	During construction	Zoning Administrator and County appointed Environmental Monitor	
MM-HAZ-8		All spills of 1 gallon or larger would be reported to the Contra Costa County Community Development Department Project Manager or designee.	Reporting of spills	Receipt of spill notification(s)	During construction	Applicant to report all spills of 1 gallon or larger Zoning Administrator and County appointed Environmental Monitor to verify spills are cleaned up correctly	
MM-HAZ-9		Chevron has developed a SWPPP that contains measures to address the storage, handling, and disposal of hazardous materials, including fueling, maintenance, spill containment, and clean-up procedures. Chevron would submit the SWPPP to the County for review and approval at least 30 calendar days prior to the start of construction.	Submittal of a SWPPP	Review and approval of the SWPPP	At least 30 calendar days prior to construction	Zoning Administrator to review and approve the SWPPP	
		Chevron's contractor would also prepare a Hazardous Spill Contingency Plan prior to initiating construction. The Hazardous Spill Contingency Plan would include the above-listed measures and would be submitted to the County for review and approval at least 20 calendar days prior to construction.	Submittal of a Hazardous Spill Contingency Plan	Review and approval of the Hazardous Spill Contingency Plan	At least 20 calendar days prior to construction	Zoning Administrator to review and approve the Hazardous Spill contingency Plan	
MM-HAZ-10	Chevron has the potential to inadvertently dig into an existing substructure, potentially causing another pipeline to rupture. Chevron would contact Underground Service Alert to mark and locate existing lines prior to construction. However, the listed mitigation measures would still be required to reduce potential impacts to the less-than-significant level.	All pipelines identified in Table 3.6 that are within 10 feet of the proposed alignment would be probed and potholed every 20 feet to confirm and mark the pipelines' locations. Once the edges of the pipelines are identified, they would be marked with PVC markers containing a colored flag to provide a clear indicator of the locations. Excavation by machine would only be allowed once the markers for the existing lines are clearly visible.	Marking of all pipeline locations	Field verification	Prior to construction	Applicant to mark all pipelines located within 10 feet of the proposed pipeline through potholing Zoning Administrator and County appointed Environmental Monitor to verify in the field	
MM-HAZ-11		The trench for the proposed project would be hand excavated where any existing pipelines are confirmed (by potholing) to be within 1 foot of the proposed line.	Hand excavation within 1 foot of existing substructures	Field verification	During construction	Zoning Administrator and County appointed Environmental Monitor	
MM-HAZ-12		The qualifications and safety record of the contractor that would be employed to operate the excavator in close proximity to existing	Submittal of qualifications and safety record of contractor	Review and approval of	At least 15 days prior to construction	Zoning Administrator to review qualifications	

Mitigation Measure #	Impact	Mitigation Measure	Implementing Action	Method of Verification	Timing of Verification	Party Responsible for Verification	Compliance Verification
		substructures would be submitted to the County for review and approval at least 15 days prior to the start of excavation.		qualifications and safety record		and safety record	
MM-HAZ-13		Chevron would employ a designated, fulltime spotter to monitor all excavation within 5 feet of existing substructures. The monitor would check the excavation after each bucket of material is removed and would have the authority to halt excavation if existing pipelines are threatened. The monitor would maintain close communication with the excavator operator throughout the excavation process to ensure the construction equipment maintains sufficient distance from existing substructures at all times.	Monitoring of excavation within 5 feet of existing substructures	Field verification	During construction	Zoning Administrator and County appointed Environmental Monitor	
MM-HAZ-14		The pipeline would be constructed so that a minimum distance of 1 foot would be maintained between the proposed pipeline and all existing substructures.	Monitoring of pipeline installation within 1 feet of existing substructures	Field verification	During construction	Zoning Administrator and County appointed Environmental Monitor	
MM-NOI-1	Construction of this project has the potential to adversely affect sensitive noise receptors due to the operation of equipment in close proximity to residences.	All construction, with the exception of the boring activities and pumps used for excavation dewatering, would be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturdays, and would be prohibited on Sundays and federal and state holidays.	Monitoring of construction activities	Field verification	During construction	Zoning Administrator and County appointed Environmental Monitor	
MM-NOI-2		All construction activities within 300 feet of residences would be limited to the hours of 7:30 a.m. to 5:00 p.m. Monday through Friday and 10:00 a.m. to 2:00 p.m. on Saturdays.	Monitoring of construction activities	Field verification	During construction	Zoning Administrator and County appointed Environmental Monitor	
MM-NOI-3	While impacts would be short-term and temporary, the listed mitigation measures are still required to reduce impacts to the less-than-significant level.	Transportation of heavy equipment would be limited to weekdays between the hours of 9:00 a.m. and 4:00 p.m. and prohibited on weekends and federal and state holidays.	Monitoring of heavy equipment transportation	Field verification	During construction	Zoning Administrator and County appointed Environmental Monitor	
MM-NOI-4		All property owners and tenants within 300 feet of the project boundary would be notified at least 1 week prior to the start of construction activities. Property owners and tenants would be notified by mail and also possibly by telephone. Chevron would establish a toll-free telephone number for receiving questions or complaints during construction and would develop procedures for responding to callers. Response procedures would be submitted to the County for review and approval at least 30 calendar days prior to construction. The toll-free telephone number would be relayed to all property owners and tenants during the mail notification process.	Submittal of representative notification and list of notified property owners and tenants	Receipt of notification and list	One week prior to construction	Zoning Administrator and County appointed Environmental Monitor	
			Submittal of response procedures	Review and approval of response procedures	At least 30 days prior to construction	Zoning Administrator	
			Submittal of all communication with callers regarding the project	Receipt of documentation of communication with callers	Weekly during construction	Applicant to submit communication documentation Zoning Administrator and County appointed Environmental Monitor to review documentation	
MM-NOI-5		"Quiet" equipment (i.e., equipment with mufflers) would be used when available (Note: some smaller equipment cannot be equipped with mufflers).	Monitoring during construction	Field verification	During construction	Zoning Administrator and County appointed Environmental Monitor	
MM-NOI-6		In locations when active construction is within 300 feet of residences, equipment exhaust stacks and vents would be directed away from residences whenever feasible.	Monitoring during construction	Field verification	During construction	Zoning Administrator and County appointed Environmental Monitor	
MM-NOI-7		Pickup trucks and other small equipment would be limited to a	Monitoring during construction	Field verification	During construction	Zoning Administrator	

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Mitigation Measure #	Impact	Mitigation Measure	Implementing Action	Method of Verification	Timing of Verification	Party Responsible for Verification	Compliance Verification
		maximum idling time of 5 minutes (Note: larger vehicles, such as large diesel vehicles, require extended warm-up times after startup, and some equipment would remain running when required for repetitive tasks or to power other equipment).				and County appointed Environmental Monitor	
MM-MFS-1	Proposed projects in the vicinity of the KLM to Valero Project would likely use the same access roads for construction, resulting in cumulative traffic and pavement damage impacts.	If construction schedules for Chevron and the Martinez Heights and Palms Ten subdivisions overlap, Chevron would prepare a Pavement Monitoring Plan that describes the measures that would be implemented to ensure that the pre-project conditions of roads used to access the project are maintained. This plan would include a discussion of a pre-project inspection (with video documentation), and a post-project inspection to identify areas requiring pavement restoration, pothole repair, or surface revitalization. The plan would also identify the parties responsible for the restoration as a condition of their use of the roadways. This plan would be submitted to the County for review and approval at least 30 calendar days prior to the start of construction activities.	Determination of project construction schedule	Consultation with County regarding project construction schedules and notification to the applicant of the results	Prior to construction	Zoning Administrator to determine construction schedules and notify the applicant	
			Submittal of a Pavement Monitoring Plan (if applicable)	Review and approval of Pavement Monitoring Plan (if applicable)	At least 30 calendar days prior to construction	Zoning Administrator to review and approve the Pavement Monitoring Plan	

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