

Attachment J:
Mitigation Monitoring and Reporting Program

MITIGATION MONITORING AND REPORTING PROGRAM

R. Brown Construction Project

SCH No. 2016062059

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NOVEMBER 2019

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MITIGATION MONITORING AND REPORTING PROGRAM

CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENT

Section 21081.6 of the California Public Resources Code and Section 15091(d) and Section 15097 of the State CEQA Guidelines require public agencies “to adopt a reporting or monitoring program (MMRP) for changes to the project which it has adopted or made conditions of project approval to mitigate or avoid significant effects on the environment.” A MMRP is required because the Subsequent Mitigated negative Declaration for the project identified potentially significant adverse impacts related to quarry operations of the R. Brown Construction project, and mitigation measures have been identified to reduce those impacts to less than significant.

PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

This MMRP summarizes the mitigation measures, implementation schedule, and responsible parties for implementing, monitoring and enforcing the mitigation measures required of the proposed R. Brown Construction project. This MMRP will be adopted by Humboldt County if it approves the project and will be kept on file at the Humboldt County Planning and Building Department, 3015 H Street, Eureka, CA 95501. The County will use this MMRP to ensure that identified mitigation measures, adopted as a condition of project approval, are implemented appropriately.

ROLES AND RESPONSIBILITIES

Humboldt County will be responsible for monitoring the implementation of mitigation measures designed to minimize impacts associated with the project. Although Humboldt County shall have ultimate responsibility for ensuring implementation, the project applicant will be assigned the responsibility of actually implementing the mitigation and reporting on the implementation. Humboldt County shall retain the primary responsibility for ensuring that the project meets the requirements of this MMRP.

The project applicant shall designate specific personnel who will be responsible for monitoring implementation of the mitigation that will occur during project mining operations. The designated personnel will be responsible for submitting documentation and reports to Humboldt County on a schedule consistent with the mitigation measure and in a manner necessary for demonstrating compliance with mitigation requirements. The project applicant shall ensure that the designated personnel have authority to require implementation of mitigation requirements and shall be capable of halting project construction or operation activities found to be inconsistent with mitigation objectives or project approval conditions.

The project applicant shall be responsible for ensuring that all personnel engaged in the mining operations understand their responsibilities for adhering to the performance requirements of the mitigation plan and other contractual requirements related to the implementation of mitigation as part of project.

If alternative measures are identified that would be equally effective in mitigating the identified impacts, such as those developed during project-specific permitting with the regulatory agencies, implementation of those alternative measures will not occur until agreed on by Humboldt County. Such changes shall be documented in writing and kept on file with the County.

CHANGES TO MITIGATION MEASURES

The mitigation measures in this MMRP are from the Draft Subsequent Mitigated Negative Declaration (SMND) for the R. Brown Construction Project dated February 2017. Mitigation measures substituted since circulation of the SMND were considered at a public hearing and adopted consistent with Section 15074.1 of the State CEQA Guidelines.

REPORTING

Humboldt County will require the project applicant upon completion of the measure to prepare a monitoring report describing the compliance of the activity with the required mitigation measures. Information regarding inspections and other requirements shall be compiled and explained in the report. The report will be designed to simply and clearly identify whether mitigation measures have been adequately implemented. At a minimum, each report will identify the mitigation measures or conditions to be monitored for implementation, whether compliance with the mitigation measures or conditions has occurred, the procedures used to assess compliance, and whether further action is required. Where required by specific mitigation measures, the project applicant shall also submit annual (or other reports frequency) reports as outlined in this MMPR during operation. The reports will be presented to the Humboldt County Planning and Building Department.

MITIGATION MONITORING AND REPORTING TABLE

The mitigation monitoring and reporting table below presents the following:

- ▶ Mitigation measures number and name, by resource topic;
- ▶ Timing of mitigation measures;
- ▶ Responsible party for implementation
- ▶ Responsible party for enforcement
- ▶ Completion of implementation

Mitigation Monitoring and Reporting Program						
Mitigation Measures		Timing	Responsible Party for Implementation	Responsible Party for Enforcement	Completion of Implementation	
					Action	Date Completed
III. Air Quality						
III-1	Mitigation Measure AQ-1. Air Quality - Dust suppression for the access road shall be implemented through the use of watering and lignins subject to the Regional Water Quality Control Board (RWQCB) "Basin Plan." Any on-site processing operations will require a permit from the North Coast Unified Air Quality Management District (NCUAQMD), with appropriate measures for reduction of fugitive particles.	During mining and processing operations.	Project applicant.	Humboldt County Planning & Building Department.		On-going
III-2	Mitigation Measure AQ-2. Air Quality - NCUAQMD requires the applicant comply with ATCM 93105 condition (f) requirements for quarrying and surface mining operations and condition (h) test methods for control measures for construction, grading, quarrying, and surface mining operations. If test method 435 reveals the existence of naturally occurring asbestos in the quarry, the permittee must immediately notify NCUAQMD.	During mining operations.	Project applicant.	Humboldt County Planning & Building Department. NCAQMD		On-going
III-3	Mitigation Measure AQ-3. The proposed mine expansion may involve the disturbance of the small observed serpentinite body. This material shall not be exported from the site or used in the construction of onsite structures. If the operators remove the material, it shall be set it aside, away from the production area, adequately covered to prevent runoff, and may be used for future use as reclamation material, where it shall be covered in non-ultramafic-bearing colluvium.	During mining operations.	Project applicant.	Humboldt County Planning & Building Department.		On-going
IV. Biological Resources						
IV-1	Mitigation Measure B-1. The northern spotted owl (<i>Strix occidentalis</i>) has habitat within the project area that will be removed. Prior to removal, the area will be surveyed to confirm their absence to ensure that there will be no impact during breeding season. USFWS protocol surveys were completed in 2016. Per request from CDFW, tree removal and vegetation clearing will be conducted outside of bird nesting season, after August 15 or before March 1 of each year	Prior to tree removal and vegetation clearing.	Project applicant.	Humboldt County Planning & Building Department, CDFW, and USFWS.		
V. Cultural Resources						
V-1	Mitigation Measure CR-1: Consultation in the event of inadvertent discovery of human remains. In the event that human remains are encountered during or subsequent to ground-disturbing activities, work will cease immediately near the area and not resume until applicable regulations have been followed, including, but not limited to, immediately contacting the County Coroner's office and requesting consultation with the responsible agencies.	Project applicant.	Project applicant .	Humboldt County Planning & Building Department in consultation with Native American tribes.		

Mitigation Monitoring and Reporting Program						
Mitigation Measures		Timing	Responsible Party for Implementation	Responsible Party for Enforcement	Completion of Implementation	
					Action	Date Completed
V-2	Mitigation Measure CR-2: Consultation in the event of inadvertent discovery of cultural material. The present evaluation and recommendations are based on the findings of an inventory-level surface survey only. There is always the possibility that important unidentified cultural materials could be encountered on or below the surface during the course of future construction or other activities. This possibility is particularly relevant considering the constraints generally to archaeological field survey, and particularly where limited past disturbance, including access road grading, has occurred, as in the present case. In the event of an inadvertent discovery of previously unidentified cultural material, archaeological consultation with responsible state agencies and will be requested immediately.	Project applicant.	Project applicant .	Humboldt County Planning & Building Department in consultation with Native American tribes.		
VI. Geology and Soils						
VI-1	Mitigation Measure GS-1: Apply revisions to the mining plan to increase the Factor of Safety for slope stability. Implement Bajada Geosciences, Inc report and recommendations to incorporate changes to the mining plan to flatten the slope to 34 degrees (1.5:1) and lower the phreatic (groundwater) surface behind the highwall through installation of an engineered dewatering system. The revisions increase the factor of safety by using more conservative assumptions than the applicant's original Geological Evaluation Report, including: 1) the revised slope stability model factored in the ascending slope above the quarry high wall; 2) a lower rock strength value was used in the modeling to more closely represent site conditions; 3) modeled groundwater was based on observed discharge from the quarry face at numerous locations; and 4) a slightly higher horizontal earthquake loading value was utilized based the analysis of landslide deposit at the project.	Prior to initiation of mining operations Dewatering system to be installed prior to completion of 1 st bench.	Project applicant .	Humboldt County Planning & Building Department.		
IX. Hydrology and Water Quality						
IX-1	Mitigation Measure H-1. No fuel will be stored on the 39-acre expansion area. A SWPPP shall be maintained for the site and amended as necessary and will include the expansion areas. Sedimentation contribution from the movement of overburden to the expansion area and for overburden storage will be prevented using standard erosion control BMPs. These include covering, seeding, and mulching overburden piles and the use of straw bales and wattles.	Applicant	Applicant	Humboldt County Planning & Building Department.		
XII. Noise						
XII-1	Mitigation Measure N-1. Noise: Operations shall be conducted in conformance with the following provisions to mitigate noise impacts: a) noise levels from operations shall be mitigated by utilizing boulder blasting in lieu of other explosive techniques; and b) aggregate; processing shall be intermittent and shall be conducted in accordance with the hours and days of operations specified in the Plan of Operations; also aggregate processing shall be shielded by stock piling of aggregates to reduce noise levels.	During mining operations.	Project applicant.	Humboldt County Planning & Building Department.		

