

AGREEMENT TO IMPLEMENT MITIGATION MONITORING AND REPORTING PROGRAM

<i>Record No.:</i>	2021-07313ENV	<i>Block/Lot:</i>	3547/052
<i>Project Title:</i>	80 Julian Avenue	<i>Lot Size:</i>	6,608 square feet
<i>BPA Nos:</i>	N/A	<i>Project Sponsor:</i>	Lawrence Badiner, 415 865-9985
<i>Zoning:</i>	NCT (Valencia Street Neighborhood Commercial Transit) Use District	<i>Lead Agency:</i>	San Francisco Planning Department
	45-X Height and Bulk District	<i>Staff Contact:</i>	Jeanie Poling, 628 652-7559

The table below indicates when compliance with each mitigation measure must occur. Some mitigation measures span multiple phases. Substantive descriptions of each mitigation measure’s requirements are provided on the following pages in the Mitigation Monitoring and Reporting Program.

Adopted Mitigation Measure	Period of Compliance			Compliance with Mitigation Measure Completed?
	Prior to the Start of Construction*	During Construction**	Post-construction or Operational	
Mitigation Measure M-CR-2: Archeological Testing	X	X	X	
Mitigation Measure M-TCR-1: Tribal Cultural Resources Program	X	X	X	
Mitigation Measure M-AQ-4a: Clean Off-Road Construction Equipment	X	X		
Mitigation Measure M-AQ-4b: Clean Diesel Generators for Building Operations	X		X	
Mitigation Measure M-GE-5: Inadvertent Discovery of Paleontological Resources During Construction	X	X		

NOTES:

* Prior to any ground-disturbing activities at the project site.

** Construction is broadly defined to include any physical activities associated with construction of a development project including, but not limited to: site preparation, clearing, demolition, excavation, shoring, foundation installation, and building construction.

I agree to implement the attached mitigation measure(s) as a condition of project approval.



Property Owner or Legal Agent Signature

11/14/2022

Date

Note to sponsor: Please contact CPC.EnvironmentalMonitoring@sfgov.org to begin the environmental monitoring process prior to the submittal of your building permits to the San Francisco Department Building Inspection.

MITIGATION MONITORING AND REPORTING PROGRAM

MONITORING AND REPORTING PROGRAM				
Adopted Mitigation Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR				
ARCHEOLOGICAL RESOURCES				
Mitigation Measure M-CR-2: Archeological Testing				
<p>Based on a reasonable potential that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effects from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archeological consultant from the rotational qualified archeological consultants list (QACL) maintained by the planning department. After the first project approval action or as directed by the Environmental Review Officer (ERO), the project sponsor shall contact the department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL.</p> <p>The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the ERO. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).</p>	Project sponsor's qualified archeological consultant and construction contractor	Prior to issuance of construction permits and throughout the construction period	Environmental Review Officer / project sponsor	Considered complete after archeological resources report is approved.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
<p><u>Archeological Testing Program</u>. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.</p> <p>The archeological testing program shall be conducted in accordance with the approved archeological testing plan (ATP). The archeological consultant and the ERO shall consult on the scope of the ATP, which shall be approved by the ERO prior to any project-related soils-disturbing activities commencing. The ATP shall be submitted first and directly to the ERO for review and comment and shall be considered a draft subject to revision until final approval by the ERO. The archaeologist shall implement the testing as specified in the approved ATP prior to and/or during construction.</p>	<p>Project sponsor's qualified archeological consultant and construction contractor</p>	<p>Prior to issuance of construction permits and throughout the construction period</p>	<p>Planning Department</p>	<p>Considered complete after approval of archeological testing plan (ATP).</p>
<p>The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, lay out what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ATP shall also identify the testing method to be used, the depth or horizontal extent of testing, and the locations recommended for testing and shall identify archeological monitoring requirements for construction soil disturbance as warranted.</p>	<p>The archeological consultant, project sponsor, and project contractor at the direction of the ERO</p>	<p>Monitoring of soils-disturbing activities</p>	<p>The archeological consultant to conduct analysis</p>	<p>Considered complete upon incorporation of analysis data into results report</p>
<p><u>Discovery Treatment Determination</u>. At the completion of the archeological testing program, the archeological consultant shall submit a written summary of the findings to the ERO. The findings memo shall describe and identify each resource and provide an initial assessment of the integrity and significance of encountered archeological deposits.</p>	<p>The archeological consultant, project sponsor, and project contractor at the direction of the ERO</p>	<p>At the completion of archeological testing and/or discovery of a potentially significant archeological resource</p>	<p>Planning Department /project sponsor</p>	<p>If preservation in place is feasible, complete when approved ARPP is implemented</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
<p>If the ERO in consultation with the archeological consultant determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, the ERO, in consultation with the project sponsor, shall determine whether preservation of the resource in place is feasible. If so, the proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource and the archeological consultant shall prepare an archeological resource preservation plan (ARPP), which shall be implemented by the project sponsor during construction. The consultant shall submit a draft ARPP to the planning department for review and approval.</p> <p>If preservation in place is not feasible, a data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible. The ERO in consultation with the archeological consultant shall also determine if additional treatment is warranted, which may include additional testing and/or construction monitoring.</p>				<p>If preservation in place is not feasible, complete when treatment is determined and implemented</p>
<p><u>Consultation with Descendant Communities.</u> On discovery of an archeological site associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the archeological resources report (ARR) shall be provided to the representative of the descendant group.</p>	<p>The archeological consultant, project sponsor, and project contractor at the direction of the ERO.</p>	<p>During testing and if applicable monitoring of soils-disturbing activities.</p>	<p>Consultation with ERO on identified descendant group</p>	<p>Descendant group provides recommendations and is given a copy of the ARR</p>
<p><u>Archeological Data Recovery Plan.</u> An archeological data recovery program shall be conducted in accordance with an archeological data recovery plan (ADRP) if all three of the following apply: (1) a resource has potential to be significant, (2) preservation in place is not feasible, and (3) the ERO determines that an archeological data recovery program is warranted. The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data</p>	<p>Project sponsor's qualified archeological consultant</p>	<p>Upon ERO's determination that data recovery is required in the event an archaeological resource is discovered</p>	<p>Planning Department /project sponsor</p>	<p>Considered complete after ERO's approval of archeological data recovery plan.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
<p>classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> • <i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations. • <i>Cataloging and Laboratory Analysis.</i> Description of selected cataloging system and artifact analysis procedures. • <i>Discard and Deaccession Policy.</i> Description of and rationale for field and post-field discard and deaccession policies. • <i>Security Measures.</i> Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities. • <i>Final Report.</i> Description of proposed report format and distribution of results. • <i>Curation.</i> Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities. <p><u>Human Remains and Funerary Objects.</u> The treatment of any human remains and funerary objects discovered during any soils-disturbing activity shall comply with applicable State laws, including Section 7050.5 of the Health and Safety Code and Public Resources Code 5097.98. If human remains or suspected human remains are encountered during construction, the contractor and project sponsor shall ensure that ground-disturbing work within 50 feet of the remains is halted immediately and shall arrange for the protection in place of the remains until appropriate treatment and disposition have been agreed upon and implemented in accordance with this section. Upon determining that the remains are human, the project archeologist shall immediately notify the Medical Examiner of the City and County of San Francisco of the find. The archeologist shall also immediately notify the ERO and the project sponsor of the find. In the event of the Medical Examiner's determination that the human remains are Native American in origin, the Medical Examiner will notify the California State Native American Heritage</p>	<p>Project sponsor/ archeological consultant in consultation with the San Francisco Medical Examiner, NAHC, and MLD</p>	<p>In the event that human remains are uncovered during the construction period</p>	<p>Planning Department /project sponsor</p>	<p>Considered complete after approval of archeological results report and disposition of human remains has occurred as specified in Agreement.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
<p>Commission (NAHC) within 24 hours. The NAHC will immediately appoint and notify a Most Likely Descendant (MLD). The MLD will complete his or her inspection of the remains and make recommendations or preferences for treatment within 48 hours of being granted access to the site.</p>				
<p>If the remains cannot be permanently preserved in place, the landowner may consult with the project archeologist, project sponsor and CEQA lead agency and shall consult with the MLD on recovery of the remains and any scientific treatment alternatives. The landowner shall then make all reasonable efforts to develop a Burial Agreement (“Agreement”) with the MLD, as expeditiously as possible, for the treatment and disposition, with appropriate dignity, of human remains and funerary objects (as detailed in CEQA Guidelines section 15064.5(d)). Per PRC 5097.98 (c)(1), the Agreement shall address, as applicable and to the degree consistent with the wishes of the MLD, the appropriate excavation, removal, recordation, scientific analysis, custodianship prior to reinterment or curation, and final disposition of the human remains and funerary objects. If the MLD agrees to scientific analyses of the remains and/or funerary objects, the archeological consultant shall retain possession of the remains and funerary objects until completion of any such analyses, after which the remains and funerary objects shall be reinterred or curated as specified in the Agreement.</p>				
<p>Both parties are expected to make a concerted and good faith effort to arrive at an Agreement, consistent with the provisions of PRC 5097.98. However, if the landowner and the MLD are unable to reach an Agreement, the landowner, ERO, and project sponsor shall ensure that the remains and/or mortuary materials are stored securely and respectfully until they can be reinterred on the property, with appropriate dignity, in a location not subject to further or future subsurface disturbance, consistent with state law.</p>				
<p>Treatment of historic-period human remains and/or funerary objects discovered during any soils-disturbing activity shall be in accordance with protocols laid out in the project archeological treatment document, and other relevant agreements established between the project sponsor, Medical Examiner and the ERO. The project archeologist shall retain custody of the remains and associated materials while any scientific study scoped in the treatment document is conducted and the remains shall then be curated or respectfully reinterred by arrangement on a case-by case-basis.</p>				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
<p><u>Archeological Public Interpretation Plan.</u> The project archeological consultant shall submit an archeological public interpretation plan (APIP) if a significant archeological resource is discovered during a project. If the resource to be interpreted is a tribal cultural resource, the APIP shall be prepared in consultation with and developed with the participation of Ohlone tribal representatives. The APIP shall describe the interpretive product(s), locations or distribution of interpretive materials or displays, the proposed content and materials, the producers or artists of the displays or installation, and a long-term maintenance program. The APIP shall be sent to the ERO for review and approval. The APIP shall be implemented prior to occupancy of the project.</p>	<p>Archeological consultant at the direction of the ERO will prepare APIP. Measures laid out in APIP are implemented by sponsor and consultant.</p>	<p>Following completion of treatment, analysis, and interpretation by archeological consultant.</p>	<p>Planning Department /project sponsor</p>	<p>APIP is complete on review and approval of ERO. Interpretive program is complete on certification to ERO that program has been implemented</p>
<p><u>Archeological Resources Report.</u> Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the testing program to the ERO. The archeological consultant shall submit a draft archeological resources report (ARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological, historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken, and if applicable, discusses curation arrangements. Formal site recordation forms (CA DPR 523 series) shall be attached to the ARR as an appendix.</p>	<p>Archeological consultant at the direction of the ERO.</p>	<p>Following completion of treatment by archeological consultant as determined by the ERO.</p>	<p>Planning Department /project sponsor</p>	<p>Complete on certification to ERO that copies of the approved ARR have been distributed</p>

Once approved by the ERO, copies of the ARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the ARR to the NWIC. The environmental planning division of the planning department shall receive one (1) bound hardcopy of the ARR. Digital files that shall be submitted to the environmental division include an unlocked, searchable PDF version of the ARR, GIS shapefiles of the site and feature locations, any formal site recordation forms (CA DPR 523 series), and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. The PDF ARR, GIS files, recordation forms, and/or nomination documentation should be submitted via USB or other stable storage device. If a descendant group was consulted during archeological treatment, a PDF of the ARR shall be provided to the representative of the descendant group.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
<p><u>Curation</u>. Significant archeological collections and paleoenvironmental samples of future research value shall be permanently curated at an established curatorial facility. The facility shall be selected in consultation with the ERO. Upon submission of the collection for curation the sponsor or archeologist shall provide a copy of the signed curatorial agreement to the ERO.</p>	<p>Project archeologist prepares collection for curation and project sponsor pays for curation costs.</p>	<p>In the event a significant archeological resource is discovered and upon acceptance by the ERO of the ARR</p>	<p>Planning Department /project sponsor</p>	<p>Considered complete upon acceptance of the collection by the curatorial facility</p>

TRIBAL CULTURAL RESOURCES

Mitigation Measure M-TCR-1: Tribal Cultural Resources Program

<p><u>Preservation in Place</u>. In the event of the discovery of an archeological resource of Native American origin, the Environmental Review Officer (ERO), the project sponsor, and the local Native American representative, shall consult to determine whether preservation in place would be feasible and effective. Coordination shall take place with local Native American representatives, including the Association of Ramaytush Ohlone and other interested Ohlone parties. If it is determined that preservation-in-place of the tribal cultural resource would be both feasible and effective, then the archeological consultant shall prepare an archeological resource preservation plan (ARPP) in consultation with the local Native American representative, which shall be implemented by the project sponsor during construction. The consultant shall submit a draft ARPP to Planning for review and approval.</p>	<p>Project sponsor archeological consultant, and ERO, in consultation with the local Native American representatives</p>	<p>If significant prehistoric archeological resource is present, during implementation of the project</p>	<p>Planning Department / project sponsor</p>	<p>Considered complete upon completion and approval of ARPP and project redesign.</p>
<p><u>Interpretive Program</u>. If the ERO, in consultation with local Native American representatives (including the Association of Ramaytush Ohlone and other interested Ohlone parties) and the project sponsor, determines that preservation-in-place of the tribal cultural resources is not a sufficient or feasible option, then archeological data recovery shall be implemented as required by the ERO and in consultation with affiliated Native American tribal representatives if the tribal cultural resource is an archeological resource of Native American origin.</p> <p>The project sponsor, in consultation with local Native American representatives, shall prepare a Tribal Cultural Resources Interpretation Plan (TCRIP) to guide the interpretive program. The TCRIP may be prepared in tandem with the APIP. The TCRIP shall be submitted to ERO for review and approval prior to implementation of the program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist</p>	<p>Project sponsor in consultation with the local Native American representative</p>	<p>After determination that preservation in place is not feasible, and subsequent to archeological data recovery, as relevant</p>	<p>Planning Department / project sponsor</p>	<p>Sponsor or archeological consultant shall submit the TCRIP to the ERO for review and approval.</p> <p>Complete upon sponsor verification to ERO that interpretive program was implemented.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
installations, preferably by local Native American artists, oral histories with local Native Americans, cultural displays, educational panels, or other interpretive elements agreed upon by the ERO, sponsor, and local Native American representatives. Upon approval of the TCRIP and prior to project occupancy, the interpretive program shall be implemented by the project sponsor. Local Native American representatives who are substantially involved in preparation or implementation of the interpretive program shall be appropriately compensated by the project sponsor.				

AIR QUALITY

Mitigation Measure M-AQ-4a: Clean Off-road Construction Equipment	Project sponsor and construction contractor	Prior to issuance of demolition or building permits	Planning Department	Considered complete
The project sponsor shall comply with the following:		project sponsor to submit:		upon Planning
A. <i>Engine Requirements</i>				Department review and
1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency or California Air Resources Board (air board) Tier 4 Interim or Tier 4 Final off-road emission standards.		1. Construction emissions minimization plan for review and approval, and		acceptance of construction emissions minimization plan, implementation of the plan, and submittal
2. Where access to alternative sources of power are available, portable diesel engines (e.g., generators) shall be prohibited.		2. Signed certification statement		of final report summarizing use of
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two-minute idling limit.				construction equipment pursuant to the plan.
4. The project sponsor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.				
B. <i>Waivers</i>				
1. The planning department’s environmental review officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
<p>grants the waiver, the contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).</p>				
<p>2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of Tier 4 off-road equipment is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; or there is a compelling emergency need to use off-road equipment that is not Tier 4 compliant. If the ERO grants the waiver, the contractor must use the next cleanest piece of off-road equipment or another alternative that results in comparable reductions of diesel particulate matter.</p>				
<p>C. <i>Construction Emissions Minimization Plan</i></p>				
<p>Before starting onsite construction activities, the contractor shall submit a construction emissions minimization plan (plan) to the ERO for review and approval. The plan shall state, in reasonable detail, how the contractor will meet the requirements of Section A.</p>				
<p>1. The plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel use and hours of operation. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.</p>				
<p>2. The project sponsor shall ensure that all applicable requirements of the plan have been incorporated into the contract specifications. The plan shall include a certification statement that the project sponsor agrees to comply fully with the plan.</p>				
<p>3. The project sponsor shall make the plan available to the public for review on-site during working hours. The project sponsor shall post at the construction site a legible and visible sign summarizing the plan. The sign shall also state that the public may ask to inspect the plan for the project at any time during working hours and shall explain how to request to inspect the plan. The project sponsor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.</p>				
<p>D. <i>Monitoring</i></p>				
<p>After start of construction activities, the contractor shall submit reports every six months to the ERO documenting compliance with the plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction</p>				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.				
<p>Mitigation Measure M-AQ-4b: Clean Diesel Generators for Building Operations All diesel generators shall have engines that meet EPA (1) Tier 4 Final or Tier 4 Interim emission standards, or (2) Tier 2 or Tier 3 emission standards and are equipped with a California air board level 3 Verified Diesel Emissions Control Strategy. For each new diesel generator submitted for the project, including any associated generator pads, engine and filter specifications shall be submitted to the ERO for review and approval prior to issuance of a permit for the generator from the San Francisco Department of Building Inspection. Once operational, all diesel generators and verified diesel emissions control strategy shall be maintained in good working order in perpetuity and any future replacement of the diesel generator, and level 3 verified diesel emissions control strategy shall be required to be consistent with these emissions specifications. The operator of the facility shall maintain records of the testing schedule for each diesel generator for the life of that diesel generator and provide this information for review to the ERO within three months of requesting such information.</p>	Project sponsor and contractor; air district	Prior to issuance of permit for backup diesel generator	Project sponsor and contractor	Considered complete upon submittal of documentation of compliance

GEOLOGY AND SOILS

<p>Mitigation Measure M-GE-5: Inadvertent Discovery of Paleontological Resources During Construction <u>Worker Awareness Training.</u> Prior to commencing construction and ongoing throughout ground-disturbing activities (e.g., excavation, utility installation), the project sponsor and/or their designee shall engage a qualified paleontologist who meets the standards specified by the Society of Vertebrate Paleontology (Society of Vertebrate Paleontology 2010). The paleontologist shall train all project construction workers regarding how to recognize paleontological resources and on the contents of the paleontological resources alert sheet, as provided by the planning department. The paleontological resources alert sheet shall be prominently displayed at the construction site during ground-disturbing activities for reference regarding potential paleontological resources. In addition, the paleontologist shall inform the project sponsor, contractor, and construction personnel of the immediate stop work procedures and other procedures to be followed if bones or other potential fossils are unearthed at the project site. Should new workers involved in ground-disturbing construction activities begin employment after the initial training has occurred, the construction supervisor shall ensure that they receive the worker awareness training as described above. The paleontologist shall complete the standard form/affidavit confirming the timing of the worker awareness training</p>	Project sponsor, contractor, and qualified paleontologist	Conduct training prior to the start of construction, and ongoing throughout ground-disturbing activities for new on-site personnel	Project sponsor and contractor	Ongoing during construction. Considered complete once ground disturbing activities are complete or once the Environmental Review Officer approves the Paleontological Resources Report, if required.
---	---	--	--------------------------------	--

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
<p>and submit it to the environmental review officer (ERO). The affidavit shall confirm the project’s location, the date of training, the location of the informational handout display, and the number of participants. The affidavit shall be transmitted to the ERO within five business days of conducting the training.</p>				
<p><u>Paleontological Resource Discoveries.</u> In the event of the discovery of an unanticipated paleontological resource during project construction, ground-disturbing activities shall temporarily be halted within 25 feet of the find until the discovery is examined by a qualified paleontologist as recommended by the Society of Vertebrate Paleontology standards (Society of Vertebrate Paleontology 2010) and best practices in mitigation paleontology (Murphey et al. 2019). The paleontologist shall consult the ERO. Work within the sensitive area shall resume only when deemed appropriate by the qualified paleontologist in consultation with the ERO. The qualified paleontologist shall determine (1) if the discovery is scientifically significant, (2) the necessity for involving other responsible or resource agencies and stakeholders, if required or determined applicable, and (3) methods for resource recovery. If the paleontological resource assessment results in a determination that the resource is not scientifically important, this conclusion shall be documented in a paleontological evaluation letter to demonstrate compliance with applicable statutory requirements (e.g., the Federal Antiquities Act of 1906, CEQA Guidelines section 15064.5, Public Resources Code Chapter 17, section 5097.5, and the Paleontological Resources Preservation Act of 2009). The paleontological evaluation letter shall be submitted to the ERO for review within 30 calendar days of the discovery. If in consultation with the ERO the qualified paleontologist determines that a paleontological resource is of scientific importance, the qualified paleontologist shall make a recommendation as to what action, if any, is warranted and prepare a paleontological mitigation program. The program shall include measures to fully document the resource of scientific importance. The qualified paleontologist shall submit the program to the ERO for review and approval within ten business days of the discovery. Upon approval by the ERO, ground-disturbing activities in the project area shall resume and be monitored as determined by the qualified paleontologist for the duration of such activities. The program shall include (1) procedures for construction monitoring at the project site, (2) fossil preparation and identification procedures, (3) curation of paleontological resources of scientific importance into an appropriate repository, and (4) preparation of a paleontological resources report at the conclusion of ground-disturbing activities. The report shall include dates of field work, results of monitoring, fossil identifications to the lowest possible taxonomic level, analysis of the fossil collection, a discussion of the scientific</p>				

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Implementation Responsibility	Mitigation Schedule	Monitoring / Reporting Responsibility	Monitoring Schedule
significance of the fossil collection, conclusions, locality forms, an itemized list of specimens, and a repository receipt from the curation facility. The project sponsor shall be responsible for the preparation and implementation of the paleontological mitigation program, in addition to any costs necessary to prepare and identify collected fossils, and for any curation fees charged by the paleontological repository. The paleontological resources report shall be submitted to the ERO for review within 30 business days from conclusion of ground-disturbing activities, or as negotiated following consultation with the ERO.				
