

# **EXHIBIT B**

## **MCCOURTNEY ROAD TRANSFER STATION PROJECT MITIGATION MONITORING AND REPORTING PROGRAM (JANUARY 2021)**

### **INTRODUCTION**

In compliance with the State CEQA Guidelines §15097 (a), when potentially significant effects are identified in a Mitigated Negative Declaration, the Lead Agency is required to adopt a program for reporting or monitoring mitigation measures that were adopted or made conditions of approval for the proposed project. This Mitigation Monitoring and Reporting Program (MMRP) has been developed for the McCourtney Road Transfer Station Renovation Project, consistent with the requirements of §15097. The intent of the MMRP is to prescribe and enforce a means for properly and successfully implementing the mitigation measures identified within the Mitigated Negative Declaration for this project.

### **COMPLIANCE CHECKLIST**

The intent of the MMRP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMRP is intended to be used by Nevada County (County) staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the Mitigated Negative Declaration prepared for the proposed project. The MMRP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the County. The table attached to this report identifies the mitigation measure, the responsible agency for the monitoring action, and timing of the monitoring action. The selected construction contractor will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP. The County will be responsible for ensuring compliance.

### **MITIGATION MONITORING PLAN**

The following table indicates the mitigation measure number, the mitigation measure text, the monitoring agency, implementation schedule, and an area to record monitoring compliance.

<b>McCourtney Road Transfer Station Renovation Project Mitigation Monitoring and Reporting Program</b>			
<b>Mitigation Measures</b>	<b>Monitoring Agency</b>	<b>Implementation Schedule</b>	<b>Monitoring Compliance Record (Name/Date)</b>
<b>Air Quality</b>			
<p><b>Mitigation Measure AIR-1</b> The construction contractor shall submit to the Northern Sierra Air Quality Management District (NSAQMD) for approval an Off-Road Construction Equipment Emission Reduction Plan prior to ground breaking demonstrating the following:</p> <ul style="list-style-type: none"> <li>• All off-road equipment (portable and mobile) meets or is cleaner than Tier 2 engine emission specifications unless prior written approval for any exceptions is obtained from the NSAQMD. Note that all off-road equipment must meet all applicable state and federal requirements.</li> <li>• Emissions from on-site construction equipment shall comply with NSAQMD Regulation II, Rule 202, Visible Emissions.</li> <li>• The primary contractor shall be responsible to ensure that all construction equipment is properly tuned and maintained.</li> <li>• Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes when not in use (as required by California airborne toxics control measure Title 13, Section 2485 of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points.</li> <li>• All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</li> <li>• Existing power sources (e.g., power poles) or clean fuel generators shall be utilized rather than temporary power generators (i.e. diesel generators), where feasible.</li> <li>• Deliveries of construction materials shall be scheduled to direct traffic flow to avoid the peak hours on local roadways of 7:00–9:00 AM and 4:00–6:00 PM.</li> </ul>	<p>Nevada County and NSAQMD</p>	<p>Prior to groundbreaking and during project construction activities.</p>	

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<ul style="list-style-type: none"> <li>The primary contractor shall use architectural coatings for the proposed structure that have a volatile organic compound (VOC) content no greater than 50 grams per liter of VOC.</li> </ul>			
<p><b>Mitigation Measure AIR-2</b>            To reduce impacts of short-term construction, the County shall obtain NSAQMD approval of a Dust Control Plan (DCP) which shall include, but not be limited to, the standards provided below to the satisfaction of the NSAQMD. Prior to issuance of grading permits, the County shall include the requirements of the DCP as notes on all construction plans. The County Building Department shall verify that the requirements of the DCP are being implemented during grading inspections.</p> <p>Alternatives to open burning of vegetation material on the project site shall be used unless deemed infeasible to the Air Pollution Control Officer (APCO). Among suitable alternatives is chipping, mulching, or conversion to biomass fuel.</p> <ul style="list-style-type: none"> <li>The County shall implement all dust control measures in a timely manner during all phases of project development and construction.</li> <li>All material excavated, stockpiled or graded shall be sufficiently watered, treated or converted to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard. Watering should occur at least twice daily, with complete site coverage.</li> <li>All areas (including unpaved roads) with vehicle traffic shall be watered or have dust palliative applied as necessary for regular stabilization of dust emissions.</li> <li>All land clearing, grading, earth moving, or excavation activities on a project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 mph.</li> <li>All on-site vehicle traffic shall be limited to a speed of 15 mph on unpaved roads.</li> </ul>	Nevada County and NSAQMD	Prior to the issuance of grading permits and during project construction activities.	

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<ul style="list-style-type: none"> <li>• All inactive disturbed portions of the development site shall be covered, seeded or watered until a suitable cover is established. Alternatively, the construction contractor shall be responsible for applying non-toxic soil stabilizers to all inactive construction areas.</li> <li>• All material transported off-site shall be either sufficiently watered or securely covered to prevent public nuisance.</li> <li>• Paved streets adjacent to the project shall be swept or washed at the end of each day, or as required to removed excessive accumulation of silt and/or mud which may have resulted from activities at the project site.</li> <li>• If serpentine or ultramafic rock is discovered during grading or construction, the NSAQMD must be notified no later than the next business day and the California Code of Regulations, Title 17, Section 9315 applies.</li> </ul>			
<p><b>Mitigation Measure AIR-3</b> To avoid significant generation of VOCs, all architectural coatings shall utilize low-VOC paint (no greater than 50g/L VOC). Prior to building permit issuance, the County shall submit their list of low-VOC coatings to the NSAQMD for review and approval. Finally, all building plans shall include a note documenting which low-VOC architectural coatings will be used in construction.</p>	Nevada County and NSAQMD	Prior to the issuance of building permits and during project construction activities.	
<p><b>Mitigation Measure AIR-4</b> The County shall obtain an Authority to Construct Permit from NSAQMD for any source of air contaminants that exist after construction that is not exempt from District permit requirements. All requirements of this permit shall be incorporated into standard operating procedure manuals or materials for the project.</p>	Nevada County and NSAQMD	Prior to the issuance of grading permits and during project construction activities.	
<p><b>Mitigation Measure AIR-5</b> The County shall develop and implement an Odor Impact Minimization Plan (OIMP) prior to repurposing the PRA as an organics building. The OIMP shall identify the specific operational procedures that will be implemented to ensure that</p>	Nevada County and NSAQMD	Prior to the issuance of grading permits, during project construction	

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<p>offsite sensitive receptors are not regularly exposed to offensive odors associated with site operations. These operational procedures shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>• Prioritize the processing and offsite transportation of food waste and organics to minimize the potential for odor generation at the site.</li> <li>• Treat odiferous food waste and organics with commercially available odor neutralizing compounds that will be applied using a commercial misting system.</li> <li>• Ensure all food waste is removed from the transfer station by the end of each day.</li> </ul>		<p>activities, and during project operations.</p>	
<b>Biological Resources</b>			
<p><b>Mitigation Measure BIO-1</b>            The following mitigation measure shall be implemented prior to the initiation of project construction activities:</p> <ul style="list-style-type: none"> <li>• A qualified biologist shall be retained to conduct mandatory contractor/worker awareness training for construction personnel. The awareness training would be provided to all construction personnel, or personnel entering the project sites, to brief them on the locations of sensitive biological resources, how to identify species most likely to be present, required avoidance and minimization measures for biological resources, and to brief them on the penalties for not complying with biological mitigation requirements. If new personnel are added to the project, the contractor would be required to receive the mandatory training before starting work.</li> </ul>	Nevada County	Prior to the initiation of project construction activities.	
<p><b>Mitigation Measure BIO-2</b>            The following measures shall be conducted prior to any work conducted in and within 100 feet of mapped chaparral areas. Work areas more than 100 feet away from the chaparral communities do not apply:</p>	Nevada County	Prior to any work conducted in and within 100 feet of mapped chaparral areas.	

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<ul style="list-style-type: none"> <li>• Prior to construction, a qualified botanist shall be retained to perform focused surveys for the rare plants determined to have the potential to occur at the project site (in or within 100 feet of chaparral). These surveys shall serve to document the presence/absence of these species in and adjacent to (within 100 feet, where appropriate) proposed impact areas, including temporary construction areas. These surveys shall be conducted at the proper time of year when target species are both evident and identifiable. Surveys shall be scheduled to coincide with known blooming periods, and/or during appropriate developmental periods that are necessary to identify the plant species of concern. Surveys should be done within two years of construction. This will result in survey findings that are close enough to construction start to be considered valid while leaving enough time prior to construction to obtain necessary permits and/or develop a mitigation plan, if necessary.</li> <li>• Any rare plant species that are identified in or adjacent to the project sites, but not proposed to be disturbed, shall be protected by flagging, signage, orange construction fence, and/or silt fence as appropriate based on site conditions to limit the effects of project-related activities and material stockpiles on any special-status plant species.</li> <li>• If state-listed plant species (Stebbins' morning-glory or Pine Hill Flannelbush) are identified in the project site and avoidance is not possible, then the CDFW shall be consulted to determine a mitigation strategy and/or if an Incidental Take Permit is necessary .</li> <li>• If other rare plant species (such as chaparral sedge) are identified in the project site and project-related activities would result in the loss of greater than 10% of a population or occupied habitat for that species, a mitigation plan shall be developed that describes a program to transplant, salvage, cultivate, and re-establish the species at suitable sites. The plan shall</li> </ul>			

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<p>include means and methods to propagate affected rare plants via vegetative or reproductive means (e.g., harvesting of seed or seed bank through topsoil collection, salvaging and transplanting or collecting of cuttings), as appropriate for the species, and transplant at suitable receiving sites as close to the existing population as possible. Propagation and transplantation shall occur prior to construction. The receiving location would be evaluated and chosen based on similarity to conditions at the transplant source location, to the extent feasible. Site conditions to consider when choosing a receiving site include aspect, substrate, hydrology, associated species, and canopy cover. The transplanted plants shall be monitored for at least one year following construction.</p>			
<p><b>Mitigation Measure BIO-3</b>            The following mitigation measure shall be implemented prior to the initiation of project construction activities:</p> <ul style="list-style-type: none"> <li>• When possible, conduct all vegetation and/or structure clearing outside of the nesting season. If clearing and/or construction activities would occur during the nesting season (March 1 to August 31), then preconstruction surveys to identify active migratory bird and/or raptor nests shall be conducted by a qualified biologist within 7 days prior to construction initiation. Focused surveys must be performed by a qualified biologist for the purposes of determining the presence or absence of active nest sites in and within 100 feet of active construction areas.</li> <li>• If active nest sites are identified within 100 feet of the project site, a no-disturbance buffer shall be established prior to commencement of any project-related activities to avoid disturbances to nesting activities. A no-disturbance buffer constitutes a zone in which project-related activities such as vegetation removal, earth moving, and construction cannot occur. The size of no-</li> </ul>	Nevada County	Prior to the initiation of project construction activities.	

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disturbance buffers would be determined by a qualified biologist based on the species, activities in the vicinity of the nest, and topographic and other visual barriers.			
<b>Cultural Resources</b>			
<p><b>Mitigation Measure CUL-1</b> The following mitigation measure shall be implemented during project construction activities:</p> <ul style="list-style-type: none"> <li>• If potential Native American prehistoric, historic, archaeological or cultural resources including midden soil, artifacts, chipped stone, exotic rock (non-native), or unusual amounts of baked clay, shell or bone are uncovered during any on-site construction activities, all work must immediately stop in the area. Work shall cease within 100 feet of the find regardless of whether the construction is being actively monitored by a cultural resources specialist, professional archaeologist, or representative from a culturally-affiliated Native American Tribe. Following discovery, a professional archaeologist, in consultation with any culturally-affiliated Native American Tribes, will make recommendations to Nevada County for further evaluation and treatment, as appropriate.</li> <li>• In the event that Native American prehistoric, historic, archaeological or cultural deposits or isolates found to be ineligible for inclusion in the California Historic Register of Historical Resources are identified within the project area, culturally appropriate treatment and disposition shall be determined following coordination with any culturally-affiliated Native American Tribes as appropriate. Culturally appropriate treatment may be, but is not limited to, processing materials in a lab for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the project area where they will not be subject to future impacts.</li> </ul>	Nevada County	During project construction activities.	



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<p><b>Mitigation Measure CUL-2</b>            The following mitigation measures shall be implemented during project construction activities:</p> <ul style="list-style-type: none"> <li>If articulated or disarticulated human remains are discovered during construction activities, all work shall cease with 100 feet of the find and the Nevada County Coroner shall be contacted immediately. Upon determination by the Nevada County Coroner that the find is Native American in origin, the Native American Heritage Commission will be contacted and will assign the Most Likely Descendent who will work with Nevada County to define appropriate treatment and disposition of the burials. Following a review of the find and consultation with the Native American Tribe and appropriate experts, if necessary, Nevada County may authorize work to proceed but it may be accompanied by the additional requirements or special conditions that provide for protection of the site and/or additional measures necessary to address the unique or sensitive nature of the site. Work in the area of the cultural resource discovery may only proceed after authorization is granted by Nevada County following coordination with tribal representatives and cultural resource experts, if necessary and as appropriate.</li> </ul>	Nevada County	During project construction activities.	
<b>Geology and Soils</b>			
<p><b>Mitigation Measure GEO-1</b>            The proposed project's geotechnical investigation identified the use of spread footings, mat foundation, partial fill over excavation and re-compaction, and deep dynamic compaction (DDC) as the measures necessary to minimize the potential for elastic settlement following project construction. For the over excavation/re-compaction and DDC, the report included the following detailed mitigation measures:</p>	Nevada County	During project construction activities.	

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<ul style="list-style-type: none"> <li>Where proposed, relatively loose fill, within and a minimum of 4 feet below existing ground surface and 5 feet beyond the proposed structure footprints, shall be over excavated and stockpiled onsite. The depth of the over excavation should extend through all loose soil a minimum of 4 feet below finished grade or to competent native soil or rock, if shallower. Areas where new fill will exceed 3 feet in depth the over excavation can be reduced to 2 feet, including proposed roadways.</li> <li>The extent and limits of over excavation shall be observed and determined by the geotechnical engineer. The fill shall be replaced and compacted using the recommendations presented in the geotechnical report.</li> <li>In areas where over excavation and re-compaction is not proposed, DDC is recommended. DDC is a technique that involves using a crane to drop a heavy weight on the ground surface to densify loose soil. Densification occurs by performing repeated, controlled drops of the weight (typically 5-40 tons) at determined locations in a grid pattern.</li> <li>The drop weight is anticipated to be composed of an approximately 5-foot by 5-foot by 5-foot concrete block (approximately 18 tons), which would be dropped from a height of 20 to 30 feet. The depth of compaction is based on the soil type, density and moisture content. Based on published empirical calculations, the depth of densification is estimated to be on the order of 10 to 15 feet below the dynamic weight. The drop pattern should consist of a minimum grid spacing of 10 feet. At least two passes with the heavy weight should be performed, followed by a final low-energy contiguous tamping pass to compact the shallow near-surface soils disturbed during the heavy weight passes. Some areas at the project site may require grading or benching to provide an evenly distributed load on the ground surface.</li> </ul>			

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<ul style="list-style-type: none"> <li>Once DDC is completed, the site shall be prepared and compacted in accordance with the recommendations included in the geotechnical report.</li> </ul>			
<b>Hazards and Hazardous Materials</b>			
<p><b>Mitigation Measure HAZ-1</b>            Prior to initiating construction of the proposed project, the Contractor shall submit a written safety program to Nevada County. This plan shall include, at a minimum:</p> <ul style="list-style-type: none"> <li>A fire or medical emergency response access plan.</li> <li>A police emergency response access plan.</li> <li>An access control plan to its staging and equipment storage areas.</li> <li>The name and contact information for the Safety Director/Manager responsible for managing the safety, health and environmental risk factors for the Contractor.</li> <li>Typical tailgate safety meeting agenda and frequency.</li> <li>Compliance or exceedance of applicable OSHA requirements including requiring all employees working in dangerous or noisy environments to wear personal protective equipment including noise protection gear.</li> <li>New hire safety orientation training.</li> <li>Maintenance procedures to be implemented including dust mitigation (i.e., indoor misters and water trucks) and the use of sweepers after project construction is complete.</li> <li>Any applicable job specific requirements or permits.</li> <li>If requested, Contractor shall provide safety training records for employees working on the project.</li> </ul>	Nevada County	Prior to initiating project construction.	
<p><b>Mitigation Measure HAZ-2</b>            Hazardous Materials Contingency Plan (HMCP): The contractor shall prepare and submit to the County a contingency plan for handling hazardous materials, whether found or introduced on site during construction. The plan shall include construction measures as specified in local, state, and federal regulations for</p>	Nevada County	Prior to initiating project construction.	

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<p>hazardous materials and the removal of on-site debris. The plan must include the following measures at a minimum:</p> <ul style="list-style-type: none"> <li>• If contaminated soils or other hazardous materials are encountered during any soil moving operation during construction (e.g. trenching, excavation, grading), construction shall be halted and the HMCP implemented.</li> <li>• Instruct workers on recognition and reporting of materials that may be hazardous.</li> <li>• Minimize delays by continuing performance of the work in areas not affected by hazardous materials operations.</li> <li>• Identify and contact subcontractors and licensed personnel qualified to undertake storage, removal, transportation, disposal, and other remedial work required by, and in accordance with, laws and regulations.</li> </ul>			
<b>Hydrology and Water Quality</b>			
<p><b>Mitigation Measure HYD-1</b> To avoid adversely affecting the water quality of local waterways, the following mitigation measures shall be implemented prior to and during construction:</p> <ul style="list-style-type: none"> <li>• A storm water pollution prevention plan (SWPPP) shall be prepared for the proposed project with associated best managements practices (BMPs), consistent with Nevada County standards. The SWPPP shall be designed to protect water quality pursuant to the requirements of the National Pollutant Discharge Elimination System (NPDES) stormwater permit for construction activity (Order 99-08-DWQ, as amended). The SWPPP would identify and specify: <ul style="list-style-type: none"> <li>- the use of erosion and sediment-control BMPs, including construction techniques that will reduce the potential for erosion, as well as other measures to be implemented during construction;</li> </ul> </li> </ul>	Nevada County	Prior to and during project construction activities.	

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<ul style="list-style-type: none"> <li>- the means of waste disposal;</li> <li>- the implementation of approved local plans, non-stormwater-management controls, permanent post-construction BMPs, and inspection and maintenance responsibilities;</li> <li>- the pollutants that are likely to be used during construction that could be present in stormwater drainage and non-stormwater discharges, and other types of materials used for equipment operation;</li> <li>- spill prevention and contingency measures, including measures to prevent or clean up spills of hazardous waste and of hazardous materials used for equipment operation, and emergency procedures for responding to spills;</li> <li>- personnel training requirements and procedures that will be used to ensure that workers are aware of permit requirements and proper installation methods for BMPs specified in the SWPPP; and</li> <li>- The appropriate personnel responsible for supervisory duties related to implementation of the SWPPP.</li> </ul> <ul style="list-style-type: none"> <li>• Where applicable, BMPs identified in the SWPPP shall be in place throughout all site work and construction. BMPs may include such measures as the following:                             <ul style="list-style-type: none"> <li>- Implementing temporary erosion-control measures in disturbed areas to minimize discharge of sediment into nearby drainage conveyances. These measures may include silt fences, staked straw bales or wattles, sediment/silt basins and traps, geofabric, and sandbag dikes.</li> </ul> </li> <li>• All construction contractors shall retain a copy of the approved SWPPP on the construction site. The SWPPP shall be submitted to the Central Valley Regional Water Quality Control Board (RWQCB) pursuant to NPDES</li> </ul>			

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requirements, and completed and implemented before the start of construction activities.			
<b>Noise</b>			
<p><b>Mitigation Measure NOI-1</b> To avoid adversely affecting local residents during blasting activities, the following mitigation measures shall be implemented during any blasting activities:</p> <ul style="list-style-type: none"> <li>If blasting activities are necessary for site preparation, the contractor shall conduct the blasting activities in compliance with state and local regulations. The contractor shall obtain a blasting permit from Nevada County prior to commencing any on-site blasting activities. The permit application shall include a description of the work to be accomplished and a statement of the necessity for blasting, as opposed to other methods, and safety measures to be implemented such as blast blankets. The contractor shall coordinate any blasting activities with Police and Fire Departments to ensure proper site access and traffic control, and public notification including nearby residents and businesses, as determined appropriate by police and fire departments. Blasting specifications and plans shall include a schedule that outlines the time frame in which blasting will occur in order to limit noise and traffic inconvenience. In addition, an on-site blasting expert shall be retained by the site contractor to ensure that the blasting activities, if necessary, result in the minimum offsite noise and vibration levels (i.e., less than 0.2 inches per second PPV).</li> </ul>	Nevada County	During any blasting activities.	