

# **MITIGATION MONITORING AND REPORTING PROGRAM**

## *LAKE HERMAN ROAD SOLAR PROJECT*

### **Introduction**

This document describes the mitigation monitoring and reporting program (MMRP) for ensuring the effective implementation of the mitigation measures required for City of Benicia approval of the Lake Herman Road Solar Project, located in northern Benicia, California.

### **City of Benicia**

When a lead agency approves findings pursuant to §15074 upon completion of a Mitigated Negative Declaration, it is required to adopt a reporting and monitoring program. The purpose of the reporting and monitoring program is to ensure that measures adopted to mitigate or avoid significant environmental impacts are implemented. A mitigation monitoring and reporting program does not need to be included with the Mitigated Negative Declaration as at times the findings which trigger the program are made after considering the Mitigated Negative Declaration. Note that mitigation measures are enforced through permit conditions, agreements, or other measures. The reporting and monitoring program will not only direct the implementation of mitigation measures by the applicant, but also facilitate the monitoring, compliance and reporting activities of the City and any monitors it may designate.

### **Project Background**

The applicant is requesting approval of the following entitlements:

- Adoption of the IS/MND;
- Adoption of the Mitigation Monitoring and Reporting Program;
- Zoning Text Amendment;
- Use Permit; and
- Design Review.

The Mitigated Negative Declaration for the Lake Herman Road Solar Project found that the resulting actions would have potentially significant impacts in the areas of:

- Biological Resources;
- Cultural Resources;
- Geology and Soils; and
- Tribal Cultural Resources.

In addition, no mitigation measures were identified for the following areas as all potential project impacts were determined to be either no impact or less than significant:

- Aesthetics;
- Agriculture and Forest Resources;
- Air Quality;
- Energy;
- Greenhouse Gas Emissions;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use and Planning;
- Mineral Resources;
- Noise;
- Population and Housing;
- Public Services;
- Recreation;
- Transportation;
- Wildfire; and
- Utilities and Service Systems.

### **Roles and Responsibilities**

As the lead agency under CEQA, the City of Benicia will be responsible for ensuring full compliance with the provisions of this monitoring program and has primary responsibility for implementation of the monitoring program. The City of Benicia has the authority to halt any activity associated with the construction and operation of the Lake Herman Road Solar Project if the activity is determined to be a deviation from the approved project or the adopted mitigation measures. The City of Benicia will act as the mitigation monitor and will designate to the applicant how to contact the monitor.

### **Mitigation Monitoring and Reporting Program**

The table attached presents a compilation of the mitigation measures in the Mitigated Negative Declaration together with the required monitoring and reporting actions, effectiveness criteria, and timing.

### **Monitoring Checklist Format**

The table attached includes spaces for identifying: (1) each mitigation measure included in the Mitigated Negative Declaration; (2) the party responsible for implementing that mitigation measure and any related requirements with respect to the timing of implementation; and (3) the party responsible for performing mitigation monitoring, plus information on the type and required timing implications of the monitoring procedures. These checklist categories are discussed in more detail below.

**Identified Impact**

This column would include each identified significant adverse impact as it is described in the Mitigated Negative Declaration summary table.

**Mitigation Measure (Performance Criteria)**

This column would include each mitigation measure as it is described in the Mitigated Negative Declaration summary table. The description could be supplemented by any applicable performance criteria (i.e., the measure by which the success of the mitigation can be gauged) associated with each measure.

**Monitoring/Reporting Action**

This column would describe the “type of monitoring action” required (e.g., condition of project approval, established plan check and/or inspection procedures or, if these are not sufficient, specialized monitoring procedures).

**Implementing Entity**

This column would describe the “implementation entity” responsible for carrying out each mitigation measure (e.g., a City department, another public agency).

**Effectiveness Criteria**

This column would describe if the monitoring action is succeeding.

**Timing**

This column would describe specific implementation timing requirements (e.g., at the completion of a particular development review or construction phase, prior to occupancy, or when some specific threshold is reached).

## Mitigation Monitoring Table

Identified Impact	Mitigation Measure	Monitoring/ Reporting Action	Implementing Entity	Effectiveness Criteria	Timing
<b>Biological Resources</b>					
<p>a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</p>	<p><i>IV-1: Prior to initiation of construction, all personnel must attend a preconstruction environmental training to review potential special-status wildlife that could be found in the project area and ensure that mitigation measures for the project are understood and implemented. The training shall include a description of the species and their habitat needs, a report of the occurrence of the species in the project area, an explanation of the status of the taxa and its protection under ESA, CESA, and/or California Fish and Game Code, a list of measures being taken to reduce impacts to the species during construction, and responsibilities of employees. A fact sheet conveying this information shall be prepared for all personnel associated with the project and for anyone else who may enter the site. Upon completion of training, employees shall sign a form stating that they attended the training and understand all the conservation and protective measures. The training form shall be submitted to the City's Community Development Department.</i></p> <p><i>Work areas, staging areas, and access roads shall be limited to those mentioned in the final project description. All heavy equipment, vehicles, and construction activities shall be confined to these designated areas. The activity footprint shall be minimized to reduce the potential for impacts to special-status species. The development of new access roads, including clearing and blading for temporary vehicle access in areas of natural vegetation, shall be minimized. Vehicle speeds on unpaved roads shall not exceed 15 miles per hour. Trash dumping, firearms, open fires (such as barbecues), hunting, and pets shall be prohibited at the work site. All trash and waste items generated by construction or crew</i></p>	<p>All personnel shall attend an environmental training session to review potential special-status wildlife that could be found in the project area.</p>	<p>City of Benicia Community Development Department</p>	<p>The signed employee training form was submitted.</p>	<p>Prior to initiation of construction</p>

## Mitigation Monitoring Table

Identified Impact	Mitigation Measure	Monitoring/ Reporting Action	Implementing Entity	Effectiveness Criteria	Timing
	<p><i>activities shall be properly contained and removed from the project site. All project personnel shall visually check for animals beneath vehicles and equipment immediately prior to operation.</i></p> <p><i>The potential for wildlife to seek refuge or shelter in pipes and culverts shall be minimized. Any pipes, culverts, or other open-ended materials and equipment stored onsite shall be inspected for animals prior to moving, burying, or capping to assure that no animals are present within the materials and equipment. To prevent accidental entrapment of wildlife during construction, all excavated holes, ditches, or trenches greater than one foot deep shall be covered at the end of each workday by suitable materials, or escape routes shall be constructed. After opening and before filling, such holes, ditches, and trenches shall be thoroughly inspected for trapped animals. Auger holes or fence post holes shall be immediately filled or securely covered so they do not become pitfall traps.</i></p> <p><i>If a special-status species is discovered in the project area, the Project Manager shall be contacted. The Project Manager shall report the sighting to the appropriate natural resource agency(ies) (e.g., CDFW, USFWS, etc.) within 24 hours. The animal shall be allowed to move off site on its own accord. Special- status species shall not be taken off the premises or harassed. Soil shall be stockpiled within established work area boundaries and located so as not to enter water bodies, stormwater inlets, or other standing bodies of water. Stockpiled soil shall be covered prior to precipitation. A copy of all applicable permits and approvals, with associated maps, conditions, and mitigation measures shall be kept onsite at all times.</i></p>	<p>The special-status species sighting shall be reported to the appropriate natural resource agency(ies) within 24 hours.</p>	<p>Project Manager</p>	<p>The appropriate natural resource agency(ies) were contacted.</p>	<p>If a special-status species is discovered in the project area</p>

## Mitigation Monitoring Table

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	<p><i>The project contractor shall ensure that all refueling, maintenance, and staging of equipment vehicles shall be located at least 100 feet from riverine and/or aquatic habitat. If refueling must be conducted closer to watercourses, a secondary containment area subject to review by an environmental field specialist and/or biologist shall be constructed. Spill prevention and cleanup equipment shall be placed and maintained in refueling areas.</i></p> <p><b>Special-Status Plants</b></p> <p><b>IV-2:</b> <i>Prior to any ground disturbance, should construction begin on or after June 11, 2021, a qualified biologist shall conduct a preconstruction survey to identify any special-status plant species on the project site. A written summary of the survey results shall be submitted to the City of Benicia Community Development Department and the CDFW.</i></p> <p><i>If special-status plant species are observed on the project site during the preconstruction survey, individuals shall be marked (e.g., with flagging or construction fencing) and avoided during construction activities. Depending on the species, buffer zones around the plants may be established to avoid effects on special-status plants. Proof of buffer zones shall be submitted to the City of Benicia Community Development Department.</i></p> <p><b>California Red-Legged Frog</b></p> <p><b>IV-3:</b> <i>To the extent feasible, ground disturbing activities shall be conducted during the dry season (April 1 to October 31).</i></p> <p><i>If construction cannot be avoided outside of</i></p>	<p>A preconstruction survey shall be conducted. If special-status plant species are observed, individuals shall be marked and avoided.</p> <p>A survey shall be conducted for CRLF no more than 48 hours prior to the start of ground disturbing activities.</p>	<p>Qualified Biologist City of Benicia Community Development Department</p> <p>Qualified Biologist City of Benicia Community Development Department</p>	<p>A written summary of the survey results was submitted. If special-status plant species were observed, proof of buffer zones were submitted.</p> <p>A written summary of the survey results was submitted.</p>	<p>Prior to any ground disturbance</p> <p>If construction cannot be avoided outside of the dry season</p>

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	<p><i>the dry season, then a qualified biologist shall survey the work area for CRLF no more than 48 hours prior to the start of initial ground disturbing activities. The survey shall consist of walking the project limits and within the project site to ascertain the possible presence of CRLF. The qualified biologist shall investigate all potential areas that would be used by CRLF. This includes adequate examination of mammal burrows. If CRLF are found, they shall be allowed to leave the project site on their own. Survey results shall be submitted to the City of Benicia Community Development Department.</i></p> <p><i>If CRLF are encountered during construction, all activities which have the potential to result in the harassment, injury, or death of the individual shall be immediately halted, and the qualified biologist shall be contacted for further direction. To the maximum extent possible, contact with the frog shall be avoided and the frog shall be allowed to move out of the potentially hazardous situation to a secure location on its own volition. If the frog cannot leave the project site on its own, the qualified biologist shall contact the USFWS for further guidance.</i></p> <p><i>A qualified biologist shall implement a buffer of 25 feet from the edge of ponds, aquatic features, and riparian areas shall be maintained. If maintaining the buffer is not possible because the areas are either in or adjacent to facilities, the field crew shall implement other measures as prescribed by the biologist to minimize impacts by flagging access, requiring foot access, restricting work until the dry season, or requiring a biological monitor during the activity. Proof of implementation shall be submitted to the</i></p>	<p>If CRLF are encountered during construction, potentially harmful activities shall be halted, and the qualified biologist shall be contacted.</p>	<p>City of Benicia Community Development Department</p>	<p>Proof of implementation was submitted.</p>	<p>(April 1 to October 31)</p> <p>If CRLF are encountered during construction</p>

## Mitigation Monitoring Table

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	<p><i>Community Development Department.</i></p> <p><i>Prior to initiation of construction, a qualified biologist shall determine if Construction Area Delineation and Environmentally Sensitive Area Fencing shall be used to protect sensitive areas of the site. The boundaries of the project site shall be clearly identified with Construction Area Delineation fencing to prevent workers or equipment from straying outside the project site. All construction personnel, equipment, and activities shall be confined to designated construction work and staging areas. Proof of implementation of the sensitive area shall be submitted to the Community Development Department.</i></p> <p><b>Burrowing Owl</b></p> <p><b>IV-4:</b> <i>Prior to any ground disturbance, the project biologist shall conduct a pre-construction survey for western burrowing owls within the disturbance footprint and within 500 feet from the perimeter of the footprint where possible. Surveys shall take place no more than 30 days prior to construction and shall be conducted near sunrise or sunset in accordance with CDFW guidelines. All burrows or burrowing owls shall be identified and mapped. During the breeding season (February 1 to August 31), surveys shall document whether burrowing owls are nesting in or directly adjacent to disturbance areas. During the nonbreeding season (September 1 to January 31), surveys shall document whether burrowing owls are using habitat in or directly adjacent to any disturbance area. Survey results shall be valid only for the season (breeding or nonbreeding) during which the survey is conducted. Written results of the preconstruction survey shall be submitted to the City of Benicia Community</i></p>	<p>A qualified biologist shall determine if Construction Area Delineation and Environmentally Sensitive Area Fencing shall be used.</p> <p>A preconstruction survey for western burrowing owl shall be conducted no more than 30 days prior to construction, near sunrise or sunset.</p>	<p>City of Benicia Community Development Department</p> <p>Qualified Biologist</p> <p>City of Benicia Community Development Department</p>	<p>If the biologist deemed it necessary, proof of implementation of the sensitive area was submitted.</p> <p>Written results of the preconstruction survey were submitted.</p>	<p>Prior to initiation of construction</p> <p>Prior to any ground disturbance</p>

## Mitigation Monitoring Table

Identified Impact	Mitigation Measure	Monitoring/ Reporting Action	Implementing Entity	Effectiveness Criteria	Timing
	<p><i>Development Department. If western burrowing owls are not discovered, then further mitigation is not necessary.</i></p> <p><b>IV-5:</b> <i>If burrowing owls are found during the breeding season (February 1 to August 31), the project proponent shall avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young. Avoidance shall include establishment of a non-disturbance buffer zone (described below). Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the nonbreeding season (September 1 to January 31), the project proponent shall avoid the owls and the burrows they are using, if possible. Avoidance shall include the establishment of a buffer zone (described below).</i></p> <p><i>During the breeding season, buffer zones of at least 250 feet in which no construction activities can occur shall be established around each occupied burrow (nest site). Buffer zones of 160 feet shall be established around each burrow being used during the nonbreeding season. The buffers shall be delineated by highly visible, temporary construction fencing.</i></p> <p><i>If occupied burrows for burrowing owls cannot be avoided outside of the nesting period, passive relocation shall be implemented. Owls shall be excluded from burrows in the immediate impact zone and within a 160-foot buffer zone by installing one-way doors in burrow entrances. Such</i></p>	<p>If burrowing owls are found during the breeding season, the project proponent shall avoid all nest sites that could be disturbed by project construction during the breeding season.</p>	<p>Project Proponent City of Benicia Community Development Department</p>	<p>If deemed necessary, avoidance measures were implemented to the satisfaction of the biologist.</p>	<p>If burrowing owls are found during the breeding season (February 1 to August 31)</p>

## Mitigation Monitoring Table

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	<p><i>doors shall be in place for 48 hours prior to excavation. The project area shall be monitored daily for one week to confirm that the owl has abandoned the burrow. Whenever possible, burrows should be excavated using hand tools and refilled to prevent reoccupation (California Department of Fish and Game 1995). Plastic tubing or a similar structure shall be inserted in the tunnels during excavation to maintain an escape route for any owls inside the burrow.</i></p> <p><b>Swainson's Hawk</b></p> <p><b>IV-6:</b> <i>Prior to any ground disturbance which are conducted during the nesting season (March 15 to September 15), a qualified biologist shall conduct a preconstruction survey no more than one month prior to construction in order to establish whether occupied Swainson's hawk nests are located within 1,000 feet of the project site. A written summary of the survey results shall be submitted to the City of Benicia Community Development Department. If occupied nests are not found during the survey, further mitigation is not required.</i></p> <p><b>IV-7:</b> <i>If potentially occupied nests are identified within the site or immediate vicinity of the project site, then the occupancy of the nests shall be determined by observation from public roads or by observations of Swainson's hawk activity (e.g., foraging) near the project site. If nests are occupied, minimization measures and construction monitoring are required (see below).</i></p> <p><i>During the nesting season (March 15 to September 15), covered activities within the biologist-established exclusion zone of</i></p>	<p>A preconstruction survey for Swainson's hawk nests shall be conducted no more than one month prior to construction.</p> <p>If potentially occupied nests are identified, minimization measures and construction monitoring shall be implemented.</p>	<p>Qualified Biologist City of Benicia Community Development Department</p> <p>Project Proponent City of Benicia Community Development Department</p>	<p>A written summary of the survey results was submitted.</p> <p>If deemed necessary, minimization requirements and construction monitoring were implemented to the satisfaction of the biologist.</p>	<p>Prior to any ground disturbance during the nesting season (March 15 to September 15)</p> <p>If potentially occupied nests are identified within the site of immediate vicinity of the project site</p>

## Mitigation Monitoring Table

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	<p><i>occupied nests or nests under construction shall be prohibited to prevent nest abandonment. If site-specific conditions or the nature of the covered activity (e.g., steep topography, dense vegetation, limited activities) indicate that a smaller buffer could be used, the Project applicant shall coordinate with CDFW/USFWS to determine the appropriate buffer size. If young fledge prior to September 15, covered activities may proceed normally. If the active nest site is shielded from view and noise from the project site by other development, topography, or other features, the project applicant may apply to the City of Benicia Community Development Department for a waiver of this avoidance measure. Any waiver must also be approved by USFWS and CDFW. While the nest is occupied, activities outside the buffer may take place. All active nest trees shall be preserved on site, if feasible. Nest trees, including non-native trees, lost to covered activities shall be mitigated by the project proponent according to the requirements below.</i></p> <p><b>Golden Eagle</b></p> <p><b>IV-8:</b> <i>Prior to any ground disturbance, a qualified biologist shall conduct a preconstruction survey to establish whether nests of golden eagles are occupied. A written summary of the survey results shall be submitted to the City of Benicia Community Development Department. If occupied nests are not found during the survey, further mitigation is not required.</i></p> <p><b>IV-9:</b> <i>If nests are occupied, minimization requirements and construction monitoring shall be required to the satisfaction of the qualified biologist.</i></p>	<p>A preconstruction survey for golden eagle nests shall be conducted</p> <p>If nests were occupied minimization requirements and construction monitoring</p>	<p>Qualified Biologist City of Benicia Community Development Department</p> <p>Qualified Biologist</p>	<p>A written summary of the survey results was submitted.</p> <p>If deemed necessary, minimization requirements and construction monitoring</p>	<p>Prior to any ground disturbance</p> <p>If golden eagle nests are occupied</p>

### EXHIBIT B



## Mitigation Monitoring Table

Identified Impact	Mitigation Measure	Monitoring/ Reporting Action	Implementing Entity	Effectiveness Criteria	Timing
	<p><i>IV-11: During the nesting season (March 15 to September 15), if occupied nests occur on-site or within 250 feet of the project site, construction activities within 250 feet of occupied nests or nests under construction shall be prohibited to prevent nest abandonment. If site-specific conditions, or the nature of the covered activity (e.g., dense vegetation, limited activities) indicate that a smaller buffer could be used, the project applicant may coordinate with CDFW/USFWS to determine the appropriate buffer size. If young fledge prior to September 15, construction activities can proceed normally.</i></p>	<p>During the nesting season, if occupied nests occur on or within 250 feet of the project site, construction activities within 250 feet of occupied nests shall be prohibited.</p>	<p>Project Proponent City of Benicia Community Development Department</p>	<p>If deemed necessary, buffer zones were implemented.</p>	<p>During the nesting season (March 15 to September 15)</p>
<p>b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?</p> <p>c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p>	<p><i>IV-12: A fencing plan shall be prepared to avoid any aquatic features (i.e., stock pond and three ephemeral channels) if construction is to occur within 50 feet of the aquatic features. Prior to construction, the aquatic features shall be marked with flagging or construction fencing according to the fencing plan. Project improvement plans shall include the following requirements as notes:</i></p> <p><i>Extreme caution shall be exercised when handling and or storing chemicals (fuel, hydraulic fluid, etc.) near waterways. All applicable laws/regulations and Best Management Practices (BMPs) shall be followed. Appropriate materials shall be kept on site to prevent and manage spills. Equipment, when not in use, shall be stored in upland areas outside of avoided aquatic features and riparian areas.</i></p> <p><i>All construction equipment shall be well maintained to prevent leaks of fuels, lubricants or other fluids. All equipment shall be inspected before being brought on site, and daily while on site for leaks.</i></p>	<p>If construction is to occur within 50 feet of aquatic features, a fencing plan shall be prepared. Project improvement plans shall note several requirements, listed under Mitigation Measure IV-12, which can be found in the cell to the left.</p>	<p>City of Benicia Community Development Department</p>	<p>If construction is to occur within 50 feet of aquatic resources, the fencing plan was submitted and implemented. Improvement plans include the required notes.</p>	<p>Prior to approval of project improvement plans</p>

## Mitigation Monitoring Table

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	<p><i>Any stationary equipment containing lubricating oils and fuel (e.g., portable compressor, hydraulic pump, cranes, generators, etc.) shall be placed within secondary containment, in upland areas whenever feasible. Where this is not feasible, stationary equipment and the secondary containment may be placed in areas that are dry, but shall not be left overnight, weekends, or other times when construction personnel are not present.</i></p> <p><i>Once all work has been completed, the affected work areas shall be restored to as close to their original state as practicable. Newly denuded or exposed soils shall be stabilized using BMPs. The area shall be restored and/or revegetated as appropriate. Any seed used for post-construction restoration shall include California native species endemic to the project area. The recommended fencing plan and improvement plans shall be submitted by the project biologist to the City of Benicia Community Development Department for review and approval.</i></p>				
<b>Cultural Resources</b>					
<p>a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?</p> <p>b. Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5?</p>	<p><i><b>V-1:</b> Prior to the approval of the grading plans, the project's improvement plans shall include notes (per Public Resources Code 5097.97 and Health and Human Safety Section 7050.5 of the California Health and Safety Code) indicating that if cultural resources are identified during ground disturbing activities associated with the proposed project, all work within 100-feet of the finding shall be halted until a qualified archaeologist can review and assess the nature of the find. If the resource is also a tribal cultural resource the consultation tribe(s) will also require notification and opportunity to consult on the findings. This</i></p>	<p>Improvement plans shall include a note indicating that if any cultural resources are found, all work within 100 feet of the find shall halt until a qualified archeologist reviews the find.</p>	<p>City of Benicia Community Development Department</p>	<p>Grading and Improvement Plans include the required notes.</p>	<p>Prior to the approval of grading plans</p>

## Mitigation Monitoring Table

Identified Impact	Mitigation Measure	Monitoring/ Reporting Action	Implementing Entity	Effectiveness Criteria	Timing
<p>c. Disturb any human remains, including those interred outside of dedicated cemeteries.</p>	<p><i>will be conducted in accordance with the City and land owner. No ground disturbing work in the vicinity of the find shall occur until the resource has been evaluated, if the resource is found eligible for CRHR and avoidance is not feasible then an evaluation and/or data recovery mitigation program shall be drafted and implemented. The archaeologist shall be required to submit a report of findings to the City's Community Development Department for review.</i></p> <p><b>V-2:</b> <i>Prior to the approval of the grading plans, the project's improvement plans shall include notes (per Public Resources Code 5097.97 and Health and Human Safety Section 7050.5(b) of the California Health and Safety Code) indicating that if human remains are encountered during ground disturbing activities, the following actions shall apply. Upon identification of human remains all excavation or disturbance of the location must be halted in the vicinity of the find, and the county coroner contacted. If the coroner determines the remains are Native American, the coroner shall contact the NAHC. The NAHC will identify the person or persons believed to be most likely descendant (MLD) from the deceased Native American. The MLD will provide recommendations regarding the treatment of the remains with appropriate dignity (refer to PRC 5097.94 for complete guidelines).</i></p> <p><b>V-3:</b> <i>If the project design changes and ground disturbance are anticipated beyond the proposed project area, as it is currently defined, further surveys shall be conducted in those areas to assess the presence of cultural resources. Any newly discovered or previously recorded sites within the additional survey areas shall be recorded (or updated)</i></p>	<p>Improvement plans shall include a note indicating that if any human remains are found, all work within the vicinity of the find shall halt and the county coroner shall be contacted. If the remains are determined to be Native American, the coroner shall contact the NAHC, who will identify/notify the MLD.</p> <p>If the project design changes and ground disturbance is anticipated to occur beyond the proposed project area, further surveys shall be conducted to assess the presence of cultural</p>	<p>Solano County Coroner NAHC, if the remains are determined to be Native American</p> <p>City of Benicia Community Development Department</p>	<p>Grading and Improvement Plans include the required notes.</p> <p>If the project design changed and ground disturbance was anticipated to occur beyond the proposed project area, the updated project design and corresponding surveys</p>	<p>Prior to the approval of grading plans</p> <p>If the project design changes and ground disturbance are anticipated beyond the proposed project area</p>

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## Mitigation Monitoring Table

Identified Impact	Mitigation Measure	Monitoring/ Reporting Action	Implementing Entity	Effectiveness Criteria	Timing
	<p><i>on appropriate DPR 523-series forms. If avoidance of these resource is not feasible then an evaluation and/or data recovery program shall be drafted and implemented. The project applicant shall be required to submit the updated project design and corresponding surveys to the City's Community Development Department prior to any ground-disturbing activity beyond the original project area.</i></p>	resources.		were submitted.	
<b>Geology and Soils</b>					
<p>d. Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?</p>	<p><i><b>VII-1:</b> Prior to construction, a site-specific, design level geotechnical investigation shall be required to identify geologic hazards and provide recommendations to mitigate any such hazards in the final design of the proposed project. The analyses would be completed in accordance with applicable City ordinance and policies and consistent with the most recent version of the California Building Standards Code, which requires structural design that can accommodate ground accelerations expected from known active faults. The geotechnical investigation report shall evaluate the potential for ground shaking, liquefaction, expansive soils, and landslide hazards and shall include recommendations to ensure slope stability. The investigation shall be conducted by a California registered engineer or a certified engineering geology and all recommendations make in the investigation report shall be incorporated into the proposed project design specifications. A summary of the geotechnical report shall be submitted to the City of Benicia Community Development Department.</i></p>	<p>A site-specific, design level geotechnical investigation shall be conducted.</p>	City of Benicia Community Development Department	<p>A written summary of the geotechnical report was submitted.</p>	<p>Prior to construction</p>
<p>f. Directly or indirectly destroy a unique paleontological</p>	<p><i><b>VII-2:</b> Prior to the approval of the grading plans, the project's improvement plans shall include a note indicating that if any unique</i></p>	<p>Improvement plans shall include a note indicating that if any unique</p>	City of Benicia Community Development Department	<p>Grading and Improvement Plans include the required notes.</p>	<p>Prior to the approval of grading plans</p>

## Mitigation Monitoring Table

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<p>resource or site or unique geologic feature?</p>	<p><i>paleontological or geological features are identified during ground-disturbing activities associated with the proposed project, all work within 100-feet of the finding shall be halted until a qualified paleontologist or geologist can review and assess the nature of the find. No ground disturbing work in the vicinity of the find shall occur until the resource has been evaluated. The paleontologist or geologist shall be required to submit a report of findings to the City's Community Development Department for review.</i></p>	<p>paleontological or geological features are found, work within 100 feet of the find shall halt until a qualified paleontologist or geologist reviews the find.</p>			
<p><b>Tribal Cultural Resources</b></p>					
<p>a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).</p> <p>b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall</p>	<p><i>XVIII-1: Implement Mitigation Measures V-1, V-2, and V-3.</i></p>	<p>See Mitigation Measures V-1, V-2, and V-3.</p>	<p>See Mitigation Measures V-1, V-2, and V-3.</p>	<p>See Mitigation Measures V-1, V-2, and V-3.</p>	<p>See Mitigation Measures V-1, V-2, and V-3.</p>

### Mitigation Monitoring Table

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consider the significance of the resource to a California Native American tribe.					