

# **Wheatland Regional Sewer Pipeline Project**

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SCH# 2021110022

## **Final Environmental Impact Report**

Prepared for  
City of Wheatland



**February 2023**

Prepared by



# **Wheatland Regional Sewer Pipeline Project Final Environmental Impact Report**

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SCH# 2021110022

## **Lead Agency**

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City of Wheatland  
Community Development Department  
Planning Division  
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Wheatland, CA 95692

Tim Raney  
Community Development Director

## **Prepared By**

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# **1. Introduction and List of Commenters**

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# **1. INTRODUCTION AND LIST OF COMMENTERS**

## **1.1 INTRODUCTION**

This Final Environmental Impact Report (EIR) contains comments received during the public review period of the Wheatland Regional Sewer Pipeline Project (proposed project) Draft EIR. This document has been prepared by the City of Wheatland, as Lead Agency, in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, Section 15132. The Introduction and List of Commenters chapter of the Final EIR discusses the background of the Draft EIR and purpose of the Final EIR, and provides an overview of the organization of the Final EIR.

## **1.2 BACKGROUND**

The Draft EIR identified the proposed project's potential impacts and the mitigation measures that would be required to be implemented. The proposed project Draft EIR includes the following environmental analysis chapters: Agricultural Resources; Air Quality and Greenhouse Gas Emissions; Biological Resources; Cultural Resources; Geology and Soils; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning/Population and Housing; and Tribal Cultural Resources. The remaining environmental issue areas identified by Appendix G of the CEQA Guidelines are addressed in the Initial Study prepared for the proposed project and included in Appendix A of the Wheatland Regional Sewer Pipeline Project Draft EIR, as an attachment to the Notice of Preparation (NOP).

In accordance with CEQA, the City of Wheatland used the following methods to solicit public input on the Draft EIR:

- A NOP for the Draft EIR was released for a 30-day public review period from November 2, 2021 to December 1, 2021. The NOP comment letters are included as Appendix B to the Draft EIR.
- A public scoping meeting was held online via Zoom on November 16, 2021 to solicit comments regarding the scope of the Draft EIR.
- The Draft EIR was submitted to the State Clearinghouse for distribution to State agencies for a 45-day public review period from December 14, 2022 to January 27, 2023.
- On December 14, 2022, a Notice of Availability (NOA) of the Draft EIR was posted to the City's website and the Yuba County Clerk's Office (915 8<sup>th</sup> Street, Suite 107, Marysville, CA 95901), and mailed to local agencies and interested members of the public.
- The Draft EIR was made available for review on the City's website at <http://www.wheatland.ca.gov/departments/community-development/> and the CEQA website at <https://ceqanet.opr.ca.gov/2021110022/2>. A printed copy of the Draft EIR was also available for review at the City Clerk's Office (111 C Street, Wheatland, CA 95692).

All public comments received on the Draft EIR are listed in this chapter, and written responses to comments are included in Chapter 2, Response to Comments, as discussed in more detail in Section 1.4 of this chapter.

Comments received on the Draft EIR did not necessitate changes to the Draft EIR; thus, a



Revisions to the Draft EIR Text Chapter is not required for this Final EIR.

### **1.3 PURPOSE OF THE FINAL EIR**

Pursuant to CEQA Guidelines Section 15132, this Final EIR consists of the following:

1. The Draft EIR or a revision of the Draft EIR;
2. Comments and recommendations received on the Draft EIR (Chapter 2 of this Final EIR);
3. A list of persons, organizations, and public agencies commenting on the Draft EIR (included as Section 1.4 of this chapter);
4. The responses to significant environmental points raised in the review process; and
5. Any other information added by the Lead Agency.

State law requires that the City make several types of CEQA “findings” at the time of final action on the project. Findings describe the conclusions reached regarding particular issues, including specific evidence in support of those conclusions. The Final EIR typically provides much of the substantial evidence to support these findings. The required findings for the project are as follows:

- Certification of the Final EIR (CEQA Guidelines Section 15090[a]) – These findings support the adequacy of the Final EIR for decision-making purposes. The Lead Agency must make the following three determinations in certifying a Final EIR:
  1. The Final EIR has been completed in compliance with CEQA.
  2. The Final EIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information in the Final EIR prior to approving the project.
  3. The Final EIR reflects the Lead Agency’s independent judgment and analysis.
- Findings Regarding Significant Impacts and Project Alternatives (CEQA Guidelines Section 15091) – These findings explain how the City chose to address each identified significant impact, including the mitigation measures adopted or an explanation of why such measures are infeasible. A discussion of the feasibility of project alternatives is also required by this section (see also CEQA Guidelines Section 15126.6[f]).

Pursuant to CEQA Guidelines, Section 15093(b), when a Lead Agency approves a project that would result in significant unavoidable impacts, the agency must state in writing the reasons supporting the action (Statement of Overriding Considerations). The Statement of Overriding Considerations shall be supported by substantial evidence. The proposed project would result in significant and unavoidable impacts related to agricultural resources (Impacts 4.1-1 and 4.1-2); thus, a Statement of Overriding Considerations must be adopted if the project is approved.

The required Findings of Fact and Statement of Overriding Considerations are included in a separate document that will be considered for adoption by the City of Wheatland decision-makers.

### **1.4 LIST OF COMMENTERS**

The City of Wheatland received one comment letter during the public comment period on the Draft EIR for the proposed project. The comment letter was authored by the following agency:

Letter 1 .....Central Valley Regional Water Quality Control Board – Peter Minkel



## **1.5 ORGANIZATION OF THE FINAL EIR**

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The Final EIR is organized into the following three chapters.

### **1. Introduction and List of Commenters**

Chapter 1 provides an introduction and overview of the document, describes the background of the Draft EIR and the purposes of the Final EIR, provides a list of commenters, and describes the organization of the Final EIR.

### **2. Responses to Comments**

Chapter 2 presents the comment letter received and responses to each comment. The comment letter received has been numbered at the top and bracketed to indicate how the letter has been divided into individual comments. Each comment is given a number with the letter number appearing first, followed by the comment number. Thus, the first comment in the letter (Letter 1) would have the following format: 1-1. The response to each comment will reference the comment number.

### **3. Mitigation Monitoring and Reporting Program**

CEQA Guidelines, Section 15097, requires lead agencies to adopt a program for monitoring the mitigation measures required to avoid the significant environmental impacts of a project. The intent of the Mitigation Monitoring and Reporting Program (MMRP) is to ensure implementation of the mitigation measures identified within the EIR for the proposed project.





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## **2. Responses to Comments**

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## 2. RESPONSES TO COMMENTS

### 2.1 INTRODUCTION

The Responses to Comments chapter contains responses to the comment letter submitted regarding the Wheatland Regional Sewer Pipeline Project (proposed project) Draft EIR during the public review period.

### 2.2 RESPONSES TO COMMENTS

The bracketed comment letter is followed by numbered responses to each bracketed comment. The responses refer the reader to the appropriate place in the document where the referenced information can be found. Comments that are not directly related to environmental issues (e.g., opinions on the merits of the project that are unrelated to its environmental impacts) are noted for the record.



Letter 1



Central Valley Regional Water Quality Control Board

24 January 2023

Kevin Valente  
City of Wheatland  
111 C Street  
Wheatland, CA 95692  
kvalente@raneymanagement.com

**COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT ENVIRONMENTAL  
IMPACT REPORT, WHEATLAND REGIONAL SEWER PIPELINE PROJECT,  
SCH#2021110022, YUBA COUNTY**

1-1

Pursuant to the State Clearinghouse's 14 December 2022 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Draft Environmental Impact Report* for the Wheatland Regional Sewer Pipeline Project, located in Yuba County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore, our comments will address concerns surrounding those issues.

**I. Regulatory Setting**

**Basin Plan**

1-2

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)



Letter 1  
Cont'd

Wheatland Regional Sewer  
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Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

**Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

**II. Permitting Requirements**

**Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

1-2 cont'd



Letter 1  
Cont'd

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1-2 cont'd

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)

**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality\\_certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/)

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: [https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:





Letter 1  
Cont'd

Wheatland Regional Sewer  
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24 January 2023

1-2 cont'd

[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)

**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

**Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

**NPDES Permit**

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>



**Letter 1  
Cont'd**

Wheatland Regional Sewer  
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If you have questions regarding these comments, please contact me at (916) 464-4684  
or [Peter.Minkel2@waterboards.ca.gov](mailto:Peter.Minkel2@waterboards.ca.gov).

**1-3**

*Peter Minkel*

Peter Minkel  
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,  
Sacramento



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**LETTER 1: PETER MINKEL, CENTRAL VALLEY REGIONAL WATER  
QUALITY CONTROL BOARD**

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**Response to Comment 1-1**

The comment is an introductory statement and does not address the adequacy of the Draft EIR.

**Response to Comment 1-2**

The comment provides background information regarding applicable regulations and required permits. Compliance with such regulations is discussed throughout Chapter 4.7, Hydrology and Water Quality, of the Draft EIR. The comment does not address the adequacy of the Draft EIR and has been noted for the record.

**Response to Comment 1-3**

The comment is a conclusory statement and does not address the adequacy of the Draft EIR.





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### **3. Mitigation Monitoring and Reporting Program**

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## 3. MITIGATION MONITORING AND REPORTING PROGRAM

### 3.1 INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a “mitigated negative declaration” or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Wheatland Regional Sewer Pipeline Project (proposed project). The intent of the MMRP is to ensure implementation of the mitigation measures identified within the EIR for the proposed project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the applicant.

### 3.2 COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the EIR prepared for the proposed project. This MMRP is intended to be used by City of Wheatland staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the EIR.

The EIR presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA Guidelines, Section 15370, as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMRP is to ensure the implementation of adopted mitigation measures. 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 City of Wheatland. The table attached to this report identifies the mitigation measures, the monitoring action for each mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and



effectively implementing the mitigation measures contained within the MMRP. The City will be responsible for monitoring compliance.

### **3.3 MITIGATION MONITORING AND REPORTING PROGRAM**

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The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.



<b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Wheatland Regional Sewer Project</b>					
<b>Impact Number</b>	<b>Impact</b>	<b>Mitigation Measures</b>	<b>Monitoring Agency</b>	<b>Implementation Schedule</b>	<b>Sign-off</b>
<b>4.2 Air Quality and Greenhouse Gas Emissions</b>					
4.2-1	Conflict with or obstruct implementation of the applicable air quality plan during project construction.	<p>4.2-1(a) <i>Prior to approval of any grading plans, the grading plans shall include a note that the project contractor shall ensure that the heavy-duty off-road vehicles (50 horsepower or more) to be used in the construction project, including owned, leased, and subcontractor vehicles, shall achieve a project-wide fleet average NO<sub>x</sub> reduction of 42 percent compared to the year 2023 CARB fleet average. The 42 percent NO<sub>x</sub> reduction may be achieved by requiring a combination of engine Tier 3 or Tier 4 off-road construction equipment or the use of hybrid, electric, or alternatively fueled equipment. For instance, the emissions presented in Table 4.2-10 were achieved by requiring all on-road heavy-duty haul trucks to be model year 2010 or newer, and all off-road construction equipment used for Grubbing/Land Clearing and Grading/Excavation shall be engine Tier 4. Other acceptable options for reducing emissions may include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. The following link shall be used to calculate compliance with this condition:</i><a href="http://www.airquality.org/businesses/ceqa-land-use-planning/mitigation">http://www.airquality.org/businesses/ceqa-land-use-planning/mitigation</a> (click on the current "Construction Mitigation Tool" spreadsheet under Step 1). The Construction Mitigation Tool spreadsheet shall be submitted to the City of Wheatland Community</p>	City of Wheatland Community Development Department	Prior to approval of any grading plans.	



<b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Wheatland Regional Sewer Project</b>					
<b>Impact Number</b>	<b>Impact</b>	<b>Mitigation Measures</b>	<b>Monitoring Agency</b>	<b>Implementation Schedule</b>	<b>Sign-off</b>
		<p><i>Development Department for review and verification in conjunction with grading plans.</i></p> <p><i>Portable equipment over 50 horsepower must have either a valid District Permit to Operate (PTO) or a valid statewide Portable Equipment Registration Program (PERP) placard and sticker issued by CARB.</i></p> <p><i>Conformance with the foregoing requirements shall be included as notes and be confirmed through review and approval of grading plans by the City of Wheatland Community Development Department.</i></p> <p>4.2-1(b) <i>Prior to approval of any demolition or grading permit for the City of Wheatland WWTP, a detailed air quality analysis shall be conducted to determine the emissions associated with all activities related to the decommissioning of the WWTP (e.g., demolition and removal of all structures, remediation activities, soil movement associated with the infiltration basins, etc.). The analysis shall be completed in accordance with the FRAQMD's Indirect Source Review Guidelines and shall present the modeled emissions in comparison to the FRAQMD thresholds of significance in place at the time of preparation. If the modeled emissions are below the applicable FRAQMD thresholds of significance, then further mitigation is not required. If the modeled emissions exceed the FRAQMD thresholds, then the air quality analysis shall include</i></p>	City of Wheatland Community Development Department	Prior to approval of any demolition or grading permit for the City of Wheatland WWTP.	



<b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Wheatland Regional Sewer Project</b>					
<b>Impact Number</b>	<b>Impact</b>	<b>Mitigation Measures</b>	<b>Monitoring Agency</b>	<b>Implementation Schedule</b>	<b>Sign-off</b>
		<i>recommendations sufficient to reduce the emissions to below the applicable FRAQMD thresholds of significance and provide evidence of the reduction through calculations. Acceptable options for reducing emissions may include, but are not limited to, the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. The air quality analysis shall be submitted to the City of Wheatland Community Development Department for review and approval.</i>			
4.2-4	Result in other emissions (such as those leading to odors) affecting a substantial number of people.	4.2-4 <i>Prior to the approval of project Improvement Plans for Pump Stations 1, 2, and 3, the FRAQMD shall be consulted to determine if additional odor control devices are required for the proposed project. If the FRAQMD determines that further odor control systems are not required, then further mitigation is not required. If the FRAQMD determines that additional odor control systems are required, such systems are subject to approval by both the FRAQMD and the City of Wheatland Community Development Department. Proof of consultation and implementation of additional odor control systems, if deemed necessary, shall be submitted to the City of Wheatland Community Development Department.</i>	City of Wheatland Community Development Department  FRAQMD	Prior to approval of Improvement Plans for Pump Stations 1, 2, and 3.	
4.2-6	Generate GHG emissions, either directly or indirectly, that may have a significant impact	4.2-6 <i>Prior to approval of project Improvement Plans, proof of compliance with the following sustainability measures listed in the City CAP's Sustainability Checklist shall be submitted to</i>	City of Wheatland Community	Prior to approval of project Improvement Plans.	



<b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Wheatland Regional Sewer Project</b>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
	on the environment, or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.	<p><i>the City of Wheatland Community Development Department for review and approval:</i></p> <ul style="list-style-type: none"> <li>• <i>Include Electric Vehicle charging infrastructure and parking spaces at the Public Works corporation yard as required by State or City standards; and</i></li> <li>• <i>Landscaping at the Pump Station 1 and 3 sites shall meet the City or State's requirements for water efficient landscaping.</i></li> </ul>	Development Department		
4.3 Biological Resources					
4.3-1	Have a substantial adverse effect, either directly or through habitat modifications, on special-status plant species.	<p><i>Sewer Pipeline Alignment, Pump Stations, and Corporation Yard</i></p> <p><i>4.3-1(a) If the final pipeline alignment passes through portions of the study area that were inaccessible during the May 2022 special-status plant survey, prior to the commencement of construction activities, permission shall be obtained to access the areas that could be affected during project construction and a qualified biologist shall survey such areas. The results of the special-status plant surveys shall be submitted for review and approval to the City of Wheatland Community Development Department. If special-status plant species are not found, further mitigation shall not be required.</i></p> <p><i>If any special-status plants are located during the foregoing surveys, the appropriate agency</i></p>	<p>City of Wheatland Community Development Department</p> <p>CDFW</p> <p>USFWS</p>	Prior to commencement of construction activities, if the final pipeline alignment passes through portions of the study area that were inaccessible during the May 2022 special-status plant survey.	



<b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Wheatland Regional Sewer Project</b>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>(i.e., CDFW and/or USFWS, depending on the species) shall be consulted to develop appropriate mitigation for the proposed project for expected impacts. If special-status plants would be impacted, as determined by the qualified biologist, a mitigation plan shall be developed in coordination with the appropriate agency and submitted for review and approval to the City of Wheatland Community Development Department. Mitigation shall include that if special-status perennial species are found within the final pipeline alignment, the plants shall be dug up and transplanted into a suitable avoided area on-site prior to construction. If the plant found is an annual, such as dwarf downingia, then mitigation shall consist of collecting seed-bearing soil and spreading it into a suitable constructed wetland at a mitigation site. Mitigation for the transplantation and/or establishment of rare plants shall result in no net loss of individual plants after a five-year monitoring period.</i></p> <p>4.3-1(b) <i>If project construction does not commence prior to the first day of spring of 2024 (March 19, 2024), a new round of special-status plant surveys shall be conducted by a qualified biologist in areas proposed for ground disturbance prior to commencement of construction. If special-status plant species are not found, further mitigation shall not be required. If special-status perennial species are found within the proposed impact area, the plants shall be dug up and transplanted into a</i></p>			
			City of Wheatland Community Development Department	Prior to commencement of construction, if project construction does not commence prior to the first day of spring of 2024 (March 19, 2024).	





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		<p><i>suitable avoided area on-site prior to construction. If the plant found is an annual, such as dwarf downingia, then mitigation shall consist of collecting seed-bearing soil and spreading it into a suitable constructed wetland at a mitigation site. If special-status plants would be impacted, as determined by the qualified biologist, a mitigation plan shall be developed and submitted for review and approval to the City of Wheatland Community Development Department. Mitigation for the transplantation and/or establishment of rare plants shall result in no net loss of individual plants after a five-year monitoring period.</i></p> <p><i>Decommissioning of the City's Wastewater Treatment Plant</i></p> <p><i>4.3-1(c) In conjunction with the submittal of the first permit application associated with the decommissioning of the City of Wheatland's existing WWTP, a qualified biologist shall conduct planning-level special-status plant surveys of areas that would be disturbed through decommissioning activities. If special-status plant species are not found, further mitigation shall not be required.</i></p> <p><i>If special-status perennial species are found within the areas proposed for ground disturbance, the plants shall be dug up and transplanted into a suitable avoided area in the project vicinity prior to construction. If the plant found is an annual, such as dwarf downingia, then mitigation shall consist of collecting seed-</i></p>			
			City of Wheatland Community Development Department	In conjunction with the submittal of the first permit application associated with the decommissioning of the City of Wheatland's existing WWTP.	



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		<i>bearing soil and spreading it into a suitable constructed wetland at a mitigation site. If special-status plants would be impacted, as determined by the qualified biologist, a mitigation plan shall be developed and submitted for review and approval to the City of Wheatland Community Development Department. Mitigation for the transplantation and/or establishment of rare plants shall result in no net loss of individual plants after a five-year monitoring period.</i>			
4.3-2	Have a substantial adverse effect, either directly or through habitat modifications, on special-status branchiopods.	<p><i>Sewer Pipeline Alignment, Pump Stations, and Corporation Yard</i></p> <p>4.3-2 <i>Prior to the commencement of construction activities, a delineation of all potential vernal pool branchiopod habitat and surveys of any habitat shall be performed by a qualified biologist in accordance with current USFWS protocol. For those areas of potential habitat that are determined by the surveys not to be occupied by federally listed vernal pool branchiopods, further mitigation shall not be required. If federally listed vernal pool branchiopods are found during surveys, removal of the species' habitat shall be mitigated through the preservation of vernal pool branchiopod habitat at USFWS-approved ratios at a USFWS-approved mitigation bank. Alternatively, all potential vernal pool branchiopod habitat may be assumed to be occupied and mitigation shall be as described above. The results of the delineation of all potential vernal pool branchiopod habitat and surveys of any habitat shall be submitted for</i></p>	City of Wheatland Community Development Department	Prior to the commencement of construction activities.	



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		<i>review and approval to the City of Wheatland Community Development Department.</i>			
4.3-4	Have a substantial adverse effect, either directly or through habitat modifications, on VELB.	<p><b><i>Decommissioning of the City's Wastewater Treatment Plant</i></b></p> <p><b>4.3-4</b> <i>If finalized decommissioning activities associated with the City of Wheatland's existing WWTP come within 165 feet of a known elderberry shrub, then in conjunction with the submittal of the first permit application associated with the decommissioning activities, a qualified biologist shall conduct a protocol-level survey for VELB. The results of the survey shall be submitted for review and approval to the City of Wheatland Community Development Department. If the survey finds that the shrub is not occupied by the species, further mitigation shall not be required.</i></p> <p><i>If the protocol-level survey identifies an occupied shrub, then, during decommissioning activities, the shrub shall be avoided with a buffer of at least 20 feet, and AMMs as outlined in the USFWS Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle shall be implemented for all work within 165 feet of a shrub. The 20-foot buffer and AMMs shall be noted on the final improvement plans for the decommissioning of the existing WWTP and shall be subject to review and approval by the City of Wheatland Community Development Department.</i></p> <p><i>If the elderberry shrub is occupied by VELB and must be removed to accommodate</i></p>	<p>City of Wheatland Community Development Department</p> <p>USFWS</p>	In conjunction with the submittal of the first permit application associated with the decommissioning activities, if finalized decommissioning activities associated with the City of Wheatland's existing WWTP come within 165 feet of a known elderberry shrub.	



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		<i>decommissioning of the City's existing WWTP, then, prior to the commencement of decommissioning activities, the USFWS shall be consulted regarding appropriate and adequate mitigation for the loss of the shrub. At a minimum, the removal of elderberry shrubs found to be occupied with VELB shall be mitigated through the purchase of one VELB mitigation credit from an agency-approved mitigation bank for each occupied shrub removed or through the planting of five elderberry seedlings and five native California trees or shrubs at a USFWS-approved location for each shrub removed. If the latter option is selected, then the seedlings and associated natives shall achieve an 80 percent survival rate, as measured at the end of a five-year monitoring period. The 80 percent survival rate shall be documented by a qualified biologist by way of a written report. Proof of compliance with one of the foregoing options shall be submitted for review and approval to USFWS and the City of Wheatland Community Development Department.</i>			
4.3-5	Have a substantial adverse effect, either directly or through habitat modifications, on special-status fish species.	<i>Sewer Pipeline Alignment, Pump Stations, and Corporation Yard</i> 4.3-5(a) <i>Implement Mitigation Measures 4.7-1 and 4.7-2.</i>  4.3-5(b) <i>Prior to the commencement of construction activities, the project contractor shall develop a Frac-Out Contingency Plan (Contingency Plan). The Contingency Plan shall be prepared</i>	See Mitigation Measures 4.7-1 and 4.7-2          City of Wheatland Community	See Mitigation Measures 4.7-1 and 4.7-2.          Prior to the commencement of	



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		<i>to ensure that preventive and responsive measures can be implemented by the contractor. To minimize the potential for a frac-out, the Contingency Plan shall include design protocols to be implemented for the protection of sensitive biological resources and design protocols to require a geotechnical engineer or qualified geologist to make recommendations regarding the suitability of the formations to be bored to minimize the potential for frac-out conditions. The Contingency Plan shall be submitted for review and approval to the City of Wheatland Community Development Department.</i>	Development Department	construction activities.	
4.3-6	Have a substantial adverse effect, either directly or through habitat modifications, on western spadefoot.	<i><b>Sewer Pipeline Alignment, Pump Stations, and Corporation Yard</b></i> 4.3-6(a) <i>Prior to the commencement of construction activities, a qualified biologist shall be retained to survey all suitable aquatic habitat for western spadefoot within the study area (including features proposed for avoidance) by sampling the features thoroughly with dipnets during March or early April, when spadefoot tadpoles would be present. In addition, one nocturnal acoustic survey of all areas within 300 feet of suitable aquatic habitat shall be conducted. Acoustic surveys shall consist of walking through the area and listening for the distinctive snore-like call of the species. Timing and methodology for the aquatic and acoustic surveys shall be based on those described in Distribution of the Western Spadefoot (Spea hammondi) in the Northern Sacramento Valley of California, with Comments on Status</i>	City of Wheatland Community Development Department	Prior to the commencement of construction activities.	



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		<p><i>and Survey Methodology. If both the aquatic survey and the nocturnal acoustic survey are negative, further mitigation shall not be necessary. The results of the surveys shall be submitted for review and approval to the City of Wheatland Community Development Department.</i></p> <p><i>4.3-6(b) If western spadefoot are observed within aquatic habitat proposed for impact, the tadpoles shall be captured by a qualified biologist and relocated either to aquatic habitat to be avoided on-site (and implement the fencing requirement outlined below), or to an off-site open space preserve with suitable habitat in the vicinity of the study area. If western spadefoot are observed within aquatic habitats proposed for avoidance, then a keyed-in silt fence shall be installed along the edge of the proposed impact area within 300 feet of the occupied aquatic habitat to prevent metamorphosed individuals from dispersing into the construction area. Proof of compliance with the above requirements shall be prepared by the qualified biologist and submitted for review and approval to the City of Wheatland Community Development Department.</i></p>	City of Wheatland Community Development Department	During construction activities, if western spadefoot are observed within aquatic habitat proposed for impact.	
4.3-7	Have a substantial adverse effect, either directly or through habitat modifications, on western pond turtle.	<p><i>Sewer Pipeline Alignment, Pump Stations, and Corporation Yard</i></p> <p><i>4.3-7(a) Prior to the commencement of construction activities that overlap with Best Slough, Dry Creek, ditches that provide suitable habitat, and/or upland areas within 150 feet of such aquatic resources, a western pond turtle</i></p>	City of Wheatland Community Development Department	Prior to the commencement of construction activities that overlap with Best	



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		<p><i>survey shall be conducted by a qualified biologist, within 48 hours prior to the start of construction. If western pond turtles or nests are not found, further mitigation shall not be necessary. The results of the survey shall be submitted for review and approval to the City of Wheatland Community Development Department.</i></p> <p><i>4.3-7(b) If a western pond turtle is observed within the proposed area of impact, a qualified biologist shall relocate the individual to habitat of equivalent or greater value (e.g., riparian woodlands adjacent to a perennial creek or intermittent drainage) outside of the proposed impact area prior to construction. If a western pond turtle nest is observed within the proposed area of impact, the nest shall be fenced off and avoided until the eggs hatch. The exclusion fencing shall be placed 25 feet, at a minimum, from the nest. A qualified biologist shall monitor the nest daily during construction to ensure that hatchlings do not disperse into the construction area. Relocation of hatchlings shall occur as stipulated above, if necessary. A report detailing compliance with the provisions set forth herein shall be prepared by the qualified biologist and submitted for review and approval to the City of Wheatland Community Development Department.</i></p>	City of Wheatland Community Development Department	<p>Slough, Dry Creek, ditches that provide suitable habitat, and/or upland areas within 150 feet of such aquatic resources.</p> <p>During construction activities, if a western pond turtle is observed within the proposed area of impact.</p>	
4.3-8	Have a substantial adverse effect, either directly or through	<p><i>Sewer Pipeline Alignment, Pump Stations, and Corporation Yard</i></p> <p><i>4.3-8(a) Prior to the commencement of construction, a</i></p>	City of	Prior to the	





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	habitat modifications, on giant garter snake.	<p><i>qualified biologist shall be retained to conduct a field investigation to delineate giant garter snake aquatic habitat within the project footprint and adjacent areas within 300 feet of the project footprint. Giant garter snake aquatic habitat includes agricultural ditches. The results of the giant garter snake aquatic habitat delineation shall be submitted for review and approval to the City of Wheatland Community Development Department.</i></p> <p>4.3-8(b) <i>During construction activities associated with the proposed project, the project contractor shall ensure that the following measures are implemented:</i></p> <ul style="list-style-type: none"> <li><i>During construction, a qualified biologist experienced with giant garter snake identification and behavior shall be on-site daily when construction activities within aquatic habitat or within 300 feet of aquatic habitat are taking place. The biologist shall inspect the project site daily for giant garter snake prior to construction activities. The biologist shall also conduct environmental awareness training for all construction personnel working on the project site on required avoidance procedures and protocols if a giant garter snake enters an active construction zone;</i></li> <li><i>All construction activity within giant garter snake aquatic and upland</i></li> </ul>	<p>Wheatland Community Development Department</p> <p>City of Wheatland Community Development Department</p>	<p>commencement of construction activities.</p> <p>During construction activities.</p>	





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		<p><i>habitat in and around the site shall be conducted between May 1 and October 1, the active period for giant garter snakes, which would reduce direct impacts on the species because the snakes would be active and respond to construction activities by moving out of the way;</i></p> <ul style="list-style-type: none"> <li><i>If construction activities occur in giant garter snake aquatic habitat (i.e., irrigation ditches or other habitat identified during the delineation of habitat), aquatic habitat shall be dewatered and then remain dry and absent of aquatic prey (e.g., fish and tadpoles) for 15 days prior to initiation of construction activities. After aquatic habitat has been dewatered 15 days prior to construction activities, exclusion fencing shall be installed, extending a minimum of 300 feet into adjacent uplands to isolate both the aquatic and adjacent upland habitat. Exclusionary fencing shall be erected 36 inches above ground and buried at least six inches below the ground to prevent snakes from attempting to move under the fence into the construction area. In addition, high-visibility fencing shall be erected to identify the construction limits and to protect adjacent habitat from encroachment of personnel and equipment. Exclusionary fencing and</i></li> </ul>			



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		<p><i>high-visibility fencing shall be made from material that will not cause entanglement (e.g., silt fencing and stakes with flagging and/or poly wire). Giant garter snake habitat outside construction fencing shall be avoided by all construction personnel. The fencing and the work area shall be inspected by the qualified biologist to ensure that the fencing is intact and that snakes have not entered the work area before the start of each work day. The fencing shall be maintained by the contractor until completion of the project;</i></p> <ul style="list-style-type: none"> <li><i>• If a giant garter snake is observed, the biologist shall notify CDFW and USFWS immediately. Construction activities shall be suspended in a 100-foot radius of the giant garter snake until the snake leaves the site of its own volition;</i></li> <li><i>• All excavated steep-walled holes and trenches more than six inches deep proximate to giant garter snake habitat shall be covered with plywood (or similar material) or provided with one or more escape ramps constructed of earth fill or wooden planks at the end of each work day or 30 minutes prior to sunset, whichever occurs first. All steep-walled holes and trenches shall be inspected by the biologist each morning to ensure that no wildlife has</i></li> </ul>			



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		<p>become entrapped. All construction pipes, culverts, similar structures, construction equipment, and construction debris left overnight within giant garter snake modeled habitat shall be inspected for giant garter snake by the qualified biologist prior to being moved; and</p> <ul style="list-style-type: none"> <li>If erosion control measures are implemented proximate to giant garter snake habitat, non-entangling erosion control material shall be used to reduce the potential for entrapment. Tightly woven fiber netting (mesh size less than 0.25-inch) or similar material shall be used to ensure snakes are not trapped (monofilament is prohibited). Coconut coir matting and fiber rolls containing burlap are examples of acceptable erosion control materials.</li> </ul> <p>The above provisions shall be noted on the final improvement plans for the proposed project, subject to verification by the City of Wheatland Community Development Department.</p>			
4.3-9	Have a substantial adverse effect, either directly or through habitat modifications, on burrowing owl.	<p><i>Sewer Pipeline Alignment, Pump Stations, and Corporation Yard</i></p> <p>4.3-9(a) Within 14 days prior to the commencement of construction activities, a targeted burrowing owl nest survey shall be conducted by a qualified biologist of all accessible areas within 500 feet of the proposed construction area. The survey</p>	City of Wheatland Community Development Department	Within 14 days prior to the commencement of construction activities.	



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		<p><i>shall follow CDFW guidelines outlined in the Staff Report on Burrowing Owl Mitigation. A report summarizing the results of the burrowing owl nest survey shall be submitted for review and approval to the City of Wheatland Community Development Department and CDFW within 30 days of the completed survey. The survey report shall be valid for one construction season. If an active burrowing owl nest burrow (i.e., occupied by more than one adult owl and/or juvenile owls are observed) is not found within 250 feet of a construction area, further mitigation shall not be required.</i></p> <p><i>If an active burrowing owl nest burrow is found within 250 feet of a construction area, construction shall not take place within 250 feet of the nest burrow until a qualified biologist determines that the young have fledged or the nesting attempt has been determined to have failed. If the City desires to work within 250 feet of the nest burrow, the qualified biologist shall be consulted to determine if the nest buffer can be reduced. During the non-breeding season (late September through the end of January), a survey for burrows or debris that represent suitable nesting habitat for burrowing owls may be conducted within areas of proposed ground disturbance, any burrowing owls observed may be excluded, and burrows may be collapsed or the debris removed in</i></p>	CDFW		



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		<p><i>accordance with the methodology outlined by the CDFW.</i></p> <p><b>Decommissioning of the Wheatland Wastewater Treatment Plant</b></p> <p>4.3-9(b) <i>If ground disturbance or other decommissioning activities are proposed during the nesting season (beginning of February through late September), then implementation of Mitigation Measure 4.3-9(a) shall be required.</i></p>	See Mitigation Measure 4.3-9(a)	If ground disturbance or other decommissioning activities are proposed during the nesting season (beginning of February through late September).	
4.3-10	Have a substantial adverse effect, either directly or through habitat modifications, on Swainson's hawk.	<p><b>Sewer Pipeline Alignment, Pump Stations, and Corporation Yard</b></p> <p>4.3-10(a) <i>Within 15 days prior to the commencement of construction activities, a qualified biologist shall conduct a targeted Swainson's hawk nest survey of the project area and all accessible areas within 0.25-mile of the proposed construction area. A report summarizing the results of the Swainson's hawk nest survey shall be submitted for review and approval to the City of Wheatland Community Development Department and CDFW within 30 days of the completed survey. The survey report shall be valid for one construction season. The report may be combined with the report summarizing the results of the burrowing owl nest survey set forth in Mitigation Measure 4.3-9. If an active Swainson's hawk nest is not found within</i></p>	<p>City of Wheatland Community Development Department</p> <p>CDFW</p>	Within 15 days prior to the commencement of construction activities.	



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		<p>0.25-mile of a construction area, further mitigation shall not be required.</p> <p>If active Swainson's hawk nests are found within 0.25-mile of the construction area, construction shall cease within 0.25-mile of the nest until a qualified biologist determines that the young have fledged or the biologist determines that the nesting attempt has failed. The 0.25-mile buffer may be reduced if a smaller, sufficiently protective buffer is proposed by the project biologist, after taking into consideration the natural history of the Swainson's hawk, the proposed activity level adjacent to the nest, the nest occupants' habituation to existing or ongoing activity, nest concealment (i.e., whether visual or acoustic barriers are located between the proposed activity and the nest), and what (if any) nest monitoring is proposed. A report detailing compliance with the provisions set forth herein shall be prepared by the qualified biologist and submitted for review and approval to the City of Wheatland Community Development Department.</p> <p><i>Decommissioning of the Wheatland Wastewater Treatment Plant</i></p> <p>4.3-10(b) If ground disturbance or other decommissioning activities are proposed during the nesting season (February 1 to August 31), then implementation of Mitigation Measure 4.3-10(a) shall be required.</p>			
			See Mitigation Measure 4.3-10(a)	If ground disturbance or other decommissioning activities are proposed during the	



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				nesting season (February 1 to August 31).	
4.3-11	Have a substantial adverse effect, either directly or through habitat modifications, on other nesting birds and raptors protected under the MBTA and CFGC.	<p><i>Sewer Pipeline Alignment, Pump Stations, and Corporation Yard</i></p> <p>4.3-11(a) <b>Raptors:</b> If ground disturbance or other construction activities are proposed during the nesting season (February 1 to August 31), a focused survey for nesting raptors protected under the CFGC and MBTA shall be conducted by a qualified biologist within 14 days prior to the beginning of construction activities in order to identify active nests. The survey shall be conducted within the proposed construction area and all accessible areas within 0.25-mile. A report summarizing the results of the survey shall be submitted for review and approval to the City of Wheatland Community Development Department. If active nests are not found during the focused survey(s), additional mitigation shall not be required.</p> <p>If active raptor nests are found within 0.25-mile of a construction area, construction shall not commence within 0.25-mile of the nest until a qualified biologist determines that the young have fledged, or the biologist has determined that the nesting attempt has failed. If construction activities within 0.25-mile of the nest are necessary, the qualified biologist shall be consulted to determine if the nest buffer can be reduced. The City and qualified biologist shall jointly determine the</p>	<p>City of Wheatland Community Development Department</p> <p>CDFW</p>	If ground disturbance or other construction activities are proposed during the nesting season (February 1 to August 31).	



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		<p><i>nest avoidance buffer, and what (if any) nest monitoring is necessary.</i></p> <p><i>If an active raptor nest is found within the project area prior to construction and is in a tree that is proposed for removal, then the City shall implement additional mitigation recommended by a qualified biologist based on CDFW guidelines and obtain any required permits from CDFW.</i></p> <p>4.3-11(b) <b>Songbirds:</b> <i>If ground disturbance or other construction activities are proposed during the nesting season (February 1 to August 31), a focused survey for birds protected under the MBTA shall be conducted by a qualified biologist within 14 days prior to the beginning of construction activities in order to identify active nests. The survey shall be conducted within the proposed construction area and all accessible areas within 500 feet. A report summarizing the results of the survey shall be submitted for review and approval to the City of Wheatland Community Development Department. If active nests are not found during the focused survey(s), additional mitigation shall not be required.</i></p> <p><i>If active special-status species nests/nesting colonies are located during the survey, the City shall work with a qualified biologist to determine a suitable avoidance buffer and the extent and duration of nest monitoring</i></p>	City of Wheatland Community Development Department	If ground disturbance or other construction activities are proposed during the nesting season (February 1 to August 31).	





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		<p>needed. The perimeter of the protected area shall be indicated by bright orange temporary fencing and signage. Construction activities and/or personnel shall not enter the protected area, except with approval of the biologist. If trees containing nests or burrows must be removed as a result of project implementation, removal shall be completed during the nonbreeding season (late September to January 31).</p> <p>If active songbird nests are found, a qualified biologist shall establish a 100-foot non-disturbance buffer. The non-disturbance buffers may be reduced based on consultation and approval by the City. The perimeter of the protected area shall be indicated by bright orange temporary fencing. Construction activities or personnel shall not enter the protected area, except with approval of the biologist. If trees containing nests must be removed as a result of project implementation, removal shall be completed during the nonbreeding season (late September to January 31) or after the adults and young are not dependent on the nest site, as determined by a qualified biologist.</p> <p><i>Decommissioning of the Wheatland Wastewater Treatment Plant</i></p> <p>4.3-11(c) If ground disturbance or other construction activities are proposed during the nesting</p>			
			See Mitigation Measures 4.3-	If ground disturbance or other	



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		season (February 1 to August 31), implementation of Mitigation Measures 4.3-11(a) and 4.3-11(b) shall be required.	11(a) and 4.3-11(b)	construction activities are proposed during the nesting season (February 1 to August 31).	
4.3-12	Have a substantial adverse effect, either directly or through habitat modifications, on roosting bats.	<p><i>Sewer Pipeline Alignment, Pump Stations, and Corporation Yard</i></p> <p>4.3-12(a) If tree removal is required as part of construction of the proposed sewer pipeline alignment, pump stations, and/or corporation yard, within one year prior to the commencement of construction activities, a qualified biologist shall conduct a bat habitat assessment of all potential roosting habitat features, including trees and structures within the proposed impact footprint. The habitat assessment shall identify all potentially suitable roosting habitat. The results of the bat habitat assessment shall be submitted for review and approval to the City of Wheatland Community Development Department.</p> <p>4.3-12(b) If potential roosting habitat is identified (cavities in trees or potential roosts within structures) within the areas proposed for impact, the qualified biologist shall survey the potential roosting habitat during the active season (generally April through October or from January through March on days with temperatures in excess of 50 degrees Fahrenheit) to determine the presence of roosting bats. The surveys shall</p>	<p>City of Wheatland Community Development Department</p> <p>City of Wheatland Community Development Department</p>	<p>Within one year prior to the commencement of construction activities, if tree removal is required as part of construction of the proposed sewer pipeline alignment, pump stations, and/or corporation yard.</p> <p>If potential roosting habitat is identified within the areas proposed for impact.</p>	



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		<p><i>use methods that are considered acceptable by CDFW and bat experts. Methods may include evening emergence surveys, acoustic surveys, inspecting potential roosting habitat with fiberoptic cameras, or a combination thereof. The results of the roosting habitat survey shall be submitted for review and approval to the City of Wheatland Community Development Department.</i></p> <p>4.3-12(c) <i>If roosting bats are identified within any of the trees planned for removal, or if presence is assumed, the trees shall be removed outside of pup season and only on days with temperatures in excess of 50 degrees Fahrenheit. Pup season is generally during the months of May through August. Two-step tree removal shall be used under the supervision of the qualified biologist. Two-step tree removal involves removal of all branches of the tree that do not provide roosting habitat on the first day, and then the next day cutting down the remaining portion of the tree. All other tree removal shall be conducted from January through March on days with temperatures in excess of 50 degrees Fahrenheit to avoid potential impacts to foliage-roosting bat species.</i></p> <p><i>If roosting bats are identified within any structures planned for removal, a bat exclusion plan shall be prepared by a qualified bat biologist describing the methods to be used to humanely exclude</i></p>	CDFW	If roosting bats are identified within any of the trees or structures planned for removal.	



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		<p>bats prior to disturbance. Each exclusion shall be specific to the structure. All exclusions shall involve the installation of one-way doors or flaps during the non-breeding season that allow the bats to leave and not re-enter the structure. The bat exclusion plan shall be submitted for review and approval to CDFW and shall be implemented prior to the start of construction.</p> <p><i>Decommissioning of the Wheatland Wastewater Treatment Plant</i></p> <p>4.3-12(d) In conjunction with the submittal of the first permit application associated with the decommissioning of the City of Wheatland's existing WWTP, a qualified biologist shall conduct a bat habitat assessment of all potential roosting habitat features, including on-site structures. The habitat assessment shall identify all potentially suitable roosting habitat and may be conducted up to one year prior to the start of decommissioning activities. The results of the assessment shall be submitted to the City of Wheatland Community Development Department.</p> <p>If potential roosting habitat is identified within the existing WWTP structures, the biologist shall survey the potential roosting habitat during the active season (generally April through October or from January through March on days with temperatures in excess of 50 degrees Fahrenheit) to determine the</p>	<p>City of Wheatland Community Development Department</p> <p>CDFW</p>	<p>In conjunction with the submittal of the first permit application associated with the decommissioning of the City of Wheatland's existing WWTP.</p>	



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		<p>presence of roosting bats. The surveys are recommended to be conducted utilizing methods that are considered acceptable by CDFW and bat experts. Methods may include evening emergence surveys, acoustic surveys, inspecting potential roosting habitat with fiberoptic cameras, or a combination thereof. If roosting bats are identified within any structures planned for removal, a bat exclusion plan shall be prepared by a qualified bat biologist describing the methods to be used to humanely exclude bats prior to disturbance. The plan shall be subject to review and approval by the Wheatland Community Development Department and CDFW and shall be implemented prior to the start of decommissioning activities.</p>			
4.3-13	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS.	<p><i>Sewer Pipeline Alignment, Pump Stations, and Corporation Yard</i>  4.3-13(a) Implement Mitigation Measure 4.3-14(c).</p> <p><i>Decommissioning of the Wheatland Wastewater Treatment Plant</i>  4.3-13(b) Implement Mitigation Measure 4.3-14(c).</p>	<p>See Mitigation Measure 4.3-14(c)</p> <p>See Mitigation Measure 4.3-14(c)</p>	<p>See Mitigation Measure 4.3-14(c).</p> <p>See Mitigation Measure 4.3-14(c).</p>	
4.3-14	Have a substantial adverse effect on State or federally protected wetlands (including, but	<p><i>Sewer Pipeline Alignment, Pump Stations, and Corporation Yard</i>  4.3-14(a) If the final sewer pipeline alignment requires disturbance of any of the areas inaccessible</p>	USACE	If the final sewer pipeline alignment	



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	not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	<p>during the aquatic resources delineation (ARD) conducted for the Biological Resources Assessment prepared for the Wheatland Regional Sewer Pipeline Alignment Project, the City of Wheatland shall obtain permission to access the areas and map aquatic resources that could be affected during project construction, prior to the commencement of ground-disturbing activities. The City shall submit a supplemental ARD report and request for verification to the USACE for such areas.</p> <p>4.3-14(b) Prior to the issuance of grading permits, the City shall apply for a Clean Water Act (CWA) Section 404 permit from the USACE. Waters that would be lost or disturbed shall be restored, replaced or rehabilitated on a “no-net-loss” basis. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by methods acceptable to the USACE. The City shall also apply for a Section 401 water quality certification from the RWQCB prior to the issuance of grading permits and adhere to the certification conditions.</p> <p>4.3-14(c) Prior to the commencement of ground-disturbing activities, the City shall notify CDFW pursuant to Section 1600 of the California Fish and Game Code. The notification shall include a description of all of the activities associated with the proposed project, not just those associated with the</p>	<p>USACE RWQCB</p> <p>City of Wheatland Community Development Department CDFW</p>	<p>requires disturbance of any of the areas inaccessible during the aquatic resources delineation (ARD) conducted for the proposed project.</p> <p>Prior to the issuance of grading permits.</p> <p>Prior to the commencement of ground-disturbing activities.</p>	



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		<p>drainages and/or riparian vegetation. Impacts shall be outlined in the notification and are expected to be in substantial conformance with the impacts to biological resources outlined in the Biological Resources Assessment prepared for the Wheatland Regional Sewer Pipeline Project by Madrone Ecological Consulting. Impacts for each activity shall be broken down by temporary and permanent impacts. A description of the proposed mitigation for biological resource impacts shall be outlined per activity and then by temporary and permanent impact. Information regarding project-specific drainage and hydrology changes resulting from project implementation shall be provided, as well as a description of stormwater treatment methods. Minimization and avoidance measures shall be proposed, as appropriate, and may include preconstruction species surveys and reporting, protective fencing around avoided biological resources, worker environmental awareness training, seeding disturbed areas adjacent to open space areas with native seed, and installation of project-specific stormwater BMPs. Mitigation for impacts to valley oak woodland may include restoration or enhancement of resources on- or off-site, purchase of habitat credits from an agency-approved mitigation/conservation bank off-site, working with a local land trust to preserve land, or any other method acceptable to</p>			





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		<p><i>CDFW. Mitigation shall not result in a net loss of a Sensitive Natural Community. Written verification of the Section 1600 LSAA shall be submitted to the City of Wheatland Community Development Department.</i></p> <p><i>Decommissioning of the Wheatland Wastewater Treatment Plant</i></p> <p><i>4.3-14(d) Prior to the commencement of ground-disturbing activities associated with the decommissioning of the Wheatland WWTP, a qualified biologist shall complete an ARD of the infiltration pond area that would be subject to permanent effects as part of decommissioning activities. If the results of the ARD indicate that decommissioning work would affect waters of the U.S. and/or State, the City of Wheatland shall obtain a CWA Section 404 authorization from the USACE and/or a Section 401 permit from the RWQCB, and comply with the provisions set forth therein.</i></p> <p><i>4.3-14(e) Implement Mitigation Measure 4.3-14(c).</i></p>	<p>USACE RWQCB</p>	<p>Prior to the commencement of ground-disturbing activities associated with the decommissioning of the Wheatland WWTP.</p>	
4.3-15	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native	<p><i>Sewer Pipeline Alignment, Pump Stations, and Corporation Yard</i></p> <p><i>4.3-15(a) Implement Mitigation Measures 4.3-5(b), 4.3-13(a), 4.7-1, and 4.7-2.</i></p>	<p>See Mitigation Measures 4.3-5(b), 4.3-13(a),</p>	<p>See Mitigation Measures 4.3-5(b), 4.3-13(a), 4.7-1, and 4.7-2.</p>	





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	resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.	<i>Decommissioning of the Wheatland Wastewater Treatment Plant</i> 4.3-15(b) Implement Mitigation Measure 4.3-14(c).	4.7-1, and 4.7-2  See Mitigation Measure 4.3-14(c)	See Mitigation Measure 4.3-14(c).	
4.4 Cultural Resources					
4.4-1	Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines, Section 15064.5.	<p>4.4-1 The following requirements shall be included through a notation on all project improvement plans prior to the issuance of grading permits and shall be implemented during project construction, to the satisfaction of the City Engineer:</p> <p><i>If a change in the proposed alignment occurs during construction such that the location of the Jasper House could be affected, additional work at the location, including archival research, shall be warranted. Additional work shall include metal detecting followed by excavation of shovel test pits or standard archeological units where positive "hits" are identified and where possible features are found. If subgrade historical deposits are discovered, a qualified archaeologist shall assess the significance of the find and make recommendations for further evaluation and treatment as necessary, such as excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA</i></p>	City Engineer	Prior to the issuance of grading permits and shall be implemented during project construction.	



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		<p><i>Guidelines, which shall be documented in the project record. Work in the area of the find shall only proceed after authorization is granted by the City of Wheatland following coordination with the qualified archaeologist.</i></p>			
4.4-2	Cause a substantial adverse change in the significance of a unique archeological resource pursuant to CEQA Guidelines, Section 15064.5, or disturb human remains, including those interred outside of dedicated cemeteries.	<p><b>4.4-2</b> <i>The following requirements shall be included through a notation on all project improvement plans prior to the issuance of grading permits and shall be implemented during project construction, to the satisfaction of the City Engineer:</i></p> <p><i>In the event subsurface deposits believed to be cultural or human in origin are discovered during construction, all work shall halt within a 50-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for precontact and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:</i></p> <ul style="list-style-type: none"> <li><i>If the professional archaeologist determines that the find does not represent a</i></li> </ul>	City Engineer	Prior to the issuance of grading permits and shall be implemented during project construction.	



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		<p>cultural resource, work may resume immediately, and agency notifications are not required.</p> <ul style="list-style-type: none"> <li>If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the City of Wheatland and applicable landowner. The Office of Historic Preservation (OHP) shall be consulted on a finding of eligibility and appropriate treatment measures shall be implemented, if the find is determined to be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines. Appropriate treatment measures that preserve or restore the character and integrity of a find may be, but are not limited to, processing materials for reburial, minimizing handling of historical objects, leaving objects in place within the landscape, construction monitoring of further construction activities, and/or</li> </ul>			



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		<p><i>returning objects to a location within the project area where they will not be subject to future impacts. Work shall not resume within the no-work radius until the determination is made through consultation, as appropriate, that the site either: 1) is not a historical resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to the City's satisfaction.</i></p> <ul style="list-style-type: none"> <li><i>If the find includes human remains, or remains that are potentially human, the professional archaeologist shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify the City of Wheatland and the Yuba County Coroner (per Section 7050.5 of the Health and Safety Code). The provisions of Section 7050.5 of the California Health and Safety Code, Section 5097.98 of the California PRC, and AB 2641 shall be implemented. If</i></li> </ul>			



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		<p>the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner shall notify the NAHC, which then shall designate a Native American Most Likely Descendant (MLD) for the proposed project (Section 5097.98 of the PRC). The designated MLD shall have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC shall mediate (Section 5097.94 of the PRC). If an agreement is not reached, the landowner shall rebury the remains where they shall not be further disturbed (Section 5097.98 of the PRC). The burial shall also include either recording the site with the NAHC or the appropriate information center, using an open space or conservation zoning designation or easement, or recording a reinternment document with Yuba County</p>			



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		(AB 2641). Work shall not resume within the no-work radius until the City, through consultation as appropriate, determines that the treatment measures have been completed to their satisfaction.			
4.5 Geology and Soils					
4.5-3	Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site lateral spreading, subsidence, liquefaction, or collapse, or be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code.	<p>4.5-3(a) In conjunction with the submittal of improvement plans, a final geotechnical engineering report for the proposed project shall be produced by a California Registered Civil Engineer or Geotechnical Engineer and submitted to the City of Wheatland Engineering Department for review and approval. The report shall address and make recommendations on the following:</p> <ul style="list-style-type: none"> <li>Road, pavement, and parking design for all applicable areas of the proposed project;</li> <li>Structural foundations, including retaining wall design (if applicable);</li> <li>Grading practices;</li> <li>Erosion/winterization;</li> <li>Special problems discovered on-site (i.e., groundwater, expansive/unstable soils, potential for smectite clays, etc.); and</li> <li>Slope stability.</li> </ul> <p>Once approved by the City's Engineering</p>	<p>City of Wheatland Engineering Department</p> <p>City of Wheatland Community Development Department</p> <p>City of Wheatland Building Department</p> <p>Yuba County Building Department</p>	In conjunction with the submittal of improvement plans.	



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		<p><i>Department, the final geotechnical engineering report shall be provided to the City of Wheatland Community Development Department, City of Wheatland Building Department, and Yuba County Building Department. Proof shall be provided for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the report.</i></p> <p><i>If the final geotechnical engineering report indicates the presence of critically expansive or other soil problems that, if not corrected, could lead to structural defects, a certification of completion of the requirements of the report shall be required for the proposed project, prior to issuance of building permits. This requirement shall be noted on improvement plans.</i></p> <p><i>4.5-3(b) The City shall include the following requirement on any application for development associated with the existing Wheatland WWTP site:</i></p> <p><i>“In conjunction with submission of improvement plans for any application associated with the existing Wheatland WWTP site located off Malone Avenue immediately north of the Bear River, a final design-level geotechnical report shall be prepared and submitted to the City for review and approval. The site-specific geotechnical report shall be prepared by a State-registered civil engineer</i></p>			
			City Engineer	In conjunction with the submission of improvement plans for any application associated with the existing Wheatland WWTP site.	



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		<i>with the purpose of observing and sampling the subsurface conditions encountered at the WWTP site and providing conclusions and recommendations relative to the geotechnical aspects of the decommissioning activities as proposed. The recommendations presented therein shall be based on analysis of the data obtained during the geotechnical investigation and the local experience with similar soil and geologic conditions of the civil engineer. All recommendations set forth in the final design-level geotechnical report shall be appropriately incorporated into the design of the project and shall be subject to review and approval by the City Engineer."</i>			
4.5-4	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	4.5-4 <i>Should paleontological resources be discovered during ground-disturbing activities, work shall be halted in the area within 50 feet of the find. The City of Wheatland Community Development Department shall be notified and a qualified paleontologist shall be retained to inspect the discovery. If deemed significant under criteria established by the Society for Vertebrate Paleontology with respect to authenticity, completeness, preservation, and identification, the resource(s) shall then be salvaged and deposited in an accredited and permanent scientific institution (e.g., University of California Museum of Paleontology [UCMP]), where the discovery would be properly curated and preserved for the benefit of current and future generations. Construction may continue in areas outside of the buffer zone. The language of this mitigation measure</i>	City of Wheatland Community Development Department  City of Wheatland Engineering Department	If paleontological resources are discovered during ground-disturbing activities.	





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		<i>shall be included on any future grading plans, utility plans, and improvement plans approved by the City of Wheatland Engineering Department for the proposed project, where ground-disturbing work would be required.</i>			
<b>4.6 Hazards and Hazardous Materials</b>					
4.6-1	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	4.6-1 <i>Prior to decommissioning the existing City of Wheatland WWTP, a site-specific analysis shall be conducted to ensure that decommissioning activities would not create a significant hazard to the public or the environment. Results of the site-specific analysis shall be submitted to the City of Wheatland Community Development Department and the Yuba County Environmental Health Department. If hazardous materials are detected, the site-specific analysis shall include the appropriate mitigation per applicable State and federal regulations. All recommended mitigation measures shall be implemented as part of decommissioning of the existing WWTP and shall be subject to review and approval by the City of Wheatland Community Development Department and Yuba County Environmental Health Department.</i>	City of Wheatland Community Development Department  Yuba County Environmental Health Department	Prior to decommissioning the existing City of Wheatland WWTP.	
<b>4.7 Hydrology and Water Quality</b>					
4.7-1	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or	4.7-1 <i>Prior to issuance of any grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the CVRWQCB. The contractor shall file the Notice of Intent (NOI) and associated fee to the SWRCB. The</i>	Central Valley Regional Water Quality Control Board	Prior to issuance of any grading permits.	



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	ground water quality during construction.	SWPPP shall serve as the framework for identification, assignment, and implementation of BMPs. The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. Construction (temporary) BMPs for the project may include, but are not limited to: fiber rolls, straw bale barrier, straw wattles, storm drain inlet protection, velocity dissipation devices, silt fences, wind erosion control, stabilized construction entrance, hydroseeding, revegetation techniques, and dust control measures. The SWPPP shall be submitted to both the City and County Director of Public Works, and the City and County Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.	City of Wheatland Director of Public Works Yuba County Director of Public Works  City Engineer  County Engineer		
4.7-2	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality during operations.	4.7-2 Prior to approval of final project improvement plans, a detailed Best Management Practice (BMP) and water quality maintenance plan shall be submitted to both the City and County Director of Public Works, and the City and County Engineer for review and approval. The BMP and water quality maintenance plan shall meet the standards of the City's Unregulated Small Traditional MS4 Permit, and the California Stormwater Quality Association	City of Wheatland Director of Public Works  Yuba County Director of Public Works  City Engineer	Prior to approval of final project improvement plans.	



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		<i>(CASQA) Stormwater BMP Handbook for New Development and Redevelopment. Site design measures, source control measures, hydromodification management, and Low Impact Development (LID) standards, as necessary, shall be incorporated into the design and shown on the improvement plans.</i>	County Engineer		
4.7-4	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows, or in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.	<p>4.7-4(a) <i>Prior to grading permit issuance for the pipeline alignment, the project contractor shall submit improvement plans to the City and County Director of Public Works, and the City and County Engineer for review and approval which indicate (via notation on the improvement plans) that all pipe appurtenances such as air and vacuum valves and blow-offs shall be installed at elevations above the 100-year BFE or flood-proofed to the satisfaction of the City and County Engineer.</i></p> <p>4.7-4(b) <i>Finished building pad elevations at the Pump Station 1 site shall be a minimum of one foot above the 100-year BFE, in accordance with Section 15.20.150 of the City of Wheatland Municipal Code, and shall be shown on project improvement plans submitted to the City Director of Public Works and the City Engineer for review and approval. The project improvement plans shall also demonstrate that all flood-proofed structures developed as part of the proposed project will not adversely affect surrounding properties, in accordance with</i></p>	<p>City of Wheatland Director of Public Works</p> <p>Yuba County Director of Public Works</p> <p>City Engineer</p> <p>County Engineer</p> <p>City of Wheatland Director of Public Works</p> <p>City Engineer</p> <p>Floodplain Administrator</p>	<p>Prior to issuance of grading permits for the pipeline alignment.</p> <p>Prior to construction of the foundation or at the completion of final grading, whichever comes first.</p>	



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		<p><i>Section 15.20.150(A) of the City of Wheatland Municipal Code.</i></p> <p><i>The proposed project's compliance with Section 15.20.150 of the City of Wheatland Municipal Code, including final pad elevation and avoidance of adverse effects on surrounding properties, shall be certified by a California registered civil engineer or licensed land surveyor and submitted to the City Engineer. Prior to construction of the foundation or at the completion of final grading, whichever comes first, proof of certification shall be submitted to the City Engineer and Floodplain Administrator for review and approval. Building construction shall not occur until the certification has been received and approved. Benchmark elevation and location shall be shown on the improvement plans to the satisfaction of the City Engineer.</i></p>			
<b>4.9 Tribal Cultural Resources</b>					
4.9-1	Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074.	<p><i>4.9-1(a) Prior to initiation of construction, all construction crew members, consultants, and other personnel involved in project implementation shall receive project-specific tribal cultural resource awareness training. The training shall be conducted in coordination with qualified cultural resource specialists and representatives from culturally affiliated Native American Tribes. The training will emphasize the requirement for confidentiality and culturally appropriate, respectful treatment of any find of significance to culturally affiliated Native Americans Tribes. All personnel</i></p>	City of Wheatland Community Development Department	Prior to initiation of construction.	



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		<p><i>required to receive the training shall also be required to sign a form that acknowledges receipt of the training, which shall be submitted to the City of Wheatland Community Development Department for review and approval.</i></p> <p><i>As a component of the training, a brochure will be distributed to all personnel associated with project implementation. At a minimum the brochure shall discuss the following topics in clear and straightforward language:</i></p> <ul style="list-style-type: none"> <li><i>Field indicators of potential archaeological or cultural resources (i.e., what to look for; for example: archaeological artifacts, exotic or non-native rock, unusually large amounts of shell or bone, significant soil color variation, etc.);</i></li> <li><i>Regulations governing archaeological resources and tribal cultural resources;</i></li> <li><i>Consequences of disregarding or violating laws protecting archaeological or tribal cultural resources; and</i></li> <li><i>Steps to take if a worker encounters a possible resource.</i></li> </ul> <p><i>The training shall include project-specific guidance for on-site personnel including agreed upon protocols for resource avoidance, when to stop work, and who to contact if</i></p>			



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		<p><i>potential archaeological or tribal cultural resources are identified. The training shall also direct work to stop, and contact with the County Coroner and the NAHC to occur immediately, in the event that potential human remains are identified. NAHC will assign a Most Likely Descendant if the remains are determined by the Coroner to be Native American in origin.</i></p> <p>4.9-1(b) <i>The following language shall be noted on project Improvement Plans, subject to review and approval by the City of Wheatland Community Development Department, and shall be implemented during project construction:</i></p> <p><i>If potential tribal cultural resources, archaeological resources, other cultural resources, articulated, or disarticulated human remains are discovered during construction activities, all work shall cease within 100 feet of the find (based on the apparent distribution of cultural resources). Examples of potential cultural materials include midden soil, artifacts, chipped stone, exotic (non-native) rock, or unusual amounts of baked clay, shell, or bone.</i></p> <p><i>A qualified cultural resources specialist and Native American Representative from the traditionally and culturally affiliated Native American Tribe(s) will assess the significance of the find and make recommendations for further evaluation and treatment as necessary.</i></p>	<p>City of Wheatland Community Development Department</p> <p>County Coroner</p> <p>NAHC</p> <p>Native American Representative</p>	During project construction and noted on project Improvement Plans.	



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		<p><i>Culturally appropriate treatment that preserves or restores the cultural character and integrity of a tribal cultural resource may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, construction monitoring of further construction activities by Tribal representatives of the traditionally and culturally affiliated Native American Tribe, and/or returning objects to a location within the project area where they will not be subject to future impacts. The UAIC does not consider curation of tribal cultural resources to be appropriate or respectful and requests that materials not be permanently curated, unless specifically requested by the Tribe.</i></p> <p><i>If articulated or disarticulated human remains are discovered during construction activities, the County Coroner and Native American Heritage Commission shall be contacted immediately. Upon determination by the County Coroner that the find is Native American in origin, the Native American Heritage Commission will assign the Most Likely Descendant(s) who will work with the project proponent to define appropriate treatment and disposition of the burials.</i></p> <p><i>Following a review of the find and consultation with appropriate experts, the authority to proceed may be accompanied by the addition of development requirements which provide</i></p>			





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		<p><i>for protection of the site and/or additional measures necessary to address the unique or sensitive nature of the site. The treatment recommendations made by the cultural resource specialist and the Native American Representative will be documented in the project record. Any recommendations made by these experts that are not implemented, must be documented and explained in the project record. Work in the area(s) of the cultural resource discovery may only proceed after authorization is granted by the City of Wheatland Community Development Department following coordination with cultural resources experts and tribal representatives as appropriate.</i></p> <p>4.9-1(c) <i>The following language shall be noted on project Improvement Plans, subject to review and approval by the City of Wheatland Community Development Department, and shall be implemented during project construction:</i></p> <p><i>The City shall give UAIC at least one (1) week notice prior to initiating ground-disturbing activities within the mapped sensitive areas agreed upon during AB 52 consultation between the City of Wheatland and the UAIC (confidential mapped areas provided to the City). The purpose of the notification will be to allow UAIC the opportunity to conduct monitoring. In the event that UAIC does not respond, or a tribal monitor does not report to</i></p>	<p>City of Wheatland Community Development Department</p> <p>UAIC</p>	<p>During project construction and noted on project Improvement Plans.</p>	





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		<p><i>the job site at the scheduled time, construction activities may proceed without monitoring, as long as the required notice was provided and documented.</i></p> <p><i>Tribal monitoring shall be limited to times when active soil disturbance is occurring, and the monitoring shall be curtailed once an area has been disturbed (with associated tribal monitoring) to a depth of at least two feet, and the tribal monitor determines there is a low potential for tribal cultural resources to be discovered.</i></p> <p><i>The tribal monitor shall have the authority to temporarily pause ground disturbance within 100 feet of a discovery for a duration long enough to examine the resource. If no resources are identified, then construction activities shall proceed, and no agency notifications are required. In the event that a tribal cultural resource is identified, the tribal monitor shall flag off the discovery location and notify the City immediately to coordinate regarding appropriate and respectful treatment pursuant to State law.</i></p> <p><i>The tribal monitor shall wear appropriate construction safety equipment including steel-toed boots, construction vest, and hard hat.</i></p>			
<b>Initial Study</b>					
I(c)	Would the project result in, in non-urbanized areas, substantially	I-1 <i>In conjunction with submittal of improvement plans for the pump stations, the Community Development Director shall ensure that a</i>	Wheatland Community	In conjunction with submittal of improvement plans	



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	degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<p><i>landscape plan shall be prepared by a licensed landscape contractor or architect, for review by the City (Pump Station 2) or the County (Pump Station 3), which, at a minimum, shall include:</i></p> <ul style="list-style-type: none"> <li><i>Perimeter landscaping for screening purposes, which may include a combination of earthen berm and landscape plantings spaced evenly along the perimeter;</i></li> <li><i>Legend listing the type, number, and size of plant materials, indicating the provided number of each plant type;</i></li> <li><i>To the extent feasible, vegetation types shall be selected to minimize water demand and maximize screening (e.g., evergreen trees versus deciduous);</i></li> <li><i>Trees plantings along Pump Station perimeters for screening purposes shall include a mix of 15-gallon and 24-gallon trees. Shrubs shall be a minimum 5-gallon container size, and live groundcover plants shall cover bare ground;</i></li> <li><i>Irrigation plan;</i></li> <li><i>To the extent feasible, above-ground structures shall be painted or otherwise screened to blend in with the surrounding environment.</i></li> </ul>	Development Director	for the pump stations.	
XIII(a)	Would the project result in the generation of a substantial temporary or	XIII-1. During project construction, the project contractor shall ensure construction activities are limited to the hours set forth below:	City Engineer	During project construction.	



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	permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<p><u>Project Construction within the City of Wheatland</u></p> <ul style="list-style-type: none"> <li>Monday-Friday 7:00 AM to 10:00 PM.</li> <li>Within the project footprint in the City of Wheatland, construction shall be prohibited on Saturdays, Sundays, and City holidays.</li> </ul> <p><u>Project Construction within Yuba County</u></p> <ul style="list-style-type: none"> <li>Monday-Sunday 7:00 AM to 10:00 PM.</li> <li>Within the project footprint in the unincorporated portions of Yuba County, construction shall be prohibited on County holidays.</li> </ul> <p>The City Engineer shall ensure that the aforementioned criteria shall be included in the project improvement plans prior to their approval by the City. Exceptions to allow expanded construction activities shall be reviewed on a case-by-case basis as determined by the City Engineer.</p> <p>XIII-2. The project contractor shall ensure that the following construction noise Best Management Practices (BMPs) are met on-site during all phases of construction:</p> <ul style="list-style-type: none"> <li>All equipment driven by internal</li> </ul>	City of Wheatland Community Development Department	Prior to the approval of improvement plans and during construction.	



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		<p><i>combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed original factory specifications. Mobile or fixed "package" equipment (e.g., arc welders, air compressors) shall be equipped with shrouds and noise-control features that are readily available for that type of equipment.</i></p> <ul style="list-style-type: none"> <li><i>All mobile or fixed noise-producing equipment used on the project site that are regulated for noise output by a federal, state, or local agency shall comply with such regulations while in the course of project activity.</i></li> <li><i>The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where technology exists.</i></li> <li><i>At all times during project grading and construction, stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from residences.</i></li> <li><i>Unnecessary idling of internal combustion engines shall be prohibited.</i></li> </ul>	Yuba County Community Development Department		



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		<ul style="list-style-type: none"> <li>Construction site and access road speed limits shall be established and enforced during the construction period.</li> <li>The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.</li> <li>Neighbors located adjacent to the construction site shall be notified of the construction schedule in writing.</li> <li>The construction contractor shall designate a “noise disturbance coordinator” who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall be responsible for determining the cause of the noise complaint (e.g., starting too early, poor muffler, etc.) and instituting reasonable measures as warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.</li> </ul> <p>Construction noise BMPs shall be included in the project improvement plans for review and approval by the lead agency (City or County, depending upon location), prior to approval of the improvement plans.</p>			
XIII(b)	Would the project result in the generation of excessive groundborne	XIII-3. During construction activities associated with the proposed project, any compaction required within 26 feet of existing structures adjacent to	City Engineer	During construction activities associated with the proposed	



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	vibration or groundborne noise levels?	<i>the project site shall be accomplished by using static drum rollers rather than vibratory compactors/rollers. The aforementioned criteria shall be included in the project improvement plans for review and approval by the City Engineer prior to approval of the improvement plans.</i>		project.	
XVII(c,d)	Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), or result in inadequate emergency access?	<i>XVII-1. Prior to the commencement of construction activities, the City Engineer shall ensure that a traffic control plan is prepared and implemented for construction activities that may affect road rights-of-way. The traffic control plan must follow any applicable standards of the agency responsible for the affected roadway and must be approved and signed by a professional engineer. Measures typically used in traffic control plans include advertising of planned lane closures, warning signage, a flag person to direct traffic flows when needed, and methods to ensure continued access by emergency vehicles. During project construction, access to existing land uses shall be maintained at all times, with detours used as necessary during road closures. Traffic control plans shall be submitted to the City of Wheatland Public Works Department, Yuba County, Caltrans, and/or UPRR (if at-grade crossings are along the roadway) for review and approval prior to the approval of all project plans or permits, for all improvements where implementation may cause impacts on traffic along roadways within their respective areas of jurisdiction. The traffic</i>	Wheatland City Engineer  Wheatland Public Works Department  Yuba County  Caltrans  UPRR	Prior to the commencement of construction activities.	



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		<p><i>control plan shall, at minimum, include the following measures:</i></p> <ul style="list-style-type: none"> <li><i>• Maintaining the maximum amount of travel lane capacity during non-construction periods, as possible, and advanced notice to drivers through the provision of construction signage.</i></li> <li><i>• Maintaining alternate one-way traffic flow past the lay down area and site access when feasible.</i></li> <li><i>• Heavy trucks and other construction transport vehicles shall avoid the busiest commute hours (7:00 AM to 8:00 AM and 5:00 PM to 6:00 PM on weekdays).</i></li> <li><i>• The lead agency shall provide a minimum 72-hour advance notice of access restrictions for residents, businesses, and local emergency response agencies. The notice shall include the identification of alternative routes and detours to enable for the avoidance of the immediate construction zone.</i></li> <li><i>• The lead agency, in cooperation with the contractor(s), shall provide a phone number and community contact for inquiries about the schedule of the construction of the proposed pipeline throughout the construction period. The information will be posted in a local newspaper, on the City's web</i></li> </ul>			



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		site, or at City Hall and will be updated on a monthly basis.			

