

**CALENDAR ITEM
C27**

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S 13

12/06/16
W 26979
A. Franzoia

GENERAL LEASE – DREDGING

APPLICANT:

City of Foster City

PROPOSED LEASE:

AREA, LAND TYPE, AND LOCATION:

1.98 acres, more or less of sovereign land in Angelo Slough and Belmont Slough, City of Foster City, San Mateo County.

AUTHORIZED USE:

Maintenance dredge a maximum of 13,300 cubic yards of sediment material from Angelo Slough and Belmont Slough. Dredged material will be disposed of at U.S. Army Corps of Engineers approved disposal sites or at approved beneficial upland use sites. Dredged material may not be sold.

LEASE TERM:

3 years, beginning December 6, 2016.

CONSIDERATION:

No monetary consideration is proposed for the lease because: 1) the dredging will provide a public benefit by enhancing water flow to the Foster City Lagoon; and 2) there is no commercial benefit from the project and the dredged material may not be sold, as specified in the lease.

STAFF ANALYSIS AND RECOMMENDATION:

Authority:

Public Resources Code sections 6005, 6216, 6301, 6501.1, and;
California Code of Regulations, title 2, section 2000, subdivision (b).

Public Trust and State's Best Interests Analysis:

Maintenance dredging to maintain sufficient flow of water from Belmont Slough through Angelo Slough to the Foster City Lagoon for water-oriented recreational uses is generally consistent with the common law

CALENDAR ITEM NO. **C27** (CONT'D)

Public Trust Doctrine. The City of Foster City (City) owns the lagoon and intake structure providing water to the lagoon for regional water-related recreation. The lagoon and intake structure were originally developed in the 1960s on engineered landfill in the marshes of the San Francisco Bay, on the east edge of San Mateo County, as part of the original development of the City. As such, Commission staff believes this use of public land, by a public agency, is consistent with the common law Public Trust doctrine.

The proposed lease provides that a maximum of 13,300 cubic yards of material may be dredged over the lease term, is contingent upon the lessee complying with applicable permits, recommendations, or limitations issued by federal, state, and local governments, and restricts the lessee from using the dredged material for commercial purposes. Dredged material will be deposited at U.S. Army Corps of Engineers approved disposal sites or at approved beneficial upland use sites.

Maintenance dredging last occurred in 1978, and future maintenance dredging is anticipated to be needed every 20 to 30 years. The lease has a limited term of three years and the maintenance dredging neither alienates the State's fee simple interest nor permanently impairs public rights. Based on the foregoing Commission staff believes that maintenance dredging will not substantially interfere with Public Trust needs at this location and time. For all the reasons above, Commission staff believes the issuance of this lease is consistent with the common law Public Trust Doctrine and in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. Applicant owns the adjoining upland.
2. This action is consistent with Strategy 1.3 of the Commission's Strategic Plan to protect, expand, and enhance appropriate public use and access to and along the State's inland and coastal waterways.
3. A Mitigated Negative Declaration, State Clearinghouse No. 2016052002, was prepared by the City and adopted on October 17, 2016, for this project. Staff reviewed this document.

A Mitigation Monitoring Program was adopted by the City.

CALENDAR ITEM NO. **C27** (CONT'D)

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon staff's consultation with the persons nominating such lands and through the California Environmental Quality Act (CEQA) review process, it is staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Site and Location Map
- C. Mitigation Monitoring Program

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that a Mitigated Negative Declaration, State Clearinghouse No. 2016052002, and a Mitigation Monitoring Program were prepared by the City of Foster City and adopted on October 17, 2016, for this Project and that the Commission has reviewed and considered the information contained therein.

Adopt the Mitigation Monitoring Program, as contained in Exhibit C, attached hereto.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed lease will not substantially interfere with Public Trust needs and values at this location at this time, is consistent with the common law Public Trust Doctrine, and is in the best interests of the State.

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

1. Authorize issuance of a General Lease – Dredging to the City of Foster City, beginning December 6, 2016, for a term of 3 years, to maintenance dredge a maximum of 13,300 cubic yards of sediment

CALENDAR ITEM NO. **C27** (CONT'D)

material from Angelo Slough and Belmont Slough, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; dredged material will be disposed of at U.S. Army Corps of Engineers approved disposal sites or approved beneficial upland use sites and may not be sold.

EXHIBIT A

W 26979

LAND DESCRIPTION

A parcel of sovereign land, lying in the bed of the Belmont Slough, situated in the City of Foster City, County of San Mateo, State of California, more particularly described as follows:

BEGINNING at the most westerly corner of Parcel I as described in Sovereign Land Location No. 43 (Leslie Salt Agreement), recorded in Book 5426 at Page 110 Official Records of San Mateo County; thence along westerly boundary of said Parcel I North $14^{\circ} 06' 36''$ East 38.02 feet; thence leaving said boundary South $89^{\circ} 43' 23''$ East 610.08 feet; thence South $0^{\circ} 15' 12''$ East 144.62 feet; thence North $89^{\circ} 43' 23''$ West 571.86 feet to a point on said westerly boundary of said Parcel I; thence along said westerly boundary North $12^{\circ} 08' 50''$ West 48.11 feet; thence continuing along said boundary North $31^{\circ} 57' 44''$ West 71.80 feet to the POINT OF BEGINNING.

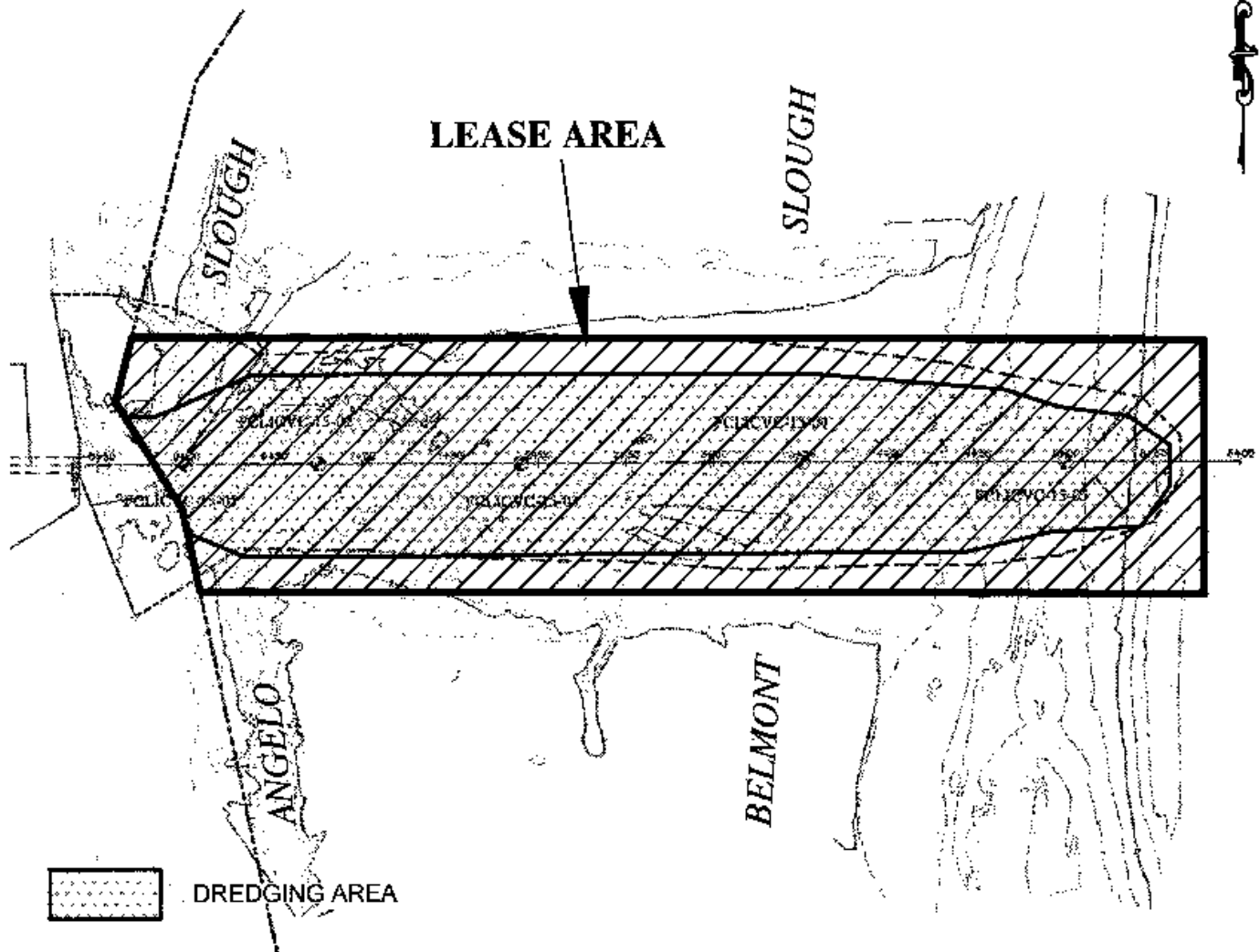
END OF DESCRIPTION

Prepared 08/15/2016 by the California State Lands Commission Boundary Unit.



NO SCALE

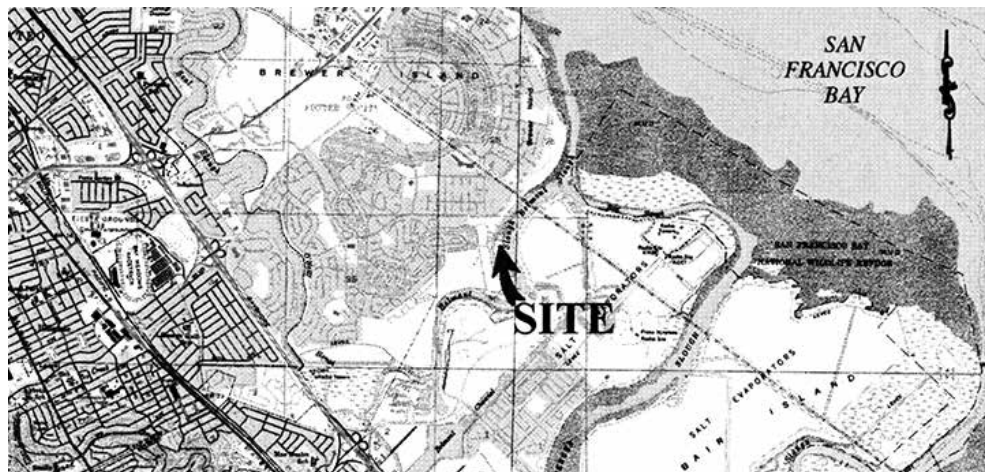
SITE



ANGELO AND BELMONT SLOUGHS, NEAR FOSTER CITY LAGOON

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B
 W 26979
 CITY OF FOSTER CITY
 APN 097-080-030
 GENERAL LEASE -
 DREDGING
 SAN MATEO COUNTY



TS 08/15/16

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

EXHIBIT C
CALIFORNIA STATE LANDS COMMISSION
MITIGATION MONITORING PROGRAM
DREDGING AT LAGOON INTAKE STRUCTURE
(W26979, State Clearinghouse No. 2016052005)

The California State Lands Commission (Commission) is a responsible agency under the California Environmental Quality Act (CEQA) for the Dredging at Lagoon Intake Structure (Project). The CEQA lead agency for the Project is City of Foster City (City).

In conjunction with approval of this Project, the Commission adopts this Mitigation Monitoring Program (MMP) for the implementation of mitigation measures (MMs) for the portion(s) of the Project located on Commission lands. The purpose of a MMP is to discuss feasible measures to avoid or substantially reduce the significant environmental impacts from a project identified in an Environmental Impact Report (EIR) or a Mitigated Negative Declaration (MND). State CEQA Guidelines section 15097, subdivision (a), states in part:¹

In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

The lead agency has adopted an MND, State Clearinghouse No. 2016052005, and adopted a MMP for the whole of the Project (see Exhibit C, Attachment C-1) and remains responsible for ensuring that implementation of the MMs occurs in accordance with its program. The Commission's action and authority as a responsible agency apply only to the MMs listed in Table C-1 below because they are specific to lands under Commission's jurisdiction. Because the Commission is acting as a responsible agency, the MMs apply only to the extent that they are feasible and may affect lands and resources under the Commission's jurisdiction. The full text of each MM, as set forth in the MMP prepared by the CEQA lead agency and listed in Table C-1, is incorporated by reference in this Exhibit C. Any MMs adopted by the Commission that differ substantially from those adopted by the lead agency are shown as follows:

- Additions to the text of the MM are underlined
- Deletions of the text of the MM are shown as ~~strikeout~~ or as otherwise noted

¹ The State CEQA Guidelines are found at California Code of Regulations, title 14, section 15000 et seq.

Table C-1. Project Impacts and Applicable Mitigation Measures

Potential Impact	Mitigation Measure (MM)²	Difference Between CSLC MMP and Lead Agency MMP
Impact BIO-1. Potential Impacts to Ridgeway's Rail and Salt Marsh Harvest Mouse	MM BIO-1 (all options). Avoidance and Mitigation Measures	All construction activities must be between September 1 through November 30 and not until January 31 as stated in Lead Agency MM ³
Impact BIO-2. Potential Impacts Special-Status Fish	MM BIO-2 (all options). Work Schedule and Precautions	Lead Agency MM ³
Impact BIO-4. Potential Impacts to wetlands	MM BIO-4 (all options). Authorization of Proposed Project	None
Impact BIO-5. Potential Impacts to Nesting Birds	MM BIO-5 (all options). Construction to Avoid Nesting Season	All construction activities must be between September 1 through November 30 and not until January 31 as stated in Lead Agency MM ³
Impact BIO-6. Potential Impacts to Water Quality	MM BIO-6 (all options). Best Management Practices	CSLC MM excludes the Option 4 components listed in Lead Agency MM ⁴
Impact BIO-7. Potential Impacts to Resuspension of Contaminants	MM BIO-7 (all options). Sampling and Analysis Plan	None
Impact CULT-1. Potential Impacts to Archaeological Resources	MM CULT-1 (all options). Archaeological Deposits	None
Impact CULT-2. Potential Impacts to Human Remains	MM CULT-2 (all options). Human Remains	None
Impact CULT-3. Potential Impacts to Paleontological Resources	MM CULT-3 (all options). Paleontological Resources	None
Impact HYD-1. Potential Impacts to Surface Water	MM HYD-1 (all options). Agency Permits and Approvals	None
Impact HYD-2. Potential Impacts to Sediments	MM HYD-2 (all options). Sediment Sampling for Disposal	None
Impact HYD-5. Potential Impacts to Siltation Off Site	MM HYD-5 (all options). Implement MM HYD-1	None
Impact HAZ-1. Potential Impacts to Construction Workers Health	MM HAZ-1 (all options). Health and Safety Plan	None

² See Attachment C-1 for the full text of each MM taken from the MMP prepared by the CEQA lead agency.

³ Page 1 of the City's October 17, 2016, Staff Report to the Mayor and Members of the City Council for adopting the MND and MMP states "...construction anticipated to take place between September 1, 2017 and November 30, 2017, within the allowable construction window permitted by the regulatory agencies."

⁴ Page 2 of the City's October 17, 2016, Staff Report to the Mayor and Members of the City Council for adopting the MND and MMP states: "current disposal plan [Option 2] is to dredge and haul approximately 13,500 cubic yards of sediment to the Cullinan Ranch Tidal Restoration Project near Vallejo, California, which is the least expensive alternative."

Potential Impact	Mitigation Measure (MM) ²	Difference Between CSLC MMP and Lead Agency MMP
Impact HAZ-2. Potential Impacts from Accidental Release of Hazardous Materials	MM HAZ-2 (all options). Implement MM HYD-1	None
Impact HAZ-3. Potential Impacts to Surface Water	MM HAZ-3 (all options). Implement MM HYD-2	None
Impact HAZ-5. Potential Exposure to Contaminants	MM HAZ-5 (all options). Foster City Construction Practices	None
Impact GEO-1. Potential Impacts from Erosion	MM GEO-1 (all options). Implement MM HYD-1	None
Impact NS-3. Potential Impacts from Noise	MM NS-3 (all options). Foster City Construction Practices	None

ATTACHMENT C-1

**Mitigation Monitoring Program Adopted by the
City of Foster City**

ATTACHMENT C-1

MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) was formulated based on the findings of the Initial Study with Mitigated Negative Declaration (IS-MND) prepared for the Foster City Dredging at Lagoon Intake Structure Project in the City of Foster City. This MMRP complies with Section 15097 of the *CEQA Guidelines*, which requires that the Lead Agency “adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” The MMRP lists mitigation measures recommended in the IS-MND and identifies mitigation monitoring requirements.

The MMRP table below presents the mitigation measures identified in the Foster City Dredging at Lagoon Intake Structure Project IS-MND necessary to mitigate potentially significant impacts. Each mitigation measure is numbered according to the topical section to which it pertains in the IS-MND. As an example, Mitigation Measure AES-1-DO-4 is the first mitigation measure identified in the IS-MND for the Foster City Dredging at Lagoon Intake Structure Project in Section I, Aesthetics.

The first column of the MMRP table identifies the Mitigation Measure. The second column identifies implementation action and responsibility, the third column identifies the monitoring schedule or timing, and the fourth column names the party responsible for monitoring and the required monitoring action. The fifth column provides a place to record compliance with monitor dates and initials. This last column will be used by the City to ensure that individual mitigation measures are monitored.

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
I. Aesthetics				
<p><u>Mitigation Measure AES-1-DO 4: – Landscaped Berm System:</u> If Disposal Option 4 is selected, the berm system constructed for disposal of dredge material would be graded to create a regular slope of approximately 1:1. After grading, the berm would be landscaped on the exterior slope facing Sea Cloud Park. Vegetation selected for this landscaping work would include drought-tolerant plantings compatible with the Foster City Climate Zone that are suitable for the disposal site and consistent with the aesthetic characteristic of the surrounding area and reflective of existing plantings in the surrounding area. The landscaping would enhance the visual quality of the berm system, maximizing its visual appeal and ensuring that it has a minimal visual impact on the surrounding area.</p>	<p>Project Construction Contractor:</p> <ul style="list-style-type: none"> ▪ Complete grading and landscaping work accordance with Mitigation Measure AES-1-DO 4 ▪ Provide a list of proposed planting types in accordance with the species parameters set in Mitigation Measure AES-1-DO 4 to the Foster City Public Works Department for review and approval. 	<p>During Construction</p> <p>Prior to landscape planting</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Conduct a site visit during construction to ensure that the berm system slope is graded to a 1:1 slope. ▪ Review and approve a list of proposed native, drought-tolerant plantings prior to landscaping work. ▪ Conduct a site visit to verify that landscaping work is completed as required in Mitigation Measure AES-1-DO 4. 	
II. Agriculture and Forest Resources				
<i>No Agriculture and Forest Resources mitigation measures are necessary.</i>				
III. Air Quality				
<p><u>Mitigation Measure AQ-1-DO 3: – U.S. EPA’s Tier 3 Emission Standards:</u> All diesel marine vessels used during dredging and disposal under Option 3 shall meet the U.S. EPA’s Tier 3</p>	<p>Project Construction Contractor:</p> <ul style="list-style-type: none"> ▪ Use U.S. EPA Tier 3 or higher vessels <p>Foster City Public Works</p>	<p>Ongoing:</p> <ul style="list-style-type: none"> ▪ Throughout construction period. 	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Make regular, periodic visits to the project site to ensure 	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
emissions standards.	Department: <ul style="list-style-type: none"> ▪ Ensure that the construction contractor fully implements as required by Mitigation Measure. 		that equipment-based emissions mitigations are being implemented or emissions thresholds standards achieved.	
<p><u>Mitigation Measure AQ-2-DO 1 & 4: – Foster City Construction Practices:</u> The project’s earth-moving activities under disposal Options 1 and 4 shall comply with the following Foster City general construction practices (as applicable) to control dust production and fugitive dust:</p> <ul style="list-style-type: none"> ▪ Water all active construction areas at least twice daily and more often during windy periods; active areas adjacent to existing sensitive land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers to control dust. ▪ Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard. ▪ Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. ▪ Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites. ▪ Sweep streets daily (with water sweepers) if 	<p>Project Construction Contractor:</p> <ul style="list-style-type: none"> ▪ Fully implement all air quality dust control measures as required by the BAAQMD and Foster City general construction practices. <p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Ensure that the construction contractor fully implements all air quality dust control measures as required by the BAAQMD and Foster City general construction practices. 	Ongoing; throughout construction period.	Foster City Public Works Department: <ul style="list-style-type: none"> ▪ Make regular, periodic visits to the project site to ensure that all dust-control and emissions mitigation measures are being implemented. 	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p>visible soil material is carried onto adjacent public streets.</p> <ul style="list-style-type: none"> ▪ Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible. ▪ Water trucks shall be present and in use at the construction site. ▪ All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the City to ensure proper control of blowing dust for the duration of the project. ▪ Watering on public streets shall not occur. ▪ All vehicle speeds on unpaved roads shall be limited to 15 mph. ▪ All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. ▪ Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure found in Title13 CCR, Section 2485). Clear signage 				

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p>shall be provided for construction workers at all access points.</p> <ul style="list-style-type: none"> ▪ All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified visible emissions evaluator. ▪ Streets will be cleaned by street sweepers or by hand as often as deemed necessary by the City Engineer. ▪ Watering associated with on-site construction activity shall take place between the hours of 8:00 a.m. and 7:00 p.m. and shall include at least one late-afternoon watering to minimize the effects of blowing dust. ▪ All public streets and medians soiled or littered due to this construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the City. ▪ Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations. 				

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p><u>Mitigation Measure AQ-3-DO 1 & 4</u>: If either Option 1 or 4 are implemented the following shall be completed to mitigate potential odors related to dewatering dredge materials:</p> <ol style="list-style-type: none"> 1. A designated City project liaison shall be responsible for responding to odor complaints during and after dredge spoils placement. The name and phone number of the liaison shall be conspicuously posted at construction areas and on notifications to the nearby residents and businesses. 2. If an odor complaint is received, the City shall, within 24 hours, send a monitor to the site to confirm the complaint and meet with the person making the complaint. If the complaint is confirmed, corrective action shall be implemented within 48 hours of receiving the complaint. 3. Corrective action may include, but would not be limited to, slowing or stopping placement of dredge material; keeping most of the dredge material wet (since drying and mortality of organisms within the dredge material is likely the primary cause of odor) and allowing only limited areas to dry; applying an odor-suppressing foam or liquid to absorb and/or contain the odors; covering dredge material areas with plastic sheeting; and/or offering to 	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Fully implement odor control activities as described in Mitigation Measure AQ-3-DO 4 if Option 1 or Option 4 is selected. 	<p>Prior to, during, and after construction.</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Ensure that Mitigation Measure AQ-3-DO 4 is implemented if Option 1 or Option 4 is selected. 	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
temporarily relocated particularly affected nearby residents.				
IV. Biological Resources				
<p><u>Mitigation Measure BIO-1 (all options): – Avoidance and Mitigation Measures:</u> To minimize potential effects to salt marsh harvest mouse and Ridgway’s rail Rail and their habitats, the applicant proposes the following avoidance and minimization measures:</p> <ul style="list-style-type: none"> ▪ Dredging shall be conducted between September 1 and January 31 to avoid the nesting season of the Ridgway’s Rail. If construction work is proposed after January 31 or prior to September 1, protocol surveys for Ridgway’s Rail shall be conducted to determine the extent and location of nesting Ridgway’s Rail. Results of protocol breeding surveys shall be submitted to the USFWS for a determination of whether work proposed within 700 feet of a Ridgway’s Rail nest (or the activity center of vocalizing Ridgway’s Rails) discovered during such surveys shall be rescheduled to occur during the period from September 1 to January 31. <p>All construction work associated with the</p>	<p>Project Construction Contractor:</p> <ul style="list-style-type: none"> ▪ Conduct dredging within specified work windows ▪ Ensure work is completed within specified work areas ▪ Fully comply with Mitigation Measure BIO-1 <p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Ensure that trail access is limited to bicycle and pedestrian users during construction <p>Project (USFWS-approved) Biologist:</p> <ul style="list-style-type: none"> ▪ Fully comply with Mitigation Measure BIO-1 	<p>Prior to and during construction</p>	<p>Foster Public Works Department:</p> <ul style="list-style-type: none"> ▪ Verify compliance by an on-site field visit prior to construction, and on-site visits during construction. 	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p>staging site, establishment of the dredge pipeline to the Option 4 (Sea Cloud Park upload disposal) site, or work within the upland disposal site that is within 250 feet of Belmont Slough shall be conducted during the period between September 1 and January 31.</p> <ul style="list-style-type: none"> ▪ A qualified biological monitor(s) shall be present during all construction work taking place adjacent to salt marsh habitats. The monitors are to have demonstrated experience in monitoring sensitive resource issues on construction projects and knowledge of the biology of both salt marsh harvest mouse and Ridgway's Rail. Prior to the initiation of construction, qualifications of the prospective biological monitor(s) shall be submitted to the USFWS for review and approval. The monitor(s) shall have the authority to halt construction, if necessary, when noncompliance actions occur. The biological monitor(s) shall be the contact person for any employee or contractor who might inadvertently kill or injure a listed species or anyone who finds a dead, injured, or entrapped listed species. ▪ Before dredging activity begins, efforts should be made to ensure that salt marsh 				

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<p>harvest mice are not present in wetland areas subject to potential impact. Such areas include the 0.09 acre of salt marsh vegetation on either side of the intake structure. Pickleweed and cordgrass shall be removed from potentially impacted wetland areas using hand tools. Prior to vegetation removal, a biologist shall survey the work zone to ensure no harvest mice or harvest mice nests are present. Once vegetation removal is complete, temporary exclusion fencing shall be placed around the defined work area prior to the start of dredging activities to prevent salt marsh harvest mice from moving into affected areas. The fence shall be made of a material that does not allow harvest mice to pass through, and the bottom should be buried so that mice cannot crawl under the fence. All support for the exclusion fencing shall be placed on the inside of the project site.</p> <ul style="list-style-type: none"> ▪ The biological monitor shall provide an endangered species training program to all personnel involved in project construction. At a minimum, the employee education program will consist of a brief presentation by persons knowledgeable about Ridgway's Rail and salt marsh harvest mouse biology and legislative protection to explain 				

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p>concerns to contractors, their employees, and agency personnel involved with implementation of the project. The program shall include the following: a description of the two species and their habitat needs; any reports of occurrences in the action area; an explanation of the status of the Ridgway's Rail and salt marsh harvest mouse and their protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to these species during the work. Fact sheets containing this information shall be distributed to all involved in the training.</p> <ul style="list-style-type: none"> ▪ If a Ridgway's Rail or any mouse species is observed at any time during construction, work shall not be initiated or shall be stopped immediately by the biological monitor until the rail or mouse leaves the vicinity of the work area on its own volition and the USFWS is notified. If the rail or mouse does not leave the work area, work shall not be reinitiated until the USFWS is contacted and has made a decision on how to proceed with work activities. The biological monitor shall direct the contractor on how to proceed accordingly. The biological monitor or any other persons at the site shall not pursue, capture, handle 				

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p>or harass any rail or mouse observed.</p> <ul style="list-style-type: none"> ▪ All personnel and any equipment shall be required to stay within the designated work sites and access corridors to perform job-related tasks, and shall not be allowed to enter adjacent salt marsh wetlands, drainages, and habitat of listed species. Pets shall not be allowed in or near the work site. Firearms shall not be allowed in or near the work sites. No intentional killing, harassment, or injury of wildlife shall be permitted. The work sites shall be maintained in a clean condition. All trash (e.g., food scraps, cans, bottles, containers, wrappers, cigarette butts, and other discarded items) shall be placed in closed containers and properly disposed of off-site on a daily basis. Trash cans shall be "bear proof" to reduce the amount of waste available to vermin and other predators. No fires shall be permitted in any of the work sites. ▪ Use of the trail system along the shoreline shall be limited to pedestrian and/or bicycles only. Public users shall be prohibited from using all-terrain vehicles or other motorized equipment on the trail system. Battery-operated wheelchairs or other similar mechanisms associated with 				

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p>access for disabled individuals shall be allowed.</p> <ul style="list-style-type: none"> ▪ Any night lighting shall be motion-sensing and for security purposes. Light fixtures shall be selected to avoid glare and light spill into adjacent habitat areas. ▪ Appropriate erosion control materials such as silt fence and straw rolls shall be installed as needed during construction activities within the project site. ▪ Hazardous materials used during the work period (e.g., fuels, lubricants, solvents) shall be controlled, cleaned up, and properly disposed of outside the tidal marsh areas. Refueling areas for any equipment shall be located at upland sites outside of wetlands. ▪ After construction, a final clean-up shall include removal of all refuse generated by the work. Vegetation shall not be removed or disturbed in the clean-up process. ▪ If requested, before, during, or upon completion of construction, the City shall allow access by USFWS personnel to the work areas to inspect effects, if any, of the actions on the salt marsh harvest mouse or Ridgway's Rail. ▪ Subsequent to construction, the project proponent shall submit a compliance 				

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p>report, prepared by the biological monitor, to the USFWS within 60 days after completion of the work. This report shall detail the dates the work occurred; information concerning the success of the actions in meeting the recommended avoidance and minimization measures; any effects on the salt marsh harvest mouse and Ridgway’s Rail; documentation of the worker environmental awareness training; and any other pertinent information.</p>				
<p><u>Mitigation Measure BIO-2 (all options): – Work Schedule and Precautions:</u> Conduct all dredging work when special-status fish are least likely to be present (i.e., during a work window from June 1 to October 31 or extended to November 30 as may be allowed by permitting agencies). When combined with the work window required under Mitigation Measure BIO-1, this results in a work window of September 1 through October 31 or possibly November 30. Also exercise proper precautions when working on the bank slope adjacent to San Francisco Bay to decrease any effects on fish habitat.</p>	<p>Project Construction Contractor:</p> <ul style="list-style-type: none"> ▪ Conduct dredging within specified work windows ▪ Fully comply with Mitigation Measure BIO-2 	<p>During Construction</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Verify compliance by on-site visits during construction. 	
<p><u>Mitigation Measure BIO-3-DO 4: – Landscaping for Non-native Vegetation:</u> Landscaping should be designed to enhance the wildlife value and aesthetic quality of undeveloped portions of the project site. Where appropriate, vegetation</p>	<p>Project Construction Contractor:</p> <ul style="list-style-type: none"> ▪ Replant areas cleared during construction in accordance with Mitigation Measure BIO-3-DO 4 	<p>Post-construction</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Verify compliance by an on-site field visit prior to construction, and on-site 	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p>removed as a result of project activities should be replaced with native species, which are of value to local wildlife, and native vegetation should be retained. Vegetation removed shall not be replaced with invasive species. Weed management practices could be warranted, including identification and removal of infestations of noxious weeds prior to construction, use of construction equipment and materials such as fill and erosion control devices that are known to be weed-free, and removal of invasive species from areas within the project boundary set aside for conservation purposes as part of project mitigation.</p>	<ul style="list-style-type: none"> ▪ Fully comply with Mitigation Measure BIO-3-DO 4 		<p>visits during construction.</p>	
<p><u>Mitigation Measure BIO-4 (all options): – Authorization of Proposed Project:</u> The City of Foster City will have relevant agencies process the Consolidated Dredged Material Reuse/Disposal Application for authorization to proceed with the proposed Dredging at the Lagoon Intake Structure (CIP 301-629) Project pursuant to Nationwide Permit 3 - Maintenance that was filed with the DMMO in October 2015.</p>	<p>Foster City Public Works Department</p>	<p>During finalization of project construction plan</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Verify that relevant agencies have processed the Consolidated Dredged Material Reuse/Disposal Application for authorization to proceed prior to beginning work. 	
<p><u>Mitigation Measure BIO-5 (all options): – Construction to Avoid Nesting Season:</u> Construction work should take place between September 1 and January 31 to avoid migratory bird nesting season. If construction is to be conducted during the breeding season, a</p>	<p>Project Construction Contractor and Project (USFWS-approved) Biologist:</p> <ul style="list-style-type: none"> ▪ Conduct construction work within specified work windows 	<p>Prior to and during construction</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Verify compliance by an on-site field visit prior to construction, and on-site visits during construction. 	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p>qualified biologist shall conduct a pre-construction breeding bird survey in areas of suitable habitat within 30 days prior to the onset of construction activity. If bird nests are found, appropriate buffer zones should be established around all active nests to protect nesting adults and their young from construction disturbance. Size of buffer zones should be determined in consultation with wildlife agency staff based on site conditions and species involved.</p>	<ul style="list-style-type: none"> ▪ Fully comply with Mitigation Measure BIO-5 			
<p><u>Mitigation Measure BIO-6 (all options): – Best Management Practices:</u> BMPs and all requirements as detailed in the SWPPP shall be implemented to control erosion and migration of sediments off of the project site. If Option 4 is selected, during construction of the upland disposal site, vegetation should only be cleared from the permitted construction footprint. Areas cleared of vegetation, pavement, or other substrates should be stabilized as quickly as possible to prevent erosion and runoff. Under Option 4, silt fence in combination with straw wattles should be installed along the south edge of the temporary pipeline and along the eastern edge of the upland disposal site to protect adjacent wetlands from increased sedimentation. Under Option 4, silt fence/straw wattles should be</p>	<p>Project Construction Contractor and Foster City Public Works Department:</p> <ul style="list-style-type: none"> • Implement all measures contained in the SWPPP and specific erosion control measures specified in Mitigation Measure BIO-6 • Ensure work is completed only within the construction footprint • Fully comply with Mitigation Measure BIO-6 	<p>Prior to and during construction</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Verify compliance by an on-site field visit prior to construction, and on-site visits during construction. 	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p>installed on the north edge of the temporary pipeline and the west edge of the upland disposal site to protect the adjacent recreational trail and facilities associated with Sea Cloud Park.</p>				
<p><u>Mitigation Measure BIO-7 (all options): – Sampling and Analysis Plan:</u> Implement the Sampling and Analysis Plan to provide the physical, chemical, and biological data necessary to evaluate water quality impacts of dredging and of reuse or placement options including the potential effects on fish and wildlife populations.</p>	<p>Foster City Public Works Department</p>	<p>Prior to any project construction</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Ensure sediment sampling is implemented. 	
<p>V. Cultural Resources</p>				
<p><u>Mitigation Measure CULT-1 (all options): – Archaeological Deposits:</u> In keeping with the CEQA guidelines, if archaeological remains <u>resources</u> are uncovered, work at the place of discovery should be halted immediately until a qualified archaeologist can evaluate the finds (Section 15064.5 [f]).</p> <p><u>If archaeological resources or any cultural resources are uncovered on State lands during the project, the California State Lands Commission (CSLC) shall be notified within 72 hours. The point of contact shall be Assistant Chief Counsel Pam Griggs. Title to all</u></p>	<p>Project Construction Contractor:</p> <ul style="list-style-type: none"> ▪ Halt work and notify Foster City Public Works Department if archaeological remains are uncovered. <p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Hire a qualified archaeologist to evaluate findings, should a discovery occur. ▪ <u>Notify CSLC if resources are uncovered on State lands</u> 	<p>During construction</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Verify compliance by an on-site field visit during construction. 	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p><u>abandoned shipwrecks, archaeological sites, and historic or cultural resources on or within the tidal and submerged lands of California are under the jurisdiction of the CSLC. Therefore, the final disposition of archaeological or historical resources recovered on State lands under the jurisdiction of the CSLC shall be approved by the CSLC.</u></p>				
<p><u>Mitigation Measure CULT-2 (all options): - Human Remains:</u> The following actions are promulgated in Public Resources Code 5097.98 and Health and Human Safety Code 7050.5, and pertain to the discovery of human remains. If human remains are encountered, excavation or disturbance of the location must be halted in the vicinity of the find, and the county coroner contacted. If the coroner determines the remains are Native American, the coroner will contact the Native American Heritage Commission. The Native American Heritage Commission will identify the person or persons believed to be most likely descended from the deceased Native American. The most likely descendent makes recommendations regarding the treatment of the remains with appropriate dignity.</p> <p><u>Should any human remains be discovered on State lands during the project, the CSLC shall be</u></p>	<p>Project Construction Contractor:</p> <ul style="list-style-type: none"> ▪ Halt work and notify Foster City Public Works Department if human remains are uncovered. <p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Contact the Native American Heritage Commission if human remains are uncovered. ▪ <u>Notify CSLC if human remains are uncovered on State lands</u> 	<p>During construction</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Verify compliance by an on-site field visit during construction. 	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p><u>notified within 24 hours. The point of contact shall be Assistant Chief Counsel Pam Griggs.</u></p>				
<p><u>Mitigation Measure CULT-3 (all options): - Paleontological Resources:</u> If paleontological resources are encountered during project construction activities, all soil-disturbing activity within 100 feet of the find shall be temporarily halted until a qualified paleontologist can assess the significance of the find and provide proper management recommendations. The City shall review and incorporate the management recommendations into the project as feasible. <u>Additionally, if paleontological resources are uncovered on State lands during the project, the CSLC shall be notified within 72 hours. The point of contact shall be Assistant Chief Counsel Pam Griggs. The final disposition of paleontological resources recovered on State lands under the jurisdiction of the CSLC shall be approved by the CSLC.</u></p>	<p>Project Construction Contractor:</p> <ul style="list-style-type: none"> ▪ Halt work and notify Foster City Public Works Department if paleontological resources are encountered. <p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Hire a qualified paleontologist to assess the significance of the find, if paleontological resources are encountered. ▪ Review and incorporate the management recommendations into the project as feasible, if paleontological resources are encountered. ▪ <u>Notify CSLC if paleontological resources are uncovered on State lands</u> 	<p>During construction</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Verify compliance by an on-site field visit during construction. 	
<p>VI. Hydrology and Water Quality</p>				
<p><u>Mitigation Measure HYD-1 (all options): - Agency Permits and Approvals:</u> The Contractor(s) shall obtain applicable resource agency permits and approvals and comply with permit requirements to prevent impacts to</p>	<p>Project Construction Contractor:</p> <ul style="list-style-type: none"> ▪ Obtain applicable resource agency permits and approvals and comply with permit 	<p>Prior to:</p> <ul style="list-style-type: none"> ▪ Issuance of site-specific demolition, grading, or 	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Review monthly reports to verify that construction 	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p>water quality and demonstrate that water quality standards and/or waste discharge requirements are not violated. Permit requirements and avoidance measures that may be required by the USACE and/or the Regional Water Board may include, but not be limited to the following:</p> <ul style="list-style-type: none"> ▪ Installation of physical barriers (e.g., silt curtains) to prevent potential localized impacts to water quality (e.g., increase in turbidity) from spreading to surrounding surface waters. ▪ Performing water quality monitoring, including sampling and analysis for total suspended solids as well as measurements of pH, temperature, and conductivity. ▪ Comparing the results of water quality monitoring to performance standards established by the Regional Water Board in the CWA Section 401 certification. If water quality monitoring indicates that performance standards are not being achieved, additional avoidance measures (e.g., installation of additional silt curtains) shall be implemented until water quality monitoring indicates that performance standards are being achieved, which would mitigate potential impacts to water quality to a less-than-significant level. 	<p>requirements</p> <ul style="list-style-type: none"> ▪ Fully comply with Mitigation Measure HYD-1 	<p>building permits.</p> <p>Monthly:</p> <ul style="list-style-type: none"> ▪ Throughout construction period. 	<p>activities are in compliance with permit requirements.</p>	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p><u>Mitigation Measure HYD-2 (all options): – Sediment Sampling for Disposal:</u> Sampling and analysis of the sediments to be dredged from Angelo Slough shall be performed prior to dredging activities to evaluate contaminant concentrations in sediments and potential disposal options for the dredge materials. The sampling and analysis shall be performed in accordance with the Sampling and Analysis Plan prepared for the proposed project to fulfill the requirements of the USACE Inland Testing Manual, Section 404 of the CWA, and the DMMO.¹ The results of the sampling and analysis activities and the proposed disposal option shall be presented to DMMO for review. DMMO approval of the proposed disposal option shall be obtained prior to performing disposal activities.</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Complete sediment sampling in accordance with Mitigation Measure HYD-2. 	<p>Prior to:</p> <ul style="list-style-type: none"> ▪ Finalization of project construction and disposal option selection. 	<p>Foster City Public Works Department :</p> <ul style="list-style-type: none"> ▪ Ensure sediment sampling is completed prior to project finalization and dredging activities. 	
<p><u>Mitigation Measure HYD-3-DO 1 & 4: – Implement Mitigation Measure HAZ-5:</u> Mitigation Measure HAZ-5 (which addresses potential on-shore chemical releases) shall be implemented.</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Conduct sediment sampling analysis in accordance with Mitigation Measure HAZ-5. 	<p>Prior to construction</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Ensure compliance with appropriate regulatory agency criteria, requirements and thresholds relating to 	

¹ Kinnetic Laboratories Inc. and Huffman-Broadway Group Inc., 2015.

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
			human health.	
<p><u>Mitigation Measure HYD-4-DO 1 & 4: – Construction General Permit and SWPPP:</u> If Option 4 is implemented (or Option 1 is implemented and would result in disturbance of more than 1 acre of soil) the proposed project shall comply with the CGP and implement a SWPPP to reduce the risk of on-shore spill/releases and disturbed soils from being transported in stormwater runoff and impacting nearby surface waters during construction activities, and post-construction erosion controls, which could include but would not be limited to hydroseeding, planting of vegetation, installation of jute/burlap netting, and installation of swales, shall be implemented in graded areas to mitigate potential erosion of exposed soil.</p> <p>If Option 1 or Option 4 of the proposed project is implemented, regular monitoring of the temporary fixed piping system shall be performed to ensure there are no leaks in the pipeline, and any leaks that are identified shall be promptly repaired.</p> <p>If Option 1 or Option 4 of the proposed project is implemented, applicable resource agency permits shall be obtained and the proposed project shall comply with permit requirements to prevent impacts to water quality, including</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Hire a Qualified SWPPP Developer to prepare a SWPPP, instruct construction personnel, and submit monitoring reports. The SWPPP shall include specific and detailed BMPs and measures designed to mitigate construction-related pollutants, and adheres to the requirements of Mitigation Measure HYD-4-DO 1 & 4; ▪ Retain an independent monitor to conduct weekly inspections and provide written monthly reports to the Public Works Department to ensure compliance with the SWPPP. <p>Project Construction Contractor/Site Supervisor:</p> <ul style="list-style-type: none"> ▪ Conduct regular meetings of site personnel to ensure SWPPP guidelines are observed by on-site personnel. 	<p>Prior to:</p> <ul style="list-style-type: none"> ▪ Issuance of site-specific demolition, grading, or building permits. <p>Monthly:</p> <ul style="list-style-type: none"> ▪ Throughout construction period. 	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Review the SWPPP for consistency with the requirements of Mitigation Measure HYD-4-DO 1 & 4 prior to approval; ▪ Conduct periodic inspections of the project site during wet and dry days to ensure compliance with the SWPPP; ▪ Conduct periodic inspections of the project site to ensure that the temporary fixed piping system is leak-free. <p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Review monthly reports to verify that construction activities are in compliance with the SWPPP. 	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p>potential impacts related to decanting water into Sea Cloud Phase II basin or Foster City Lagoon, and demonstrate that water quality standards and/or waste discharge requirements are not violated. Permit requirements and avoidance measures that could be required by the USACE and/or the Regional Water Board could include, but not be limited to:</p> <ul style="list-style-type: none"> ▪ Installation of physical barriers (e.g., silt curtains) to aid the settlement of sediments in dredge material prior to decanting of excess water. ▪ Filtering and testing water prior to decanting into the Sea Cloud Phase II sedimentation basin or Foster City Lagoon to ensure that water meets water quality standards. ▪ Performing water quality monitoring including, but not limited to (as determined by the Regional Water Board), sampling and analysis for total suspended solids as well as measurements of pH, temperature, and conductivity. <p>The results of water quality monitoring shall be compared to performance standards established by the Regional Water Board in the CWA Section 401 certification. If water quality monitoring indicates that performance standards are not being achieved, additional</p>				

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p>avoidance measures (e.g., installation of additional silt curtains or filtration systems) shall be implemented.</p> <p>Implementation of Mitigation Measures HYD-1, HYD-2, HYD-3-DO 1 & 4, and HYD-4-DO 1 & 4 would mitigate potential water quality impacts to a less-than-significant level.</p>				
<p><u>Mitigation Measure HYD-5 (all options): - Implement Mitigation Measure HYD-1:</u> Mitigation Measures HYD-1 shall be implemented.</p>	<p>Project Construction Contractor:</p> <ul style="list-style-type: none"> ▪ Obtain applicable resource agency permits and approvals and comply with permit requirements ▪ Fully comply with Mitigation Measure HYD-1 	<p>Prior to:</p> <ul style="list-style-type: none"> ▪ Issuance of site-specific demolition, grading, or building permits. <p>Monthly:</p> <ul style="list-style-type: none"> ▪ Throughout construction period. 	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Review monthly reports to verify that construction activities are in compliance with permit requirements. 	
<p><u>Mitigation Measure HYD-6-DO 1 & 4: - Implement Mitigation Measure HYD-4-DO 1 & 4:</u> Mitigation Measures HYD-4-DO 1 & 4 shall be implemented.</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Conduct sediment sampling analysis in accordance with Mitigation Measure HYD-4-DO 1 & 4. 	<p>Prior to construction</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Ensure compliance with appropriate regulatory agency criteria, requirements and thresholds relating to human health. 	
<p><u>Mitigation Measure HYD-7 DO 1 & 4: - Implement Mitigation Measure HYD-4-DO 1 & 4</u></p>	<p>Foster City Public Works Department:</p>	<p>Prior to construction</p>	<p>Foster City Public Works Department:</p>	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p><u>and HYD-1</u>: Mitigation Measures HYD-4-DO 1 & 4 and HYD-1 shall be implemented. Additionally, the temporary fixed piping system for moving dredge material shall be placed over the perimeter levee and its construction shall not involve excavation into the perimeter levee.</p>	<ul style="list-style-type: none"> ▪ Conduct sediment sampling analysis in accordance with Mitigation Measure HYD-4-DO 1 & 4. <p>Project Construction Contractor:</p> <ul style="list-style-type: none"> ▪ Obtain applicable resource agency permits and approvals and comply with permit requirements ▪ Fully comply with Mitigation Measure HYD-1 	<p>Prior to:</p> <ul style="list-style-type: none"> ▪ Issuance of site-specific demolition, grading, or building permits. <p>Monthly:</p> <ul style="list-style-type: none"> ▪ Throughout construction period. 	<ul style="list-style-type: none"> ▪ Ensure compliance with appropriate regulatory agency criteria, requirements and thresholds relating to human health. <p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Review monthly reports to verify that construction activities are in compliance with permit requirements. 	
<p>VII. Hazards</p>				
<p><u>Mitigation Measure HAZ-1 (all options): - Health and Safety Plan</u>: The routine transport, use, and disposal of hazardous materials at the project site would be performed in accordance with a project Health and Safety Plan prepared in accordance with Title 8 of the CCR.</p>	<p>Foster City Public Work Department:</p> <ul style="list-style-type: none"> ▪ Prepare a project Health and Safety Plan <p>Project Construction Contractor:</p> <ul style="list-style-type: none"> ▪ Implement the project Health and Safety Plan 	<p>Prior to issuance of any grading or building permits.</p> <p>On-going:</p> <ul style="list-style-type: none"> ▪ Throughout construction 	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Monitor construction activity to ensure compliance with the project Health and Safety Plan. 	
<p><u>Mitigation Measure HAZ-2 (all options): - Implement Mitigation Measure HYD-1</u>: Mitigation Measure HYD-1 (which ensures that all necessary permits to protect water quality would be aquired) shall be implemented.</p>	<p>Project Construction Contractor:</p> <ul style="list-style-type: none"> ▪ Obtain applicable resource agency permits and approvals and comply with permit requirements ▪ Fully comply with Mitigation 	<p>Prior to:</p> <ul style="list-style-type: none"> ▪ Issuance of site-specific demolition, grading, or building 	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Review monthly reports to verify that construction activities are in compliance with permit requirements. 	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
	Measure HYD-1	permits Monthly: <ul style="list-style-type: none"> ▪ Throughout construction period. 		
<p><u>Mitigation Measure HAZ-3 (all options): – Implement Mitigation Measure HYD-2:</u> Mitigation Measure HYD-2 (which addresses sampling and analysis of sediments prior to dredging and disposing of dredge materials in an appropriate location based the comparison of sampling results to ecological risk based regulatory guidelines) shall be conducted.</p>	<p>Foster City Public Works Department: <ul style="list-style-type: none"> ▪ Complete sediment sampling in accordance with Mitigation Measure HYD-2. </p>	<p>Prior to: <ul style="list-style-type: none"> ▪ Finalization of project construction and disposal option selection. </p>	<p>Foster City Public Works Department: <ul style="list-style-type: none"> ▪ Ensure sediment sampling is completed prior to project finalization and dredging activities. </p>	
<p><u>Mitigation Measure HAZ-4-DO 1 & 4: – Sediment Sampling:</u> If either Option 1 or Option 4 is implemented, the analytical results of sediment sampling shall be compared to appropriate regulatory agency screening levels for protection of human health (e.g., the Regional Water Board’s Environmental Screening Levels for residential land use) and naturally occurring/background levels of contaminants in the vicinity of the project site. Dredge material shall not be disposed of under Option 1 or Option 4 if contaminant concentrations in the dredge material exceed appropriate regulatory agency screening levels for protection of human health and naturally occurring/background</p>	<p>Foster City Public Works Department: <ul style="list-style-type: none"> ▪ Conduct sediment sampling analysis in accordance with Mitigation Measure HAZ-4-DO 1 & 4. </p>	<p>Prior to construction</p>	<p>Foster City Public Works Department: <ul style="list-style-type: none"> ▪ Ensure compliance with appropriate regulatory agency criteria, requirements and thresholds relating to human health. </p>	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p>levels of contaminants, unless a site-specific human health risk assessment determines that disposal of dredge material under Option 1 or Option 4 would not pose a significant risk to human health.</p>				
<p><u>Mitigation Measure HAZ-5 (all options): – Foster City Construction Practices:</u> The following requirements shall be included in the project specifications, and shall be implemented during proposed construction and dredging activities:</p> <ul style="list-style-type: none"> ▪ The contractor(s) shall designate storage areas suitable for material delivery, storage, and waste collection. These locations must be as far away from catch basins, gutters, drainage courses, and water bodies as possible. All hazardous materials and wastes used or generated during project site development activities shall be labeled and stored in accordance with applicable local, state, and federal regulations. In addition, an accurate up-to-date inventory, including Material Safety Data Sheets, shall be maintained on-site to assist emergency response personnel in the event of a hazardous materials incident. ▪ All maintenance and fueling of vehicles and equipment shall be performed in a designated, bermed area, or over a drip pan that would not allow run-off of spills. 	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Include the information detailed in Mitigation Measure HAZ-5 in the contract and performance standards for each contractor and monitor all work to ensure the contractors are complying. ▪ Prepare and submit an Emergency Preparedness and Response Procedures Plan. ▪ Have such plan prepared and shall be prepared and excavation and earthworking activities associated with the proposed project shall not proceed until the Site Remediation Plan has been reviewed and approved by the regulatory oversight agency and is on file with the City, If the presence of hazardous materials is found on site and 	<p>Prior to:</p> <ul style="list-style-type: none"> ▪ Execution of contractor contracts. <p>Ongoing throughout:</p> <ul style="list-style-type: none"> ▪ Operational period. <p>Prior to:</p> <ul style="list-style-type: none"> ▪ Issuance of any site-specific demolition, building or grading permit. ▪ Upon discovery of hazardous materials on site. 	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Monitor construction activity to ensure compliance with Mitigation Measure HAZ-5. <p>Foster City Fire Department:</p> <ul style="list-style-type: none"> ▪ Review emergency procedures plan and verify that emergency hazardous materials release response measures are appropriate and implementable. <p>Foster City Fire Department and appropriate regulatory oversight agency(ies):</p> <ul style="list-style-type: none"> ▪ Ensure Remediation Plan is submitted and approved prior to allowing affected work on site is allowed to resume. 	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p>Vehicles and equipment shall be regularly checked and have leaks repaired promptly at an off-site location. Secondary containment shall be used to catch leaks or spills any time that vehicle or equipment fluids are dispensed, changed, or poured.</p> <ul style="list-style-type: none"> ▪ Emergency Preparedness and Response Procedures shall be developed by the contractor(s) for emergency notification in the event of an accidental spill or other hazardous materials emergency during project site preparation and development activities. These Procedures shall include evacuation procedures, spill containment procedures, required personal protective equipment, as appropriate, in responding to the emergency. The contractor(s) shall submit these procedures to the City prior to construction activities. ▪ If the presence of hazardous materials is found on site, site remediation could be required by the applicable state or local regulatory agencies. Specific remedies would depend on the extent and magnitude of contamination and requirements of the regulatory agency(ies). Under the direction of the regulatory agency(ies) and the City, a Site Remediation Plan shall be prepared, as required, by the applicant. The plan shall: 	<p>per Foster City construction practices it is determined that a Site Remediation Plan is necessary.</p>			

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p>1) specify measures to be taken to protect workers and the public from exposure to the potential hazards; and 2) certify that the proposed remediation would protect the public health in accordance with local, state, and federal requirements, considering the land use proposed. Excavation and earthworking activities associated with the proposed project shall not proceed until the Site Remediation Plan has been reviewed and approved by the regulatory oversight agency and is on file with the City.</p>				
<p>VIII. Geology and Soils</p>				
<p><u>Mitigation Measure GEO-1 (all options): – Implement Mitigation Measure HYD-1:</u> Mitigation Measure HYD-1 shall be implemented.)</p>	<p>Project Construction Contractor:</p> <ul style="list-style-type: none"> ▪ Obtain applicable resource agency permits and approvals and comply with permit requirements ▪ Fully comply with Mitigation Measure HYD-1 	<p>Prior to:</p> <ul style="list-style-type: none"> ▪ Issuance of site-specific demolition, grading, or building permits. <p>Monthly:</p> <ul style="list-style-type: none"> ▪ Throughout construction period. 	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Review monthly reports to verify that construction activities are in compliance with permit requirements. 	
<p><u>Mitigation Measure GEO-2-DO 1 & 4: – Implement HYD-4-DO 1 & 4:</u> Mitigation Measure HYD-4-DO 1 & 4, which specifies that</p>	<p>Foster City Public Works Department:</p>	<p>Prior to:</p> <ul style="list-style-type: none"> ▪ Issuance of 	<p>Foster City Public Works Department:</p>	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
<p>the project prepare and implement a SWPPP (and includes typically required BMPs), shall be implemented.</p>	<ul style="list-style-type: none"> ▪ Hire a Qualified SWPPP Developer to prepare a SWPPP, instruct construction personnel, and submit monitoring reports. The SWPPP shall include specific and detailed BMPs and measures designed to mitigate construction-related pollutants, and adheres to the requirements of Mitigation Measure HYD-4-DO 1 & 4; ▪ Retain an independent monitor to conduct weekly inspections and provide written monthly reports to the Public Works Department to ensure compliance with the SWPPP. <p>Project Construction Contractor/Site Supervisor:</p> <ul style="list-style-type: none"> ▪ Conduct regular meetings of site personnel to ensure SWPPP guidelines are observed by on-site personnel. 	<p>site-specific demolition, grading, or building permits.</p> <p>Monthly:</p> <ul style="list-style-type: none"> ▪ Throughout construction period. 	<ul style="list-style-type: none"> ▪ Review the SWPPP for consistency with the requirements of Mitigation Measure HYD-4-DO 1 & 4 prior to approval; ▪ Conduct periodic inspections of the project site during wet and dry days to ensure compliance with the SWPPP; ▪ Conduct periodic inspections of the project site to ensure that the temporary fixed piping system is leak-free. <p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Review monthly reports to verify that construction activities are in compliance with the SWPPP. 	
<p><u>Mitigation Measure GEO-3-DO 1 & 4: - Implement Mitigation Measure GEO-2-DO 1 & 4: Mitigation Measure GEO-2-DO 1 & 4 shall be implemented.</u></p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Hire a Qualified SWPPP Developer to prepare a SWPPP, 	<p>Prior to:</p> <ul style="list-style-type: none"> ▪ Issuance of site-specific demolition, 	<p>Foster City Public Works Department</p> <ul style="list-style-type: none"> ▪ Review the SWPPP for consistency with the 	

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	<p>instruct construction personnel, and submit monitoring reports. The SWPPP shall include specific and detailed BMPs and measures designed to mitigate construction-related pollutants, and adheres to the requirements of Mitigation Measure GEO-2-DO 1 & 4;</p> <ul style="list-style-type: none"> ▪ Retain an independent monitor to conduct weekly inspections and provide written monthly reports to the Public Works Department to ensure compliance with the SWPPP. <p>Project Construction Contractor/Site Supervisor:</p> <ul style="list-style-type: none"> ▪ Conduct regular meetings of site personnel to ensure SWPPP guidelines are observed by on-site personnel. 	<p>grading, or building permits.</p> <p>Monthly:</p> <ul style="list-style-type: none"> ▪ Throughout construction period. 	<p>requirements of Mitigation Measure HYD-4-DO 1 & 4 prior to approval;</p> <ul style="list-style-type: none"> ▪ Conduct periodic inspections of the project site during wet and dry days to ensure compliance with the SWPPP; ▪ Conduct periodic inspections of the project site to ensure that the temporary fixed piping system is leak-free. <p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Review monthly reports to verify that construction activities are in compliance with the SWPPP. 	
<p><u>Mitigation Measure GEO-4-DO 1 & 4:</u> - <u>Implement Mitigation Measure GEO-2-DO 1 & 4:</u> Mitigation Measures GEO-2-DO 1 & 4 shall be implemented.</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Hire a Qualified SWPPP Developer to prepare a SWPPP, instruct construction personnel, and submit monitoring reports. The SWPPP 	<p>Prior to:</p> <ul style="list-style-type: none"> ▪ Issuance of site-specific demolition, grading, or building permits. 	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Review the SWPPP for consistency with the requirements of Mitigation Measure HYD-4-DO 1 & 4 prior to approval; 	

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	<p>shall include specific and detailed BMPs and measures designed to mitigate construction-related pollutants, and adheres to the requirements of Mitigation Measure GEO-2-DO 1 & 4;</p> <ul style="list-style-type: none"> ▪ Retain an independent monitor to conduct weekly inspections and provide written monthly reports to the Public Works Department to ensure compliance with the SWPPP. <p>Project Construction Contractor/Site Supervisor:</p> <ul style="list-style-type: none"> ▪ Conduct regular meetings of site personnel to ensure SWPPP guidelines are observed by on-site personnel. 	<p>Monthly:</p> <ul style="list-style-type: none"> ▪ Throughout construction period. 	<ul style="list-style-type: none"> ▪ Conduct periodic inspections of the project site during wet and dry days to ensure compliance with the SWPPP; ▪ Conduct periodic inspections of the project site to ensure that the temporary fixed piping system is leak-free. <p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Review monthly reports to verify that construction activities are in compliance with the SWPPP. 	
<p>IX. Greenhouse Gas Emissions</p>				
<p><i>No Greenhouse Gas Emissions mitigation measures are necessary.</i></p>				
<p>X. Land Use and Planning</p>				
<p><i>No Land Use and Planning mitigation measures are necessary.</i></p>				
<p>XI. Mineral Resources</p>				
<p><i>No Mineral Resources mitigation measures are necessary.</i></p>				

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XII. Noise				
<p><u>Mitigation Measure NS-1-DO 1 & 4: – Distance to Residential:</u> To the extent feasible, the contractor will maintain a separation distance of at least 44 feet between heavy construction equipment (e.g., large trucks, large bulldozers) and the existing occupied residential units.</p>	<p>Project Construction Contractor:</p> <ul style="list-style-type: none"> ▪ Fully comply with Mitigation Measure NS-1-DO 1 & 4 	<p>During construction</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Monitor construction activity to ensure compliance with Mitigation Measure NS-1-DO 1 & 4. 	
<p><u>Mitigation Measure NS-2-DO 1 & 4: – Noise and Vibration Disturbance Coordinator:</u> The construction contractor shall designate a Noise and Vibration Disturbance Coordinator who shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of noise and vibration complaints (e.g., beginning work too early, bad muffler) and institute reasonable measures warranted to correct problems. The Noise and Vibration Disturbance Coordinator shall record all noise and vibration complaints received and actions taken in response, and submit this record to the City. A telephone number and email address for the disturbance coordinator shall be conspicuously posted at the construction site.</p>	<p>Project Construction Contractor:</p> <ul style="list-style-type: none"> ▪ Fully comply with Mitigation Measure NS-2-DO 1 & 4 <p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Review record of noise complaints 	<p>Prior to and During construction</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Monitor construction activity to ensure compliance with Mitigation Measure NS-2-DO 1 & 4. 	
<p><u>Mitigation Measure NS-3 (all options): – Foster City Construction Practices:</u> The project shall comply with the following augmented Foster</p>	<p>Project Construction Contractor:</p> <ul style="list-style-type: none"> ▪ Comply with daytime work hours. 	<p>During construction</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Monitor construction 	

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<p>City Construction Practices:</p> <ul style="list-style-type: none"> ▪ Construction activities shall be limited to the hours of 8:00 a.m. to 5:00 p.m. on weekdays unless deviations from this schedule are approved in advance by the City. Non-construction activities could take place between the hours of 7:00 a.m. and 8:00 a.m. on weekdays and 9:00 a.m. and 4:00 p.m. on Saturdays but must be limited to quiet activities and shall not include the use of engine-driven machinery. ▪ Signs shall be conspicuously posted at the construction site that include permitted construction days and hours, and the name and telephone number of the Noise and Vibration Disturbance Coordinator. The Noise and Vibration Disturbance Coordinator shall be trained to use a sound level meter and shall be available during all construction hours to respond to complaints. ▪ All internal combustion engine-driven equipment shall be fitted with intake and exhaust mufflers that are in good condition. Good mufflers shall result in non-impact equipment generating a maximum noise level of 80 dBA when measured at a distance of 50 feet. ▪ Construction equipment idling times shall 	<ul style="list-style-type: none"> ▪ Post signage as described in Mitigation Measure NS-3. ▪ Fully comply with Mitigation Measure NS-3. 		<p>activity to ensure compliance with Mitigation Measure NS-3.</p>	

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<p>be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes.</p> <ul style="list-style-type: none"> ▪ All engine-driven construction vehicles, equipment, and pneumatic tools shall be properly adjusted and maintained. ▪ The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site. ▪ The construction contractor shall locate equipment staging in areas that will create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction. 				
XIII. Population and Housing				
<i>No Population and Housing mitigation measures are necessary.</i>				
XIV. Public Services				
<i>No Public Services mitigation measures are necessary.</i>				
XV. Recreation				
<p><u>Mitigation Measure REC-1-DO 1 & 4: – Maintain Use of Levee Pedway:</u> A temporary trench would be used to place the temporary fixed piping system below grade, allowing continued use of the Levee Pedway during construction and</p>	<p>Foster City Public Works Department and Project Construction Contractor:</p> <ul style="list-style-type: none"> ▪ Maintain access to the Levee Pedway during construction 	<p>Prior to any project construction</p>	<p>Foster City Public Works Department:</p> <ul style="list-style-type: none"> ▪ Ensure that construction operation plan includes provisions for temporary 	

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avoiding an impact on recreational facilities.			trail access; <ul style="list-style-type: none"> ▪ Verify compliance by on-site field visits during construction. 	
XVI. Transportation/Traffic				
<i>No Transportation/Traffic mitigation measures are necessary.</i>				
XVII. Utilities and Service Systems				
<i>No Utilities and Service Systems mitigation measures are necessary.</i>				