



SAN FRANCISCO PLANNING DEPARTMENT

Agreement to Implement Mitigation Measures

Case No.: 2018-007883ENV
Project Title: Balboa Reservoir Project
Zoning: P (Public)
40-X and 65-A Height and Bulk District
Block/Lot: 3180/190
Lot Size: 17.6 acres (approximately 767,000 square feet)
Project Sponsor: Joe Kirchofer, AvalonBay Communities, LLC
(415) 284-9082 or Joe_Kirchofer@avalonbay.com
Lead Agency: San Francisco Planning Department
Staff Contact: Jeanie Poling
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MITIGATION MEASURES

_____I agree to implement the mitigation monitoring program on the following pages as a condition of project approval.

Property Owner or Legal Agent Signature

Date

¹ Henderson, Tony, SFMTA, e-mail communication to Elizabeth White, San Francisco Planning Department, and Leigh Lutenski, Office of Economic and Workforce Development on March 30, 2020.

MITIGATION MONITORING AND REPORTING PROGRAM FOR BALBOA RESERVOIR PROJECT

Measures Adopted as Conditions of Approval	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Schedule and Verification of Compliance
<p>and/or the construction site, which could reduce construction noise by as much as 5 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, to the maximum extent practicable.</p> <ul style="list-style-type: none"> Require the general contractor to use impact tools (e.g., jackhammers and pavement breakers) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which would reduce noise levels by as much as 10 dBA. Include noise control requirements for construction equipment and tools, including specifically concrete saws, in specifications provided to construction contractors. Such requirements could include, but are not limited to, erecting temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses; utilizing noise control blankets on a building structure as the building is erected to reduce noise levels emanating from the construction site; performing all work in a manner that minimizes noise; and using equipment with effective mufflers. Moveable sound barrier curtains can provide up to 15 dBA of sound attenuation. Undertake the noisiest activities (e.g., demolition using hoe rams) during the hours of 9 a.m. to 4 p.m.; and select or construct haul routes that avoid the North Access Road and the adjacent Archbishop Riordan High School and residential uses along Plymouth Avenue and Lee Avenue, such as the temporary or permanent relocation of North Street. Postpone demolition of the west side berm to the end of Phase 0, to the extent that it does not extend the overall schedule, so that it may serve as a noise attenuation barrier for the receptors to the west for earlier Phase 0 demolition and construction activities. Notify the planning department's development performance coordinator at the time that night noise permits are requested or as soon as possible after emergency/unanticipated activity causing noise with the potential to exceed noise standards has occurred. <p>The general contractor or other designated person(s) shall prepare a weekly noise monitoring log report that shall be made available to the planning department upon request. The log shall include any noise complaints received, whether in connection with an exceedance or not, as well as any noise complaints received through calls to 311 or DBI if the contractor is made aware of them (for example, via a DBI notice, inspection, or investigation). Any weekly report that includes an exceedance or for a period during which a complaint is received shall be submitted to the planning department within three business days following the week in which the exceedance or complaint occurred. A report also shall be submitted to the planning department at the completion of each construction phase. The report shall document noise levels, exceedances of threshold levels, if reported, and corrective action(s) taken.</p>			<p>made available to the Planning Department when requested. Any weekly report that includes an exceedance or for a period during which a complaint is received shall be submitted to the development performance coordinator within 3 business days following the week in which the exceedance or complaint occurred.</p> <p>Project sponsor, qualified consultant, and/or construction contractor(s) to submit final noise monitoring report to the Planning Department development performance coordinator at the completion of each construction phase.</p>	
<p>Mitigation Measure M-NO-3: Fixed Mechanical Equipment Noise Controls.</p> <p>Noise attenuation measures shall be incorporated into all fixed mechanical equipment (including HVAC equipment) installed on all buildings that include such equipment as necessary to meet noise limits specified in Police Code section 2909. Interior noise limits shall be met under both existing and future noise conditions.</p> <p>Noise attenuation measures could include provision of sound enclosures/barriers, addition of roof parapets to block noise, increasing setback distances from sensitive receptors, provision of louvered vent openings, location of vent openings away from adjacent residential uses, and restriction of generator testing to the daytime hours.</p> <p>After completing installation of the HVAC equipment but before receipt of the Certificate of Occupancy for each building, the project sponsor shall conduct noise measurements to ensure that the noise generated by fixed mechanical equipment complies with section 2909(a) and (d) of the San Francisco Noise Ordinance. No Final Certificate of Occupancy shall be issued for any building until the standards in the Noise Ordinance are shown to be met for that building.</p>	Project sponsor	Prior to receipt of any certificate of final occupancy for each building.	San Francisco Department of Building Inspection (DBI). Project sponsor to provide copies of project construction plans to the Planning Department that show incorporation of noise attenuation measures.	Considered complete upon DBI review and issuance of final certificate of occupancy.
Air Quality Mitigation Measures				
<p>Mitigation Measure M-AQ-2a: Construction Emissions Minimization.</p> <p>The project sponsor or the project sponsor's contractor shall comply with the following:</p> <p>A. Engine Requirements.</p> <ol style="list-style-type: none"> All off-road equipment greater than 25 horsepower shall have engines that meet Tier 4 Final off-road emission standards. Since grid power will be available, portable diesel engines shall be prohibited. Renewable diesel shall be used to fuel all diesel engines unless it can be demonstrated to the Environmental Review Officer (ERO) that such fuel is not compatible with on-road or off-road engines and that emissions of ROG and NOx from the transport of fuel to the project site will offset its NOx reduction potential. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two-minute idling limit. The contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications. <p>B. Waivers. The ERO may waive the equipment requirements of subsection (A)(1) if: a particular piece of off-road equipment is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the</p>	Project sponsor and project sponsor's construction contractor	<p>Submit construction emissions minimization plan to Planning Department prior to issuance of construction site permit.</p> <p>Implement plan throughout construction period.</p> <p>Submit final plan after completion of construction activities and prior to receiving a final certificate of occupancy.</p>	<p>Planning Department (ERO) or their designee must review draft construction emissions minimization plan prior to issuance of first demolition or construction permit and approve final plan prior to the start of demolition or construction.</p> <p>ERO to review quarterly and final monitoring reports.</p>	Considered complete upon Planning Department review and approval of documentation and completion of construction.

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<p>equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use other off-road equipment. If the ERO grants the waiver, the contractor must use the next cleanest piece of off-road equipment, according to the table below.</p> <p>The ERO may waive the equipment requirements of Item A.1 if: a particular piece of off-road equipment with an engine meeting Tier 4 Final emission standards is not regionally available to the satisfaction of the ERO. If seeking a waiver from this requirement, the project sponsor must demonstrate to the satisfaction of the ERO that the health risks from existing sources, project construction and operation, and cumulative sources do not exceed a total of 10 µg/m3 or 100 excess cancer risks for any onsite or offsite receptor.</p> <p>The ERO may waive the equipment requirements of Item A.2 if: an application has been submitted to initiate onsite electrical power, portable diesel engines may be temporarily operated for a period of up to three weeks until onsite electrical power can be initiated or, there is a compelling emergency.</p> <p>C. <i>Construction Emissions Minimization Plan.</i> Before starting onsite ground disturbing, demolition, or construction activities, the contractor shall submit a Construction Emissions Minimization Plan to the ERO for review and approval. The plan shall state, in reasonable detail, how the contractor will meet the requirements of Section A, Engine Requirements.</p> <ol style="list-style-type: none"> The Construction Emissions Minimization Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used. The project sponsor shall ensure that all applicable requirements of the Construction Emissions Minimization Plan have been incorporated into the contract specifications. The plan shall include a certification statement that the contractor agrees to comply fully with the plan. The contractor shall make the Construction Emissions Minimization Plan available to the public for review onsite during working hours. The contractor shall post at the construction site a legible and visible sign summarizing the plan. The sign shall also state that the public may ask to inspect the plan for the project at any time during working hours and shall explain how to request to inspect the plan. The contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way. <p>D. <i>Monitoring.</i> After start of construction activities, the contractor shall submit quarterly reports to the ERO documenting compliance with the Construction Emissions Minimization Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the plan.</p>				
<p>Mitigation Measure M-AQ-2b: Low-VOC Architectural Coatings.</p> <p>The project sponsor shall use low- and super-compliant VOC architectural coatings during construction. "Low-VOC" refers to paints that meet the more stringent regulatory limits in South Coast Air Quality Management District rule 1113; however, many manufacturers have reformulated to levels well below these limits. These are referred to as "Super-Compliant" architectural coatings.</p>	Project sponsor	During construction	Planning Department (ERO)	Considered complete upon Planning Department review and approval of documentation of compliance
<p>Mitigation Measure M-AQ-2c: On-Road Truck Emissions Minimization for the Compressed Construction Schedule. Under the compressed three-year construction schedule for either the Developer's Proposed Option or the Additional Housing Option, the project sponsor or the project sponsor's contractor shall comply with the following:</p> <p>A. <i>Engine Requirements.</i> The project sponsor shall ensure that all on-road heavy-duty diesel trucks with a gross vehicle weight rating of 19,500 pounds or greater used at the project site (such as haul trucks, water trucks, dump trucks, concrete trucks, and vendor trucks) be model year 2014 or newer.</p> <p>B. <i>Waivers.</i> The ERO may waive the engine year requirements of Subsection (A)(1) for on-road heavy duty diesel vendor trucks delivering materials to the project site, which could include window, door, cabinet, or elevator equipment if each vendor truck entering the project site is used only once for a single delivery of equipment or material. If the ERO grants the waiver, the contractor must demonstrate that that vendor truck would only be used once for a single delivery to the project site.</p> <p>Waivers to the engine year requirements of Subsection (A)(1) shall not be included for vendor trucks that import or off-haul soil, transport heavy earthmoving equipment, or ready-mix concrete, or deliver lumber.</p> <p>C. <i>Construction Emissions Minimization Plan.</i> The construction minimization requirements of Mitigation Measure M-AQ-2a item (C).</p> <p>D. <i>Monitoring.</i> The monitoring requirements of Mitigation Measure M-AQ-2a item (D).</p>	Project sponsor and contractor	Implement prior to and during construction activities for the compressed construction schedule	Planning Department (ERO). ERO to review draft construction emissions minimization plan prior to issuance of first demolition or construction permit and final plan at the start of demolition or construction. ERO to review quarterly and final monitoring reports.	Considered complete upon Planning Department review and approval of documentation and completion of construction.
<p>Mitigation Measure M-AQ-2d: Offset Construction Emissions for the Compressed Schedule.</p> <p>Under the compressed three-year construction schedule for either the Developer's Proposed Option or the Additional Housing Option, the project sponsor shall implement this measure. Prior to issuance of the final certificate of occupancy for the final building associated with Phase 1, the project sponsor, with the oversight of the Environmental Review Officer (ERO), shall either:</p>	Project sponsor	<i>Offset program:</i> Prior to issuance of final certificate of occupancy for final building constructed, notify the ERO within six months of completion of the offset project(s)	<i>Offset program:</i> Planning Department (ERO)	<i>Offset program:</i> Considered complete upon approval of documentation of offset projects implemented

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<p>1. Directly fund or implement a specific offset project within San Francisco if available to achieve the equivalent to a one-time reduction of 2.0 tons per year of ozone precursors for the Developer's Proposed Option or 3.2 tons per year of ozone precursors for the Additional Housing Option. To qualify under this mitigation measure, the specific emissions offset project must result in emission reductions within the San Francisco Bay Area Air Basin that would not otherwise be achieved through compliance with existing regulatory requirements. A preferred offset project would be one implemented locally within the City and County of San Francisco. Prior to implementing the offset project, it must be approved by the ERO. The project sponsor shall notify the ERO within six months of completion of the offset project for verification; or</p> <p>2. Pay mitigation offset fees to the Bay Area Air Quality Management District Bay Area Clean Air Foundation or other governmental entity or third party. The mitigation offset fee shall fund one or more emissions reduction projects within the San Francisco Bay Area Air Basin. The fee will be determined by the ERO, the project sponsor, and the governmental entity or third party responsible for administering the funds, and be based on the type of projects available at the time of the payment. This fee is intended to fund emissions reduction projects to achieve reductions of 2.0 tons per year of ozone precursors for the Developer's Proposed Option or 3.2 tons per year of ozone precursors for the Additional Housing Option, which is the amount required to reduce emissions below significance levels after implementation of other identified mitigation measures as currently calculated.</p> <p>The agreement that specifies fees and timing of payment shall be signed by the project sponsor, the governmental entity or third party responsible for administering the funds, and the ERO prior to issuance of the first site permit. This offset payment shall total the predicted 2.0 tons per year of ozone precursors for the Developer's Proposed Option or 3.2 tons per year of ozone precursors for the Additional Housing Option above the 10-ton-per-year threshold after implementation of Mitigation Measures M-AQ-2a, M-AQ-2b, and M-AQ-2c.</p> <p>The total emission offset amount presented above was calculated by summing the maximum daily construction of ROG and NOx (pounds/day), multiplying by 260 work days per year, and converting to tons. The amount represents the total estimated operational and construction-related ROG and NOx emissions offsets required. No reductions are needed for operations or overlapping construction and operations.</p>		<p>and/or</p> <p>Mitigation Fee:</p> <p>Sign agreement prior to issuance of first site permit.</p> <p>Pay amount determined at time of impact.</p>	<p>Mitigation Fee: BAAQMD or other governmental entity or third party</p>	<p>Mitigation Fee: Considered complete upon BAAQMD/other governmental entity/third party confirmation of receipt of payment</p>
<p>Mitigation Measure M-AQ-4a: Diesel Backup Generator Specifications.</p> <p>To reduce ROG and NOx associated with operation of the proposed project, the project sponsor shall implement the following measures:</p> <p>A. All new diesel backup generators shall:</p> <ol style="list-style-type: none"> Have engines that meet or exceed California Air Resources Board Tier 4 off-road emission standards which have the lowest NOx emissions of commercially available generators; and Be fueled with renewable diesel, if commercially available, which has been demonstrated to reduce NOx emissions by approximately 10 percent. <p>B. All new diesel backup generators shall have an annual maintenance testing limit of 50 hours, subject to any further restrictions as may be imposed by the Bay Area Air Quality Management District in its permitting process.</p> <p>C. For each new diesel backup generator permit submitted to Bay Area Air Quality Management District for the project, the project sponsor shall submit the anticipated location and engine specifications to the San Francisco Planning Department ERO for review and approval prior to issuance of a permit for the generator from the San Francisco Department of Building Inspection. Once operational, all diesel backup generators shall be maintained in good working order for the life of the equipment and any future replacement of the diesel backup generators shall be required to be consistent with these emissions specifications. The operator of the facility at which the generator is located shall be required to maintain records of the testing schedule for each diesel backup generator for the life of that diesel backup generator and to provide this information for review to the planning department within three months of requesting such information.</p>	Project sponsor and facility operator, Planning Department.	<p>Prior to issuance of a permit for diesel backup generator specifications.</p> <p>Ongoing for maintenance, testing, and records keeping.</p>	Planning Department (ERO) and DBI	<p>Equipment specifications portion considered complete when equipment specifications approved by ERO.</p> <p>Maintenance portion is ongoing and records are subject to Planning Department review upon request.</p>
<p>Mitigation Measure M-AQ 4b: Install MERV 13 Filters at the Daycare Facility.</p> <p>If the daycare facility is constructed as part of Phase 1 and is operational while Phase 2 is under construction, the project sponsor shall install a mechanical ventilation system at the onsite daycare facility located in Block B capable of achieving the protection from particulate matter (PM2.5) equivalent to that associated with a Minimum Efficiency Reporting Value (MERV) 13 filtration (as defined by American Society of Heating, Refrigerating and Air-Conditioning Engineers [ASHRAE] standard 52.2). The system must meet the requirements of San Francisco Health Code article 38 and San Francisco Building Code section 1203.5.</p>	Project sponsor	Prior to issuance of final certificate of occupancy for building containing daycare.	Planning Department (ERO) and DBI.	Considered complete upon ERO and DBI acceptance of documentation of compliance prior to issuance of a certificate of occupancy.
Cultural Resources (Archeological Resources) Mitigation Measures				
<p>Mitigation Measure M-CR-2: Accidental Discovery of Archeological Resources (PEIR Mitigation Measure AM-1).</p> <p>The project sponsor shall distribute the planning department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils-disturbing activities within the project site. Prior to any soils-disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project</p>	Project sponsor, contractor, qualified archaeological consultant, and Planning Department (ERO).	During soil-disturbing activities.	Planning Department (ERO).	Considered complete upon ERO's approval of FARR.

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<p>sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.</p> <p>Should any indication of an archeological resource be encountered during any soils-disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils-disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.</p> <p>If the ERO determines that an archeological resource may be present within the project area, the project sponsor shall retain the services of an archeological consultant from the pool of qualified archeological consultants maintained by the planning department archeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.</p> <p>Measures might include: preservation in situ of the archeological resource; an archeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.</p> <p>The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p> <p>Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound copy, one unbound copy and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.</p>				
<p>Mitigation Measure M-CR-3: Accidental Discovery of Human Remains.</p> <p>The treatment of human remains and of associated or unassociated funerary objects discovered during any soil-disturbing activity shall comply with all applicable state and federal laws. This shall include immediate notification of the Medical Examiner of the City and County of San Francisco and, in the event of the Medical Examiner's determination that the human remains are Native American remains, notification of the Native American Heritage Commission, which shall appoint a Most Likely Descendant (MLD). The MLD shall complete his or her inspection and make recommendations or preferences for treatment and disposition within 48 hours of being granted access to the site (Public Resources Code section 5097.98). The Environmental Review Officer (ERO) shall also be notified immediately upon discovery of human remains.</p> <p>The project sponsor and the ERO shall make all reasonable efforts to develop a Burial Agreement ("Agreement") with the MLD, as expeditiously as possible for the treatment and disposition, with appropriate dignity, of the human remains and associated or unassociated funerary objects (as detailed in CEQA Guidelines section 15064.5(d)). The Agreement shall take into consideration the appropriate excavation, removal, recordation, scientific analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. If the MLD agrees to scientific analyses of the remains and/or associated or unassociated funerary objects, the archeological consultant shall retain possession of the remains and associated or unassociated funerary objects until completion of any such analyses, after which the remains and associated or unassociated funerary objects shall be reinterred or curated as specified in the Agreement.</p> <p>Nothing in existing state regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. However, if the ERO, project sponsor, and MLD are unable to reach an agreement on scientific treatment of the remains and associated or unassociated funerary objects, the ERO, in cooperation with the project sponsor, shall ensure that the remains and associated or unassociated funerary objects are stored securely and respectfully until they can be reinterred on the property, with appropriate dignity, in a location not subject to further or future subsurface disturbance (Public Resources Code section 5097.98).</p> <p>Treatment of historic-period human remains and of associated or unassociated funerary objects discovered during soil-disturbing activity additionally shall follow protocols laid out in the project's archeological treatment documents, and any agreement established between the project sponsor, the Medical Examiner and the ERO.</p>	<p>Project sponsor and contractor, archaeological consultant, ERO in consultation with the Coroner of the City and County of San Francisco, Native American Heritage Commission, and Most Likely Descendant.</p>	<p>In the event human remains and/or funerary objects are encountered, during soil-disturbing activity; immediately, upon each such discovery</p>	<p>Planning Department (ERO)</p>	<p>Considered complete on notification of the San Francisco County Coroner and ERO, and if Native American remains are discovered, then notification to NAHC, and MLD, and completion of treatment agreement and/or analysis and reporting.</p>
Tribal Cultural Resources Mitigation Measures				
<p>Mitigation Measure M-TC-1: Tribal Cultural Resources Interpretive Program.</p> <p>If the Environmental Review Officer (ERO) determines that a significant archeological resource is present, and if in consultation with the affiliated Native American tribal representatives, the ERO determines that the resource constitutes a tribal cultural resource and that the</p>	<p>Planning Department (ERO), Native American tribal representatives, archaeological consultant, project sponsor.</p>	<p>In the event tribal cultural resources are encountered during soil-disturbing activity.</p>	<p>Planning Department (ERO).</p>	<p>Considered complete if no Tribal Cultural Resource is discovered or Tribal Cultural Resource is discovered and either preserved in-</p>

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<p>resource could be adversely affected by the proposed project, the proposed project shall be redesigned so as to avoid any adverse effect on the significant tribal cultural resource, if feasible.</p> <p>If the ERO determines that preservation-in-place of the tribal cultural resource is both feasible and effective, then the archeological consultant shall prepare an archeological resource preservation plan (ARPP). Implementation of the approved ARPP by the archeological consultant shall be required when feasible.</p> <p>If the ERO, in consultation with the affiliated Native American tribal representatives and the project sponsor, determines that preservation-in-place of the tribal cultural resources is not a sufficient or feasible option, the project sponsor shall implement an interpretive program of the tribal cultural resource in consultation with affiliated tribal representatives. An interpretive plan produced in consultation with the ERO and affiliated tribal representatives, at a minimum, and approved by the ERO would be required to guide the interpretive program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, artifacts displays and interpretation, and educational panels or other informational displays.</p>				<p>place or project effects to Tribal Cultural Resource are mitigated by implementation of Planning Department approved interpretive program.</p>
Geology and Soils Mitigation Measures				
<p>Mitigation Measure M-GE-6: Inadvertent Discovery of Paleontological Resources.</p> <p>Before the start of excavation activities, the project sponsor shall retain a qualified paleontologist, as defined by the Society of Vertebrate Paleontology, who is experienced in on-site construction worker training. The qualified paleontologist shall complete an institutional record and literature search and train all construction personnel who are involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils that are likely to be seen during construction, the proper notification procedures should fossils be encountered, and the laws and regulations protecting paleontological resources. If potential vertebrate fossils are discovered by construction crews, all earthwork or other types of ground disturbance within 25 feet of the find shall stop immediately and the monitor shall notify the Environmental Review Officer. The fossil should be protected by an "exclusion zone" (an area approximately 5 feet around the discovery that is marked with caution tape to prevent damage to the fossil). Work shall not resume until a qualified professional paleontologist can assess the nature and importance of the find. Based on the scientific value or uniqueness of the find, the qualified paleontologist may record the find and allow work to continue, or recommend salvage and recovery of the fossil. The qualified paleontologist may also propose modifications to the stop-work radius and the monitoring level of effort based on the nature of the find, site geology, and the activities occurring on the site, and in consultation with the Environmental Review Officer. If treatment and salvage is required, recommendations shall be consistent with Society of Vertebrate Paleontology's 2010 Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources, and currently accepted scientific practice, and shall be subject to review and approval by the Environmental Review Officer. If required, treatment for fossil remains may include preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection (e.g., the University of California Museum of Paleontology), and may also include preparation of a report for publication describing the finds. Upon receipt of the fossil collection, a signed repository receipt form shall be obtained and provided to the planning department. The qualified paleontologist shall prepare a paleontological resources report documenting the treatment, salvage, and, if applicable, curation of the paleontological resources. The project sponsor shall be responsible for the costs necessary to prepare and identify collected fossils, and for any curation fees charged by the paleontological repository. The planning department shall ensure that information on the nature, location, and depth of all finds is readily available to the scientific community through university curation or other appropriate means.</p>	<p>Prior to excavation: project sponsor and qualified paleontological consultant</p> <p>During construction: project sponsor and contractor</p>	<p>Institutional record and literature search: before issuance of a demolition permit.</p> <p>Worker training: before the start of excavation activities</p> <p>During construction</p>	<p>Planning Department (ERO)</p> <p>Planning Department (ERO)</p>	<p>Considered complete upon ERO acceptance of documentation of compliance</p> <p>Considered complete upon ERO acceptance of documentation of compliance</p>

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