

3 Mitigation Monitoring Program Revisions

This Chapter presents only the revisions to the adopted 2002 Mitigation Monitoring Program, as modified in 2004, 2005, 2015, 2016, and July 2022, that are proposed in this EIR Addendum. Revisions are shown in ~~strikeout~~ and underline for ease of reference.

3.1 Measures Included in the Project

No revisions are proposed in this EIR addendum to the measures included in the Project.

3.2 Mitigation Measures

The following mitigation measure is revised to reflect current regulations and best management practices for the protection of special-status species.

BIO-1a Special-status Species Protection Program

Description: The City shall implement a Special-status Species Protection Plan, as follows:

- A Worker Environmental Awareness Training Program for construction personnel shall be provided that addresses sensitive habitats and special- status species that may be found on-site and outline procedures in the event a special-status species is encountered.
- Any ground-disturbing construction activity in Ellis Creek (i.e., in the bank or bed of the channel) or slough channel shall be 1) conducted when no or low freshwater flow from upstream into the work area (which will potentially be tidal at the time of construction) is occurring to avoid downstream transport of sediment and impacts on any migrating salmonid fish, or other rare aquatic species; and 2) conducted between coffer dams around which any tidal or stream flow shall be routed. Prior to coffer dam installation, a qualified biologist shall seine the area between the dams to determine if sensitive species are present. If sensitive species are present, they should be relocated in consultation with NMFS, USFWS, and CDFW consistent with federal and State regulations.
- Facilities shall be located and constructed using methods that minimize the loss of existing riparian or marsh vegetation. Unavoidable loss of riparian vegetation shall be mitigated by planting sufficient native riparian vegetation to compensate for the loss of shade and habitat.
- A 20-foot buffer zone from the top of the bank of Ellis Creek shall be established, where feasible, and fenced during construction.
- If aquatic habitat must be removed, create or restore like habitat on site at a compensatory ratio of 1:1 (1 acre of restored habitat for every 1 acre impacted) or as required by the Corps of Engineers or Regional Water Quality Control Board. Identify opportunities to improve current habitat conditions within Ellis Creek and implement, where feasible. Cropped upland is available as mitigation

sites for salt marsh, freshwater marsh, or stream impacts. Shollenberger Park also has sites available for mitigation for river habitat impacts.

- Best management practices shall be implemented to control erosion, sedimentation, and runoff of pollutants, and protect jurisdictional waters. As an appropriate example, best management practices are described in the Caltrans Storm Water Quality Handbooks: Construction Site Best Management Practices Manual (May 2017). Refer to PD-8 for a potential list. These shall be implemented as necessary under the supervision of the construction manager. Detailed specifications to protect Ellis Creek, wetlands, and tidal marsh shall be incorporated onto bid documents and construction drawings where construction activities occur within 50 feet of such a feature. If deemed appropriate by a qualified wetland scientist, wetland features shall be flagged prior to the start of construction for protection and avoidance if the construction activity does not warrant any of the BMPs listed in PD-8.
- Construction and grading activities that would affect Ellis Creek or upland areas that might erode into the creek or marsh, shall be restricted to the dry season.
- For work within or adjacent to the tidal marsh, temporary salt marsh harvest mouse exclusion fence shall be installed around the construction footprint and buried to a depth of 4 inches. The fence shall be constructed of heavy plastic sheeting curved outward at the top from the construction area to prevent mice from climbing or passing through. Fence height shall be at least 12 inches higher than adjacent vegetation. A qualified biologist shall inspect the fence as needed, to ensure there are no gaps or damage. Stakes shall be located on the inside of the exclusion fence (to deter mice from climbing stakes).
- Prior to any ground-disturbing construction activity, the City shall retain a qualified biologist to conduct pre-construction surveys to identify any American badger burrows/dens within open grassland areas and open agricultural fields within 500 feet of areas proposed for ground disturbance unless the qualified biologist determines that smaller buffers would be sufficient to avoid impacts. The survey shall be conducted no more than 14 days before construction commences. If occupied burrows are not found, further mitigation shall not be required. If occupied burrows are found, impacts to active badger dens shall be avoided by establishing exclusion zones around all active badger dens, within which construction-related activities shall be prohibited until denning activities are complete or the den is abandoned. (Construction activities outside the established exclusion zones shall be allowed to proceed.) A qualified biologist shall monitor each den once per week to track the status of the den and to determine when a den area has been cleared for construction.

Lead Agency: City of Petaluma

Implementing Agency: City of Petaluma

Timing: **Start:** Before starts of construction of the affected area
Completion: Completion of construction

City of Petaluma, Public Works & Utilities
Ellis Creek Water Recycling Facility Floating Solar Array Project

Monitoring

Agency: City of Petaluma and Construction Manager

Validation: Annual Report