

# West Lake Tahoe Regional Water Treatment Plant Mitigation Monitoring and Reporting Program

## Introduction

Section 15097 of the Guidelines for the California Environmental Quality Act (CEQA) requires that, whenever a public agency approves a project based on a Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR), the public agency shall establish a mitigation monitoring or reporting program to ensure that all adopted mitigation measures are implemented.

This mitigation monitoring and reporting program (MMRP) is intended to satisfy this requirement of the CEQA Guidelines as it relates to the West Lake Tahoe Regional Water Treatment Plant (WLTRWTP). This MMRP will be used by Tahoe City Public Utility District (TCPUD) staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the MND adopted for the proposed project.

As noted above, the intent of the MMRP is to ensure the effective implementation and enforcement of all adopted mitigation measures. The MMRP will provide for monitoring of construction activities, as necessary, and in the field identification and resolution of environmental concerns.

In addition to monitoring compliance with the mitigation measures included in the MND adopted for the proposed project, this MMRP identifies regulatory requirements established for the purposes of avoiding and/or reducing environmental effects with which TCPUD must comply.

## Mitigation Monitoring Program Description

TCPUD will coordinate monitoring activities and document the implementation of mitigation measures for each project component. Table 1 lists each mitigation measure as identified in the adopted MND and the associated implementation, monitoring/reporting, timing and performance requirements. The table also lists each applicable regulation or guidance document that implements an applicable regulation and the associated implementation, monitoring/reporting, timing and performance requirements.

The table includes:

1. the full text of each applicable mitigation measure or name of applicable regulation or guidance document;
2. the party or parties responsible for implementation and monitoring of each measure or regulatory requirement, and any reporting requirements;
3. the timing of implementation of each mitigation measure or the timing in which compliance with regulatory requirements would be determined, including any ongoing monitoring and/or reporting requirements; and
4. performance criteria by which to ensure mitigation or regulatory requirements have been met.

Following completion of the monitoring and reporting process, the final monitoring results will be recorded and incorporated into the project file maintained by TCPUD.

## Mitigation Monitoring and Reporting Program

|   |  |
|---|--|
| No mitigation measures or BMPs are required for the following resources:  |  |
| <ul style="list-style-type: none"> <li>▪ Agriculture and Forestry Resources</li> <li>▪ Air Quality</li> <li>▪ Cultural Resources</li> <li>▪ Geology/Soils</li> <li>▪ Greenhouse Gas Emissions</li> <li>▪ Hazards and Hazardous Materials</li> </ul> | <ul style="list-style-type: none"> <li>▪ Land Use/Planning</li> <li>▪ Mineral Resources</li> <li>▪ Population/Housing</li> <li>▪ Public Services</li> <li>▪ Recreation</li> <li>▪ Transportation and Traffic</li> <li>▪ Utilities/Service Systems</li> </ul> |

| Mitigation Measure/Regulatory Requirement   | Implementation Responsibility | Monitoring Responsibility | Timing  | Performance Evaluation Criteria  |
|---|-------------------------------|---------------------------|---|--|
| <b>AESTHETICS</b>   |                               |                           |   |  |
| <p><i>Mitigation Measure AES-1:</i> All exterior lighting installed at the project site shall be placed at a maximum height of 14 feet, directed downward and shielded. The maximum light level at the property line for general night lighting of the building perimeter and entrance shall be 1 foot candle. The maximum light level at the property line for motion-sensing security lighting shall be 4 foot candles. Lighting necessary for any temporary emergency lighting shall not be subject to these maximum light levels, but shall be directed towards the work area and temporary shielding of adjacent residential properties shall be provided where feasible. All lighting shall comply with the following design standards:</p> <ul style="list-style-type: none"> <li>• Lighting shall be directed away from adjacent roadways and shall not interfere with traffic or create a safety hazard.</li> <li>• Landscaping shall be used to screen views of on-site lighting from adjacent and proximate residences.</li> </ul> | TCPUD, Project Contractor     | TCPUD, TRPA               | <ul style="list-style-type: none"> <li>▪ Lighting plans shall be included in building plans submitted to TRPA prior to issuance of building permit</li> <li>▪ Lighting shall be installed during project construction consistent with building plans</li> </ul> | <ul style="list-style-type: none"> <li>▪ Lighting plans and installed lighting conform to identified design standards</li> </ul> |

## Mitigation Monitoring and Reporting Program

| Mitigation Measure/Regulatory Requirement   | Implementation Responsibility | Monitoring Responsibility | Timing  | Performance Evaluation Criteria   |
|---|-------------------------------|---------------------------|---|---|
| <ul style="list-style-type: none"> <li>• Exterior lights shall not blink or flash.</li> <li>• String lights, building or roofline tube lighting, and reflective or luminescent wall surfaces are prohibited.</li> <li>• Exterior lighting shall not be attached to trees.</li> <li>• Outdoor lighting shall be used for purposes of illumination only and shall not be designed for, or used as, an advertising display. Illumination for aesthetic or dramatic purposes of any building or surrounding landscape utilizing exterior light fixtures projected above the horizontal is prohibited.</li> </ul>  |                               |                           |   |   |
| <b>BIOLOGICAL RESOURCES</b>   |                               |                           |   |   |
| <p><b>Mitigation Measure BIO-1:</b> To avoid take of any nesting birds, including raptors, tree removal within the study area shall be conducted between September 1 and May 1, which is outside of the typical breeding season, where feasible.</p> <p>For any construction activities, including tree removal, initiated during the typical breeding season (generally May 1 to through August 31) a pre-construction nesting bird survey shall be conducted by a qualified biologist within 15 days prior to project-related activities. The nesting survey shall be repeated every two weeks throughout any construction activities that occur during the breeding season. If any active nests are found on or within 100 feet of the proposed area of disturbance, consultation shall be initiated with CDFW to determine appropriate avoidance measures and responsibilities. Avoidance measures typically include limited operating periods and / or a 100 to 500-foot buffer from the nest until it is determined to be inactive.</p> <p>To avoid impacts to habitat for cavity-nesting wildlife species, standing snags shall not be disturbed to the extent possible.</p> | TCPUD, Project Contractor     | TCPUD                     | <ul style="list-style-type: none"> <li>▪ A pre-construction nesting bird survey shall be conducted within 15 days prior to commencement of ground clearing activities if commencement will occur between May 1 and August 31</li> <li>▪ Surveys shall be repeated every two weeks throughout any construction activities that occur during the breeding season.</li> <li>▪ If active nests are found, TCPUD shall consult with California Department of Fish and Wildlife prior to</li> </ul> | <ul style="list-style-type: none"> <li>▪ Preconstruction surveys are conducted if necessary based on timing</li> <li>▪ No-disturbance buffer zones are maintained around active nests until the subject nests are no longer active</li> <li>▪ Impacts to standing snags are avoided unless avoidance is demonstrated to materially interfere with project implementation</li> </ul> |

## Mitigation Monitoring and Reporting Program

| Mitigation Measure/Regulatory Requirement  | Implementation Responsibility | Monitoring Responsibility | Timing   | Performance Evaluation Criteria   |
|--|-------------------------------|---------------------------|--|---|
|  |                               |                           | commencement of ground clearing activities <ul style="list-style-type: none"> <li>▪ If no-disturbance buffer zones are established, TCPUD shall conduct periodic site inspections to verify the buffer zones are maintained for the appropriate period</li> </ul>  |   |
| <p><i><b>Mitigation Measure BIO-2:</b></i> A pre-construction Tahoe yellow cress survey shall be conducted to identify existing populations and confirm there are no additional populations in the project area. The construction contractor shall install high visibility avoidance fencing around Tahoe yellow cress populations where construction would occur within 25 feet of identified populations. A qualified biologist shall inspect the avoidance fencing prior to initiation of construction and periodically during construction that occurs within 25 feet of identified populations.</p> | TCPUD, Project Contractor     | TCPUD                     | <ul style="list-style-type: none"> <li>▪ A pre-construction Tahoe yellow cress survey shall be conducted prior to commencement of ground clearing activities</li> <li>▪ The project contractor shall install high visibility avoidance fencing around identified populations of Tahoe yellow cress in the project area and the fencing shall be inspected by a qualified biologist retained by TCPUD</li> <li>▪ A qualified biologist retained by TCPUD shall conduct periodic site inspections to verify the buffer zones are maintained throughout construction</li> </ul> | <ul style="list-style-type: none"> <li>▪ Preconstruction surveys are conducted</li> <li>▪ No-disturbance buffer zones are maintained around any identified populations throughout construction</li> </ul> |

## Mitigation Monitoring and Reporting Program

| Mitigation Measure/Regulatory Requirement  | Implementation Responsibility    | Monitoring Responsibility                  | Timing  | Performance Evaluation Criteria  |
|--|----------------------------------|--|---|--|
| <p><b>Mitigation Measure BIO-3:</b> Any impacts to wetlands, waters of the U.S., and waters of the state shall be compensated for or reduced through the establishment of replacement habitat at a minimum ratio of 1:1 and in accordance with the terms of the resource agency permits obtained to authorize such impacts. Where riparian habitat or other sensitive natural communities are to be avoided during construction, the construction contractor shall erect exclusion fencing around these areas to ensure protection. These areas shall be inspected by a qualified biologist prior to and routinely during construction. The qualified biologist shall also routinely inspect construction activities within 25 feet of Lake Tahoe and McKinney Creek to ensure that all equipment remains outside of any protected zone.</p> | <p>TCPUD, Project Contractor</p> | <p>TCPUD, U.S. Army Corps of Engineers</p> | <ul style="list-style-type: none"> <li>▪ If wetland impact would occur, wetland delineation verified, Clean Water Act Section 404 permit issued, and wetland credits to achieve "no net loss" purchased prior to issuance of grading permits</li> <li>▪ Construction fencing and erosion control measures installed and maintained throughout construction around riparian/sensitive areas to be avoided</li> <li>▪ Avoidance areas inspected by qualified biologist prior to and routinely (every month) throughout construction</li> <li>▪ Activities within 25 feet of Lake Tahoe and McKinney Creek inspected by qualified biologist routinely (every month) throughout construction</li> </ul> | <ul style="list-style-type: none"> <li>▪ If wetland impact would occur, wetland delineation verified, Clean Water Act Section 404 permit issued, and wetland replacement through habitat creation or purchase of credits to achieve "no net loss" completed prior to issuance of grading permits</li> <li>▪ Site plan and grading plan demonstrate that no grading, trenching, paving, or other disturbance will occur within riparian areas to be avoided</li> <li>▪ Construction fencing and erosion control measures installed and maintained throughout construction</li> <li>▪ Construction equipment remains outside of protected zones</li> </ul> |

## Mitigation Monitoring and Reporting Program

| Mitigation Measure/Regulatory Requirement  | Implementation Responsibility | Monitoring Responsibility | Timing   | Performance Evaluation Criteria  |
|--|-------------------------------|---------------------------|--|--|
| <p><b>Mitigation Measure BIO-4:</b> Prior to any ground-disturbing activities or construction within 25 feet of McKinney Creek and the associated Stream Environment Zone, exclusion fencing shall be erected at the boundary of the Stream Environment Zone. The fencing shall be inspected by a qualified biologist prior to construction and routinely throughout construction activities that occur within 25 feet of the Stream Environment Zone.</p>   | TCPUD, Project Contractor     | TCPUD                     | <ul style="list-style-type: none"> <li>▪ Exclusion fencing erected at boundary of Stream Environment Zone prior to ground-disturbing activities within 25 feet of McKinney Creek</li> <li>▪ Construction fencing inspected by qualified biologist prior to and routinely (every month) throughout construction</li> </ul>  | <ul style="list-style-type: none"> <li>▪ Exclusion fencing erected at boundary of Stream Environment Zone</li> <li>▪ Exclusion fencing maintained throughout construction</li> </ul>   |
| <p><b>Mitigation Measure BIO-5:</b> Prior to initiation of construction, TCPUD shall prepare a Tree Treatment Plan to address tree removal and tree protection provisions, as outlined in the Tahoe Regional Planning Agency (TRPA) Code of Ordinances Section 33.6.4. The construction contractor shall implement vegetation protection measures during construction activities, consistent with Section 33.6 of the TRPA Code of Ordinances, to minimize damage to retained trees. Protection measures for retained trees shall include:</p> <ul style="list-style-type: none"> <li>A. Fencing shall be placed no closer than the dripline of the tree(s) unless an alternative placement is approved by TRPA.</li> <li>B. The location and type of the protective fencing shall be shown on approved plans.</li> <li>C. No material or equipment shall enter or be placed in the areas protected by fencing or outside the construction areas without prior approval from TRPA.</li> <li>D. Protective fencing for trees shall be constructed with metal posts and industry-standard mesh fencing that is at least four feet tall, unless an alternative method is approved by TRPA.</li> </ul> | TCPUD, Project Contractor     | TCPUD, TRPA               | <ul style="list-style-type: none"> <li>▪ Tree Treatment Plan prepared by TCPUD and approved by TRPA prior to issuance of grading permits</li> <li>▪ Vegetation protection measures implemented by project contractor during construction</li> <li>▪ Revegetation Plan prepared by TCPUD and approved by TRPA prior to issuance of grading permits</li> <li>▪ Revegetation measures are implemented after building construction and paving</li> </ul> | <ul style="list-style-type: none"> <li>▪ Tree Treatment Plan and Revegetation Plan are prepared according to the described stipulations and approved by TRPA</li> <li>▪ Vegetation protection and revegetation measures are implemented during construction</li> </ul> |

## Mitigation Monitoring and Reporting Program

| Mitigation Measure/Regulatory Requirement   | Implementation Responsibility | Monitoring Responsibility | Timing   | Performance Evaluation Criteria   |
|---|-------------------------------|---------------------------|--|---|
| <p>All protective fencing shall be adequately maintained to provide a functional barrier during construction.</p> <p>E. An alternative method of tree protection may be required if conditions warrant due to location of tree or the importance of the tree for visual screening.</p> <p>Prior to initiation of construction, TCPUD shall also prepare a Revegetation Plan to establish vegetative cover on disturbed areas that will not be otherwise developed (expected to include new pipeline alignments, graded slopes, etc.), as identified in TRPA Code of Ordinances, Section 61.4. Revegetation efforts shall consider post-construction stand density, stand health, and fire safety/defensible space requirements.</p> |                               |                           |  |   |
| <b>HYDROLOGY AND WATER QUALITY</b>  |                               |                           |  |   |
| Lake Tahoe NPDES Construction General Permit  | TCPUD, Project Contractor     | TCPUD, Lahontan RWQCB     | <ul style="list-style-type: none"> <li>• Locations of BMPs identified on project plans prior to issuance of grading permit</li> <li>• Develop spill plan prior to issuance of grading permit</li> <li>• BMPs implemented during construction activities</li> <li>• All disturbed areas permanently stabilized or temporarily winterized from October 15-May 1</li> </ul> | <ul style="list-style-type: none"> <li>• Implement BMPs as designated on approved plans</li> <li>• All disturbed areas permanently stabilized or temporarily winterized from October 15-May 1</li> <li>• TCPUD periodically monitors site during construction to ensure BMPs are</li> </ul> |

## Mitigation Monitoring and Reporting Program

| Mitigation Measure/Regulatory Requirement  | Implementation Responsibility | Monitoring Responsibility | Timing   | Performance Evaluation Criteria   |
|--|-------------------------------|---------------------------|--|---|
|  |                               |                           |  | being implemented   |
| TRPA Lake Tahoe Water Quality Management Plan<br>TRPA Handbook of Best Management Practices<br>TRPA Code of Ordinances, Chapter 60<br>TRPA Regional Plan (Policies WQ-3.11, WQ-3.12) | TCPUD, Project Contractor     | TCPUD, TRPA               | <ul style="list-style-type: none"> <li>• Temporary (construction) and permanent BMPs indicated on project plans prior to issuance of grading permit</li> <li>• Temporary BMPs implemented during construction</li> <li>• Permanent BMPs installed prior to operation</li> <li>• BMPs maintained throughout project lifetime</li> </ul> | <ul style="list-style-type: none"> <li>• Infiltration facilities designed to accommodate the volume from a 20-year, one-hour storm</li> <li>• Site re-vegetated upon completion of construction</li> <li>• TCPUD periodically monitors site during construction to ensure BMPs are being implemented</li> <li>• TCPUD confirms permanent BMPs maintained as approved by TRPA throughout project lifetime</li> </ul> |
| Placer County Code Section 8.28.150—Reduction of pollutants in stormwater, best management practices<br>Placer County Code Article 15.48—Grading, Erosion, and Sediment Control      | TCPUD, Project Contractor     | TCPUD, Placer County      | <ul style="list-style-type: none"> <li>• Erosion and Sediment Control Plan completed prior to receipt of grading plan</li> <li>• Temporary (construction) and</li> </ul>   | <ul style="list-style-type: none"> <li>• Erosion and Sediment Control Plan approved</li> </ul>  |



## Mitigation Monitoring and Reporting Program

| Mitigation Measure/Regulatory Requirement   | Implementation Responsibility | Monitoring Responsibility | Timing   | Performance Evaluation Criteria  |
|---|-------------------------------|---------------------------|--|--|
|   |                               |                           | permanent BMPs indicated on project plans prior to issuance of grading permit <ul style="list-style-type: none"> <li>• Temporary BMPs implemented during construction</li> <li>• All disturbed areas permanently stabilized or temporarily winterized from October 15-May 1</li> <li>• Permanent BMPs installed prior to operation</li> <li>• BMPs maintained throughout project lifetime</li> </ul> | <ul style="list-style-type: none"> <li>• Implement BMPs as designated on approved plans</li> <li>• TCPUD periodically monitors site during construction to ensure BMPs are being implemented</li> <li>• All disturbed areas permanently stabilized or temporarily winterized from October 15-May 1</li> <li>• TCPUD confirms permanent BMPs maintained as approved by Placer County throughout project lifetime</li> </ul> |
| <b>NOISE</b>  |                               |                           |  |  |
| <i>Mitigation Measure NOI-1:</i> Routine periodic testing of proposed generators, including monthly and quarterly operation of the generator units, shall only occur between 8 AM and 6 PM. | TCPUD                         | TCPUD                     | During monthly and quarterly generator operation   | Generators are tested during specified hours   |

## Mitigation Monitoring and Reporting Program

| Mitigation Measure/Regulatory Requirement   | Implementation Responsibility | Monitoring Responsibility | Timing   | Performance Evaluation Criteria   |
|---|-------------------------------|---------------------------|--|---|
| <p><b>Mitigation Measure NOI-2:</b> The proposed generator for Phase 1 of the WTP shall be enclosed within minimum 6-foot high perimeter solid walls, in addition to incorporating the Level 2 sound attenuating cabinet from the manufacturer. Any opening in the perimeter wall shall be equipped with a solid door or gates.</p>   | TCPUD, Project Contractor     | TCPUD                     | <ul style="list-style-type: none"> <li>▪ Enclosure included in Phase 1 building plans prior to issuance of building permit</li> <li>▪ Enclosure constructed during construction of Phase 1</li> </ul>            | <ul style="list-style-type: none"> <li>▪ Building plans and constructed enclosure conform to identified design standards</li> </ul>   |
| <p><b>Mitigation Measure NOI-3:</b> The following measures shall be implemented to minimize nuisance effects during construction:</p> <ul style="list-style-type: none"> <li>▪ Construction activities shall be limited to 8 AM to 6 PM Mondays-Sundays.</li> <li>▪ All internal combustion engine driven equipment shall be equipped with intake and exhaust mufflers that are in good condition and appropriate for the equipment.</li> <li>▪ Stationary noise-generating equipment shall be located as far away as possible from sensitive receptors that adjoin or are near the active construction site.</li> <li>▪ "Quiet" air compressors and other stationary noise generating equipment shall be used where appropriate technology exists.</li> <li>▪ The project sponsor shall designate a "disturbance coordinator" responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and require that reasonable measures warranted to correct the problem be implemented. The project sponsor shall also post a telephone number for excessive noise complaints in conspicuous locations in the vicinity of the project site. Additionally, the</li> </ul> | TCPUD, Project Contractor     | TCPUD                     | <ul style="list-style-type: none"> <li>▪ Noise reduction measures included on site plans prior to issuance of building permit</li> <li>▪ Noise reduction measures implemented throughout construction</li> </ul> | <ul style="list-style-type: none"> <li>▪ Noise reduction measures included on site plans</li> <li>▪ Noise reduction measures implemented throughout construction</li> </ul> |

## Mitigation Monitoring and Reporting Program

| Mitigation Measure/Regulatory Requirement   | Implementation Responsibility | Monitoring Responsibility | Timing | Performance Evaluation Criteria |
|---|-------------------------------|---------------------------|--------|---------------------------------|
| project sponsor shall send a notice to neighbors in the project vicinity with information on the construction schedule and the telephone number for noise complaints. |                               |                           |        |                                 |