

# LATHROP AQUIFER AND STORAGE RECOVERY PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

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## INTRODUCTION

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

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Lathrop Aquifer Storage and Recovery project. The intent of the MMRP is to prescribe and enforce a means for properly and successfully implementing the mitigation measures identified within the Initial Study/Mitigated Declaration (IS/MND) for this project.

## MITIGATION MEASURES

The mitigation measures are taken from the Lathrop Aquifer Storage and Recovery IS/MND and are assigned the same number as in the IS/MND. The MMRP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions.

## MMRP COMPONENTS

The components of the attached table, which contains applicable mitigation measures, are addressed briefly, below.

**Impact:** This column summarizes the impact stated in the IS/MND.

**Mitigation Measure:** All mitigation measures that were identified in the Lathrop Aquifer Storage and Recovery IS/MND are presented and numbered accordingly.

**Action(s):** For every mitigation measure, one or more actions are described. The actions delineate the means by which the mitigation measures will be implemented, and, in some instances, the criteria for determining whether a measure has been successfully implemented. Where mitigation measures are particularly detailed, the action may refer back to the measure.

**Implementing Party:** This item identifies the entity that will undertake the required action.

**Timing:** Implementation of the action must occur prior to or during some part of project approval, project design or construction or on an ongoing basis. The timing for each measure is identified.

**Monitoring Party:** The City of Lathrop is primarily responsible for ensuring that mitigation measures are successfully implemented. Within the City, a number of departments and divisions would have responsibility for monitoring some aspect of the overall project.

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LATHROP AQUIFER STORAGE AND RECOVERY PROJECT – MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

IMPACT	MITIGATION MEASURE	ACTION(S)	IMPLEMENTING PARTY	TIMING	MONITORING PARTY
<b>V. CULTURAL RESOURCES</b>					
<p><b>Cultural Resources (b):</b> The project could cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.</p>	<p><b>Mitigation Measure CUL-1</b>                      If pre-contact or historic-era cultural resources are encountered during project implementation, construction activities within 100 feet shall halt and a qualified archaeologist, defined as an archaeologist meeting the U.S. Secretary of the Interior’s Professional Qualification Standards for Archeology, shall inspect the find within 24 hours of discovery and notify the City of Lathrop of their initial assessment. Pre-contact cultural materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (“midden”) containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-era materials might include building or structure footings and walls, and deposits of metal, glass, and/or ceramic refuse.</p> <p>If the City determines, based on recommendations from a qualified archaeologist and a Native American representative (if the resource is pre-contact), that the resource may qualify as a historical resource or unique archaeological resource (as defined in CEQA Guidelines Section 15064.5) or a tribal cultural resource (as defined in PRC Section 21080.3), the resource shall be avoided if feasible. Consistent with Section 15126.4(b)(3), this may be accomplished through planning construction to avoid the resource; incorporating the resource within open space; capping and covering the</p>	<p>If historic-era resources, archaeological resources, or tribal cultural resources, stop ground disturbing activities within 100 feet until a qualified archaeologist can assess the find. Follow recommendations from a qualified archaeologist and a Native American representative.</p>	<p>Project Applicant</p>	<p>During all onsite ground disturbing and construction activities.</p>	<p>City of Lathrop</p>

IMPACT	MITIGATION MEASURE	ACTION(S)	IMPLEMENTING PARTY	TIMING	MONITORING PARTY
	<p>resource; or deeding the site into a permanent conservation easement.</p> <p>If avoidance is not feasible, the City shall consult with appropriate Native American tribes (if the resource is pre-contact), and other appropriate interested parties to determine treatment measures to avoid, minimize, or mitigate any potential impacts to the resource pursuant to PRC Section 21083.2, and CEQA Guidelines Section 15126.4. This shall include documentation of the resource and may include data recovery (according to PRC Section 21083.2), if deemed appropriate, or other actions such as treating the resource with culturally appropriate dignity and protecting the cultural character and integrity of the resource (according to PRC Section 21084.3).</p>				
	<p><b>Mitigation Measure CUL-2</b></p> <p>In the event of discovery or recognition of any human remains during project implementation, construction activities within 100 feet of the find shall cease until the San Joaquin County Coroner has been contacted to determine that no investigation of the cause of death is required. The Coroner shall contact the Native American Heritage Commission within 24 hours, if the Coroner determines the remains to be Native American in origin. The Commission will then identify the person or persons it believes to be the most likely descendant from the deceased Native American (PRC Section 5097.98), who in turn would make recommendations to the City for the appropriate means of treating the human remains and any associated funerary objects (CEQA Guidelines Section 15064.5[d]).</p>	<p>If human remains are encountered during ground disturbing activities, halt construction activities within 100 feet until the Coroner evaluates the find. Follow the recommendations of the Coroner.</p>	<p>Project Applicant</p>	<p>During all onsite ground disturbing and construction activities.</p>	<p>City of Lathrop</p>
<p><b>Cultural Resources (c):</b> The project could disturb human remains, including those interred outside of formal cemeteries.</p>	<p>See Impact Cultural Resources (b)</p>	<p>See Impact Cultural Resources (b)</p>	<p>See Impact Cultural Resources (b)</p>	<p>See Impact Cultural Resources (b)</p>	<p>See Impact Cultural Resources (b)</p>

IMPACT	MITIGATION MEASURE	ACTION(S)	IMPLEMENTING PARTY	TIMING	MONITORING PARTY
<b>XVIII. TRIBAL CULTURAL RESOURCES</b>					
<p><b>Tribal Cultural Resources (a):</b>                      The project could cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p> <p>i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).</p> <p>ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resources to a California Native American tribe.</p>	<p><b>Mitigation Measure TCR-1</b>                      Implement Mitigation Measure CUL-1.</p>	<p>If historic-era resources, archaeological resources, or tribal cultural resources, stop ground disturbing activities within 100 feet until a qualified archaeologist can assess the fine. Follow recommendations from a qualified archaeologist and a Native American representative.</p>	<p>Project Applicant</p>	<p>During all onsite ground disturbing and construction activities.</p>	<p>City of Lathrop</p>