

APPENDIX C

MITIGATION MONITORING AND REPORTING PROGRAM

PUBLIC UTILITIES COMMISSION505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

MITIGATION MONITORING AND REPORTING PROGRAM

PACIFIC GAS & ELECTRIC COMPANY'S RICHMOND-TO-PITTSBURG PIPELINE DIVESTITURE (APPLICATION NOS. 00-05-035 AND 00-12-008)

INTRODUCTION

This document describes a proposed mitigation monitoring and report program (MMRP) for ensuring the effective implementation of the mitigation measures required for the California Public Utilities Commission (CPUC) approval of the Pacific Gas and Electric Company (PG&E) and San Pablo Bay Pipeline Company (SPBPC) applications concerning the sale of Richmond-to-Pittsburg Fuel Oil Pipeline and Hercules Pump Station. All mitigations are presented in a Table provided at the end of this MMRP.

If the project is approved, the MMRP should serve as a self-contained general reference for the Mitigation Monitoring Program adopted by the Commission for the project. If and when a project has been approved by the Commission, the CPUC will compile the Final Plan from the Mitigation Monitoring Program in the Final MND, as adopted.

California Public Utilities Commission – MMRP Authority

The California Public Utilities Code in numerous places confers authority upon the CPUC to regulate the terms of service and the safety, practices and equipment of utilities subject to its jurisdiction. It is the standard practice of the CPUC, pursuant to its statutory responsibility to protect the environment, to require that mitigation measures stipulated as conditions of approval be implemented properly, monitored, and reported on. In 1989, this requirement was codified statewide as Section 21081.6 of the Public Resources Code. Section 21081.6 requires a public agency to adopt a MMRP when it approves a project that is subject to preparation of a Mitigated Negative Declaration and where the MND for the project identifies potentially significant environmental effects. CEQA Guidelines Section 15097 was added in 1999 to further clarify agency requirements for mitigation monitoring and reporting.

The purpose of a MMRP is to ensure that measures adopted to mitigate or avoid significant impacts of a project are implemented. The CPUC views the MMRP as a working guide to facilitate not only

the implementation of mitigation measures by the project proponent, but also the monitoring, compliance and reporting activities of the CPUC and any monitors it may designate.

The Commission will address its responsibility under Public Resources Code Section 21081.6 when it takes action on PG&E's application for a Certificate of Public Convenience and Necessity. If the Commission approves the application, it will also adopt a Mitigation Monitoring, Compliance, and Reporting Program that includes the mitigation measures ultimately made a condition of approval by the Commission.

Project Description

The proposed sale would transfer ownership of PG&E's Hercules Pump Station (the "Pump Station") and its associated 44.2 acres of property, located in the city of Hercules, and the Pipeline from its point of origin in Castro Street (adjacent to the General Chemical facility) in the city of Richmond to the Mirant Pittsburg Power Plant in the city of Pittsburg. The Pipeline and Pump Station, collectively referred to herein as the "Assets," would be sold in their current "as-is, where-is, with all faults" condition to SPBPC. Subsequent to the Commission's decision authorizing the sale of the Assets, but prior to the actual sale by PG&E, ConocoPhillips has indicated that it intends to sell its sole ownership interest in SPBPC to the Santa Clara Valley Housing Group (SCVHG). SPBPC has indicated that upon completion of the sale by PG&E, it would then abandon the Pump Station and remove it from public utility service. SCVHG would then sell SPBPC to Shell and would retain the Pump Station and its associated 44.2 acres of property. SCVHG would demolish the Pump Station and likely remediate the land on which the Pump Station is located in order to reuse it for residential and/or commercial uses. Any action proposed for the Pump Station property by SCVHG would be subject to a separate environmental review by the City of Hercules. Ultimately, the Pipeline would be owned and operated by SPBPC, which would, per A.00-12-008, be operated as a subsidiary of Shell.

These Assets are still considered to be operational because PG&E has maintained all required permits and approvals and conducted all maintenance and inspections that are required for an operating system. Nevertheless, the State Fire Marshal classifies the Pipeline as "inactive" based on the history of use of the Pipeline in the 1990s and would require SPBPC, as the new owner, to submit a request to change the status of the Pipeline segments from "inactive" to "active" in order to use the Pipeline to transport petroleum products.

Because the CPUC must decide whether or not to approve the PG&E and SPBPC applications and because the applications may cause either direct or reasonably foreseeable indirect effects on the environment, California Environmental Quality Act (CEQA) requires the CPUC to consider the potential environmental impacts that could occur as the result of its decisions and to consider mitigation for any identified significant environmental impacts.

If the CPUC approves SPBPC's, application for authority to own and operate the Pipeline, SPBPC would be responsible for implementation of any mitigation measures governing both construction of the 5,500-foot replacement segment in Martinez and future operation of the Pipeline. Though other state and local agencies would have permit and approval authority over the construction of the

5,500-foot replacement pipeline segment, the CPUC would continue to act as the lead agency for monitoring compliance with all mitigation measures required by this MND. All approvals and permits obtained by SPBPC would be submitted to the CPUC for mitigation compliance prior to commencing the activity for which the permits and approvals were obtained.

In accordance with CEQA, the CPUC reviewed the impacts that would result from approval of the two applications. The activities considered include the sale of the pipeline by PG&E, the reconstruction of an isolated 4,000-foot section of the pipeline in Martinez, CA, and the future operation of the pipeline and pump station by SPBPC. The CPUC review concluded that all potential impacts could be mitigated to less than significant levels. PG&E and SPBPC have agreed to incorporate all the proposed mitigation measures into the project. CPUC has included the stipulated mitigation measures as conditions of approval of the two applications and has circulated an MND.

Based on the MND, approval of the two applications would have no impact or less than significant effects in the following areas:

- Agriculture
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Recreation
- Mandatory Findings of Significance

The MND indicates that approval of the applications would result in potentially significant impacts in the areas of:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology
- Noise
- Public Services
- Transportation and Traffic
- Utilities and Service Systems

Roles and Responsibilities

As the lead agency under CEQA, the CPUC is required to monitor this project to ensure that the required mitigation measures and Applicant Proposed Measures are implemented. The CPUC will be responsible for ensuring full compliance with the provisions of this MMRP and has primary responsibility for implementation of the monitoring program. The purpose of the monitoring program is to document that the mitigation measures required by the CPUC are implemented and that mitigated environmental impacts are reduced to the level identified in the Program. The CPUC has the authority to halt any activity associated with the sale of the Richmond-to-Pittsburg Fuel Oil Pipeline and Hercules Pump Station, as well as the future operation of the Pipeline if the activity is determined to be a deviation from the approved project or the adopted mitigation measures.

The CPUC may delegate duties and responsibilities for monitoring to other mitigation monitors or consultants as deemed necessary. Given the limited construction area for this project, the CPUC will probably find it necessary to only assign one monitor to the project. The CPUC, however, will ensure that the person delegated any duties or responsibilities is qualified to monitor compliance.

The CPUC, along with its mitigation monitor, will ensure that any variance process or deviation from the procedures identified under the monitoring program is consistent with CEQA requirements; no project variance will be approved by the CPUC if it creates new significant environmental impacts. As defined in this MMRP, a variance should be strictly limited to minor project changes that will not trigger other permit requirements, that does not increase the severity of an impact or create a new impact, and that clearly and strictly complies with the intent of the mitigation measure. A proposed project change that has the potential for creating significant environmental effects will be evaluated to determine whether supplemental CEQA review is required. Any proposed deviation from the approved project and adopted mitigation measures, including correction of such deviation, shall be reported immediately to the CPUC and the mitigation monitor assigned to the construction for their review and approval. In some cases, a variance may also require approval by a CEQA responsible agency.

Enforcement and Responsibility

The CPUC is responsible for enforcing the procedures for monitoring through the environmental monitor. The environmental monitor shall note problems with monitoring, notify appropriate agencies or individuals about any problems, and report the problems to the CPUC. The CPUC has the authority to halt any construction, operation, or maintenance activity associated with the project if the activity is determined to be a deviation from the approved project or adopted mitigation measures. The CPUC may assign its authority to their environmental monitor.

Mitigation Compliance Responsibility

The Applicants, PG&E and/or SPBPC are responsible for successfully implementing all the adopted mitigation measures in this MMRP. The MMRP contains criteria that define whether mitigation is successful. Standards for successful mitigation also are implicit in many mitigation measures that include such requirements as obtaining permits or avoiding a specific impact entirely. Additional mitigation success thresholds will be established by applicable agencies with jurisdiction through the permit process and through the review and approval of specific plans for the implementation of mitigation measures.

The Applicants shall inform the CPUC and its mitigation monitor in writing of any mitigation measures that are not or cannot be successfully implemented. The CPUC in coordination with its mitigation monitor will assess whether alternative mitigation is appropriate and specify to PG&E and/or SPBPC the subsequent actions required.

Dispute Resolution Process

This MMRP is expected to reduce or eliminate many of the potential disputes concerning the implementation of the adopted measures. However, in the event that a dispute occurs, the following procedure will be observed:

- **Step 1.** Disputes and complaints (including those of the public) should be directed first to the CPUC's designated Project Manager for resolution. The Project Manager will attempt to resolve the dispute.
- **Step 2.** Should this informal process fail, the CPUC Project Manager may initiate enforcement or compliance action to address deviations from the Proposed Project or adopted Mitigation Monitoring Program.
- **Step 3.** If a dispute or complaint regarding the implementation or evaluation of the MMRP or the mitigation measures cannot be resolved informally or through enforcement or compliance action by the CPUC, any affected participant in the dispute or complaint may file a written "notice of dispute" with the CPUC's Executive Director. This notice should be filed in order to resolve the dispute in a timely manner, with copies concurrently served on other affected participants. Within 10 days of receipt, the Executive Director or designee(s) shall meet or confer with the filer and other affected participants for purposes of resolving the dispute. The Executive Director shall issue an Executive Resolution describing his/her decision, and serve it on the filer and other affected participants.
- **Step 4.** If one or more of the affected parties is not satisfied with the decision as described in the Resolution, such party(ies) may appeal it to the Commission via a procedure to be specified by the Commission.

Parties may also seek review by the Commission through existing procedures specified in the Commission's Rules of Practice and Procedure for formal and expedited dispute resolution, although a good faith effort should first be made to use the foregoing procedure.

General Monitoring Procedures

Mitigation Monitor

Many of the monitoring procedures will be conducted during the construction phase of the project. The CPUC and the mitigation monitor are responsible for integrating the mitigation monitoring procedures into the construction process in coordination with SPBPC. To oversee the monitoring procedures and to ensure success, the mitigation monitor assigned to the construction must be on site during that portion of construction that has the potential to create a significant environmental impact or other impact for which mitigation is required. The mitigation monitor is responsible for ensuring that all procedures specified in the monitoring program are followed.

Construction Personnel

A key feature contributing to the success of mitigation monitoring will be obtaining the full cooperation of construction personnel and supervisors. Many of the mitigation measures require action on the part of the construction supervisors or crews for successful implementation. To ensure success, the following actions, detailed in specific mitigation measures included in the MMRP, will be taken:

- Procedures to be followed by construction companies hired to do the work will be written into contracts between SPBPC and any construction contractors. Procedures to be followed by construction crews will be written into a separate agreement that all construction personnel will be asked to sign, denoting agreement.
- One or more pre-construction meetings will be held to inform all and train construction personnel about the requirements of the MMRP.
- A written summary of mitigation monitoring procedures will be provided to construction supervisors for all mitigation measures requiring their attention.

General Reporting Procedures

Site visits and specified monitoring procedures performed by other individuals will be reported to the mitigation monitor assigned to the construction. A monitoring record form will be submitted to the mitigation monitor by the individual conducting the visit or procedure so that details of the visit can be recorded and progress tracked by the mitigation monitor. A checklist will be developed and maintained by the mitigation monitor to track all procedures required for each mitigation measure and to ensure that the timing specified for the procedures is adhered to. The mitigation monitor will note any problems that may occur and take appropriate action to rectify the problems. ~~The~~ ~~Applicants~~ ~~SPBPC~~ shall provide the CPUC with written quarterly reports of the project, which shall include progress of construction, resulting impacts, mitigation implemented, and all other noteworthy elements of the project. Quarterly reports shall be required as long as mitigation measures are applicable.

Public Access to Records

The public is allowed access to records and reports used to track the monitoring program. Monitoring records and reports will be made available for public inspection by the CPUC on request. The CPUC and the Applicants will develop a filing and tracking system.

Condition Effectiveness Review

In order to fulfill its statutory mandates to mitigate or avoid significant effects on the environment and to design a MMRP to ensure compliance during project implementation (CEQA 21081.6):

- The CPUC may conduct a comprehensive review of conditions which are not effectively mitigating impacts at any time it deems appropriate, including as a result of the Dispute Resolution procedure outlined above; and

- If in either review, the CPUC determines that any conditions are not adequately mitigating significant environmental impacts caused by the project, or that recent proven technological advances could provide more effective mitigation, then the CPUC may impose additional reasonable conditions to effectively mitigate these impacts.

These reviews will be conducted in a manner consistent with the CPUC's rules and practices.

Mitigation Monitoring and Reporting Program

The table attached to this program presents a compilation of the mitigation measures in the Final Mitigated Negative Declaration. The purpose of the table is to provide a single comprehensive list of mitigation measures, effectiveness criteria, and timing.

Mitigation Monitoring Table

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
AESTHETICS				
<p>2.A-1: Construction activities associated with the 5,500-foot replacement pipeline segment in Martinez could have a temporary impact on public scenic vistas viewable from the Martinez Regional Shoreline Park and from portions of the city of Martinez. In addition, placement of above-ground valve stations would be viewable where no such components currently exist.</p>	<p>2.A-1a: Prior to commencing construction activities, SPBPC shall coordinate construction activities that would affect parklands and trail systems with EBRPD and the City of Martinez. Coordination efforts shall include submittal of an aesthetic resources plan to the City of Martinez and EBRPD that shall address the potential for construction activities to have impacts on aesthetics resources, including specific measures that will be taken to restore such resources to pre-construction conditions or to make improvements to these resources in cooperation with the City of Martinez and EBRPD. The plan shall also include details of the methods of shielding and placement of new above-ground valve stations that would be viewable where no such facilities currently exist. The Plan shall include specific measures to ensure that the above-ground valve stations are appropriately shielded from view (i.e., through placement of such equipment behind natural features such as trees). The Plan shall also include specific measures (i.e., grading, landscaping, etc.) to ensure that the replacement pipeline segment is restored to pre-project conditions. SPBPC shall not commence construction activities along the replacement pipeline segment in Martinez until the aesthetics resource plan is reviewed and approved by EBRPD, the City of Martinez, and CPUC staff. The CPUC's mitigation monitor shall verify compliance with the aesthetics resource plan during construction of the replacement pipeline segment.</p>	<p>SPBPC shall submit documentation to the CPUC verifying that it has made a binding commitment to participate in the compilation and implementation of an aesthetics resources plan in coordination with the East Bay Regional Park District and the City of Martinez. The Plan shall be submitted to the CPUC and compliance with the Plan shall be monitored.</p>	<p>Documentation of delivery to the CPUC of documentation verifying that the SPBPC has entered into a binding agreement to participate in the compilation and implementation of an Aesthetics Resource Plan and has given notice of such participation to the City of Martinez and East Bay Regional Park District.</p>	<p>Plan to be submitted prior to commencing construction activities for the 5,500-foot replacement pipeline segment.</p>

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
	2.A-1b: After construction activities associated with the 5,500-foot replacement pipeline segment have been completed, SPBPC and/or its contractor(s) shall restore landscaped areas to preconstruction conditions in accordance with the approved aesthetics resource plan. The CPUC mitigation monitor shall verify SPBPC's compliance with this measure.	The CPUC shall verify that the SPBPC has restored landscaped areas to preconstruction conditions in accordance with the approved aesthetics resource plan.	Compliance with the approved aesthetics resource plan.	Within 5 business days of completion of construction of the 5,500-foot replacement pipeline segment in Martinez. The CPUC mitigation monitor shall verify SPBPC's compliance with this measure.
2.A-2: Vegetation removal, construction activity, and installation of the proposed 5,500-foot replacement pipeline segment in Martinez could affect local scenic resources in the vicinity of the construction activities.	Implement Mitigation Measures 2.A-1a and 2.A-1b.	See measure 2.A-1a and 2.A-1b.	See measure 2.A-1a and 2.A-1b.	See measure 2.A-1a and 2.A-1b.
2.A-3: Vegetation removal, construction activity, and installation of the proposed 5,500-foot replacement section in Martinez could degrade the existing visual character and quality of the project area.	Implement Mitigation Measures 2.A-1a and 2.A-1b.	See measure 2.A-1a and 2.A-1b.	See measure 2.A-1a and 2.A-1b.	See measure 2.A-1a and 2.A-1b.
AIR QUALITY				
2.C-1: Emissions from construction-related activities would result in a temporary increase in local particulate matter concentrations.	2.C-1: SPBPC shall implement the following fugitive dust control and emissions reduction measures during construction of the 5,500-foot replacement pipeline segment. BAAQMD requires the following measures to ensure that construction impacts are less than significant: <ul style="list-style-type: none"> • Construction areas, unpaved access roads, and staging areas shall be watered at least twice daily during dry weather, or soil stabilizers shall be applied during active work. ▪ Trucks hauling soil and other loose material shall either be covered, have at least two feet of freeboard, or be sprayed with water prior to arriving and departing from the construction 	SPBPC shall submit documentation to the CPUC that SPBPC has made a binding commitment to participate in BAAQMD prescribed measures and has given notice of such participation to the Planning Director of the BAAQMD. The CPUC's mitigation monitor shall verify compliance.	Receipt by the CPUC of the described documentation.	Prior to commencing construction activities for the 5,500-foot replacement pipeline segment.

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
	<p>site.</p> <ul style="list-style-type: none"> ▪ Construction vehicles shall use paved roads to access the construction site wherever possible. ▪ Vehicle speeds shall be limited to 15 mph on unpaved roads and construction areas, or as required to control dust. ▪ Paved access roads, parking areas, and staging areas at construction sites and streets shall be cleaned daily with water sweepers if excessive soil material is carried onto adjacent public streets. ▪ A carpooling strategy shall be implemented for construction workers prior to commencing construction (during construction worker orientation and training). ▪ Vehicles used in construction activities shall be tuned per the manufacturer's recommended maintenance schedule. ▪ Vehicle idling time shall be minimized whenever possible. <p>The CPUC mitigation monitor shall monitor compliance with these measures during construction.</p>			
2.C-2: Emissions from construction-related activities would result in a temporary cumulatively considerable increase in local NOx and PM-10 emissions.	Implement Mitigation Measure 2.C-1.	See measure 2.C-1.	See measure 2.C-1.	See measure 2.C-1.
BIOLOGICAL RESOURCES				
2.D-1: Construction of the 5,500-foot replacement pipeline segment in Martinez could significantly impact the following special-status plant and animal species: soft	2.D-1: Prior to commencing construction of the 5,500-foot replacement pipeline segment, SPBPC shall perform a pre-construction survey at the project site to determine whether these Special-Status Species are present. If Special-Status	SPBPC shall provide the Special-Status Species Protection Plan to the CPUC. If preconstruction surveys reveal that the 5,500-foot	Receipt of the Special-Status Species Protection Plan.	At least 30-days prior to the commencing construction activities for the 5,500-foot replacement pipeline

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<p>bird's beak, Mason's lilaeopsis, Suisun marsh aster, Delta tule pea, Delta mudwort, California seablite, Point Reyes bird's beak, rose-mallow, hairless popcorn-flower, saline clover, Delta smelt, Chinook salmon, steelhead, Sacramento splittail, green sturgeon, river lamprey, Pacific lamprey, longfin smelt, California red-legged frog, northwestern pond turtle, California clapper rail, California black rail, tricolored blackbird, short-eared owl, black tern, northern harrier, saltmarsh common yellowthroat, Suisun song sparrow, long-billed curlew, and salt marsh harvest mouse. Several species could be impacted by habitat alteration or direct displacement during construction.</p>	<p>Species are present and a potential impact is unavoidable, SPBPC shall develop a Special-Status Species Protection Plan to prevent significant impacts to Special-Status Species and provide the Plan to CPUC staff as well as the applicable regulatory agencies (i.e., USFWS, CDFG, Corps, RWQCB, etc.) for review and approval. The CPUC mitigation monitor shall monitor compliance with the Plan. Additional measures determined through applicable agency consultations shall be incorporated into the Plan. Elements of this Plan shall include but not be limited to the following measures:</p> <p>General</p> <ul style="list-style-type: none"> ▪ Environmental training covering protection of biological resources in the 5,500-foot replacement pipeline segment area shall be given to appropriate project personnel prior to construction. The training program shall include materials describing sensitive resources, resource avoidance, permit conditions, and possible fines for violations of state or federal environmental laws. The program shall also cover the environmental permits and mitigation measures to avoid significant impacts to special-status species. ▪ SPBPC and/or its contractor(s) shall minimize disturbance to sensitive habitat (i.e. brackish marsh and salt marsh) at Alhambra Creek, the unnamed drainage, and associated wetlands through trenchless construction techniques or other techniques approved by the applicable governmental agencies. Erosion control measures and Best Management Practices (i.e., fencing, exclusion zones, Mitigation Measure 2.H-1 and Best Management Practices in the Storm Water Pollution Prevention Plan (SWPPP)) shall be implemented adjacent to Alhambra Creek, the 	<p>replacement pipeline segment project may potentially impact a listed species, SPBPC shall conduct a formal consulting process with the appropriate resources agencies to address the potential to create a significant impact to listed species. The CPUC's mitigation monitor shall verify compliance.</p>		<p>segment.</p>

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
	<p>unnamed drainage, and any associated wetlands to prevent sediment from entering the drainages. If vegetation disturbance occurs, SPBPC and/or its contractor(s) shall stabilize exposed slopes and stream banks immediately upon completion of installation activities. Beds and banks shall be restored in a manner that encourages vegetation to reestablish to its pre-project condition and reduces the effects of erosion on the drainage system.</p> <p>Botanical Resources</p> <ul style="list-style-type: none"> ▪ SPBPC shall install flagging and/or fencing to protect wetland and riparian habitat within the project area to exclude construction equipment and prevent impacts to the area through avoidance to the extent feasible. ▪ If preconstruction surveys to map the project replacement pipeline easement determine that wetland vegetation cannot be avoided and will be disturbed or removed during construction, a qualified botanist shall conduct pre-construction species-specific surveys for special-status plant species (soft bird's beak, Mason's lilaepsis, Suisun marsh aster, Delta tule pea, Delta mudwort, California seablite, Point Reyes bird's beak, rose-mallow, hairless popcorn-flower, and saline clover) in all areas that may provide suitable habitat during the period of identification for each species. Results of the survey shall be included in the project administrative record. If special-status plant species are found, then these species shall be avoided. In the event that it is infeasible to avoid, then SPBPC shall compensate for the loss of special-status plant species and their habitat at a 2:1 ratio (<u>or potentially larger ratio as agreed to by the permitting agencies</u>) within the project 			

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	<p>vicinity by creating, restoring, or enhancing special-status species habitat or by contributing in-lieu funds to an existing or new restoration project preserved in perpetuity. Compensation for both individual special-status plants and acreage of habitat lost is likely to be required. If the proposed project would result in potential impacts to listed plant species, consultation with USFWS and CDFG shall be initiated to determine whether further action is required.</p> <ul style="list-style-type: none"> ▪ If wetland or riparian habitat will be removed during construction, a revegetation plan shall be developed and implemented. The plan shall require replacement of wetland and/or riparian habitat at a ratio of at least 2:1 and implementation of a 5-year monitoring program with the following success criteria: establishing an 80 percent survival rate of restoration plantings native to local watershed; absence of invasive plant species; absence of erosion features; and a functioning and self-sustainable wetland system. If a portion of the restoration area fails to meet the specified criteria, then SPBPC will implement additional measures as approved by oversight agencies, including but not necessarily limited to re-planting, monitoring, and maintenance until the restoration goals and performance criteria are achieved. Following site surveys during the monitoring period, corrective actions will be taken, if necessary, to correct deficiencies in the establishment of the revegetated area. An analysis of the cause of site failures will be made and remedial actions taken to remedy the problem if performance criteria or final criteria are not met. ▪ Previously vegetated areas that would be cleared during construction activities shall be revegetated with appropriate species, as 			

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	<p>required.</p> <p>Wildlife and Fisheries Resources</p> <ul style="list-style-type: none"> ▪ Construction activities shall avoid aquatic habitat for special-status fish and northwestern pond turtle by utilizing trenchless construction techniques to cross Alhambra Creek and the unnamed drainage. Mitigation Measure 2.H-1 and Best Management Practices in the Storm Water Pollution Prevention Plan (SWPPP), including bentonite spill containment and cleanup measures or other techniques approved by the applicable governmental agencies, shall be implemented to prevent impacts to aquatic habitat. ▪ If construction activities occur within wetland or riparian habitat with the potential to support California clapper rail, California black rail, and/or California red-legged frog, prior to construction, surveys shall be performed by a qualified biologist for these species to determine their presence or absence within the project area. California clapper rail and California black rail surveys should be conducted between January 15 and March 31. California red-legged frog surveys should be conducted between May 1 and November 1. If the project will impact wetland or riparian habitat for any of these listed species (California clapper rail, California black rail, California red-legged frog, and/or salt marsh harvest mouse) formal consultation and preparation of a Biological Assessment and Biological Opinion (required by the federal Endangered Species Act) shall occur. Specific measures to protect these species during construction shall be determined in consultation with USFWS, CDFG, and NOAA Fisheries and may include exclusion fencing, seasonal construction windows, 			

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	<p>biological monitoring, and compensatory mitigation and restoration for habitat disturbance or loss. The proposed project will comply will all measures included in applicable USFWS/NOAA Fisheries Biological Opinions for the project.</p> <ul style="list-style-type: none"> ▪ Construction shall be timed to the extent possible to avoid the nesting period for raptors and other special-status birds (February 1 through August 31). ▪ If construction is scheduled to occur during the nesting season of raptors or other special-status birds, no more than two weeks before construction preconstruction surveys shall be conducted to identify active nests in the project area. No-disturbance buffer zones shall be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. ▪ Construction within 1/2 mile of an active raptor nest shall not begin until the young have fledged from the nest. Buffer zone size may be adjusted in coordination with CDFG based on site-specific conditions. 			
<p>2.D-2: Construction activities associated with the 5,500-foot replacement pipeline segment in Martinez could contribute to a short-term disturbance of waters of the United States, including wetlands.</p>	<p>2.D-2a: SPBPC and/or its contractor(s) shall avoid disturbance to or fill of potential jurisdictional wetlands in the project area to the extent feasible as determined by CPUC staff by using trenchless construction techniques for the crossings of Alhambra Creek and the unnamed drainage or other techniques approved by the applicable governmental agencies. The CPUC mitigation monitor shall monitor compliance with such measures during construction.</p>	<p>SPBPC shall provide the Special-Status Species Protection Plan to the CPUC. If preconstruction surveys reveal that the 5,500-foot replacement pipeline segment project may potentially impact a listed species, SPBPC shall conduct a formal consulting process with the appropriate resources agencies to address the potential to create a significant impact to listed species.</p>	<p>See measure 2.D-1.</p>	<p>See measure 2.D-1.</p>

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
		Based on this consultation process, SPBPC shall implement measures deemed necessary by these agencies to reduce potential impacts to a less than significant level. SPBPC shall inform the CPUC of the results of the coordination and details of such measures to be implemented. The CPUC mitigation monitor shall monitor compliance with such measures during construction.		
	2.D-2b: SPBPC and/or its contractor(s) shall implement Mitigation Measure 2.H-1 and Best Management Practices in the Storm Water Pollution Prevention Plan (SWPPP), to prevent sedimentation and erosion within jurisdictional wetlands and/or Waters of the U.S.	SPBPC shall submit all approved permits to the CPUC mitigation monitor prior to commencing construction of the 5,500-foot replacement pipeline segment. The CPUC mitigation monitor shall monitor compliance with these measures during construction of the replacement section in Martinez.	Receipt by the CPUC of the described documentation.	Prior to commencing construction activities for the 5,500-foot replacement pipeline segment.
	2.D-2c: If it is infeasible to avoid filling and excavating potentially jurisdictional wetlands, then SPBPC shall conduct a formal wetland delineation and have it verified by the U.S. Army Corps of Engineers (Corps) and confirmed by Regional Water Quality Control Board (RWQCB) and California Department of Fish and Game (CDFG). If the Corps and/or CDFG determine that the potentially affected water-associated features are jurisdictional, then SPBPC shall obtain appropriate wetland permits and implement all conditions contained in the Section 404 Clean Water Act permit from the Corps, Section 1601 Streambed Alteration Agreement from CDFG, and/or Section 401 water quality	SPBPC shall provide copies of wetland permits to the CPUC prior to commencing construction activities. The CPUC's mitigation monitor shall verify compliance.	Receipt by the CPUC of the described documentation.	Prior to commencing construction activities for the 5,500-foot replacement pipeline segment.

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	certification from the RWQCB (i.e., compensation for loss of wetlands, dry season construction, etc.). SPBPC shall compensate for the loss of waters of U.S. at a minimum 3:1 ratio (or potentially larger ratio as agreed to by the permitting agencies) within the project area through implementation of the wetland revegetation and monitoring plan as described in Mitigation Measure 2.D-1 above. Copies of wetland permits shall be submitted to the CPUC as evidence of compliance with these regulations.			
2.D-3: Construction activities associated with the 5,500-foot replacement pipeline segment in Martinez could temporarily conflict with East Bay Regional Park District marsh restoration goals at the potential construction site, and adjacent marshlands within the Martinez Shoreline Park.	2.D-3a: Prior to commencing construction activities, SPBPC shall contact the East Bay Regional Park District (EBRPD), the sponsor of marsh restoration activities at the Martinez Shoreline Park, to reach agreement on how to coordinate pipeline installation plans with marsh restoration goals. SPBPC shall implement a trenchless crossing of Alhambra Creek and the unnamed drainage. Additional measures to avoid conflicts, such as timing of work, agreements on revegetation or replacement of habitat, shall be included in this agreement. The agreement between SPBPC and the EBRPD shall be formalized in writing and submitted to CPUC staff for review and approval prior to construction.	The agreement between SPBPC and the EBRPD shall be formalized in writing and submitted to the CPUC staff for review and approval by the CPUC mitigation monitor prior to commencing construction activities that may affect marsh restoration activities.	Receipt by the CPUC of the described documentation.	At least 30 days prior to the commencement of construction activities.
Refer to Impact 2.D-3 for impact discussion.	2.D-3b: Prior to commencing construction activities, SPBPC shall apply for and obtain all necessary encroachment permits (i.e. EBRPD, BCDC) required for pipeline replacement in Martinez and comply with the provisions of these permits. Copies of these permits shall be submitted to CPUC as evidence of compliance.	SPBPC shall provide copies of all necessary encroachment permits to the CPUC prior to commencing construction activities. The CPUC's mitigation monitor shall verify compliance.	Receipt by the CPUC of the described documentation.	Prior to commencing construction activities for the 5,500-foot replacement pipeline segment.
2.D-4: Construction activities associated with the 5,500-foot replacement pipeline segment in Martinez could conflict with the EBRPD Master Plan administered by the East Bay Regional Park District for the Martinez Shoreline Park adjacent to the proposed	Implement Mitigation Measures 2.D-3a and 2.D-3b.	See measures 2.D-3a and 2.D-3b.	See measures 2.D-3a and 2.D-3b.	See measures 2.D-3a and 2.D-3b.

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
construction corridor.				
CULTURAL RESOURCES				
<p>2.E-1: Construction of the 5,500-foot replacement pipeline segment may cause substantial adverse changes to the significance of currently unknown cultural resources.</p>	<p>2.E-1a: SPBPC shall appoint an environmental monitor for this project who shall consult with a cultural resources specialist, or specialists, to monitor archaeological issues which may arise during the course of ground disturbing activities. The environmental monitor shall be appointed at least 30 days prior to the start of project-related ground disturbance and grading, site or project mobilization, site preparation or excavation activities, implementation of erosion control measures, or movement or parking of heavy equipment or other vehicles onto or over unpaved or natural areas. At that time, SPBPC shall also confirm in writing to CPUC staff that the environmental monitor consulted with an approved cultural resources specialist(s) and that the environmental monitor will be available at the start of the project and is prepared to implement the mitigation measures.</p> <p>SPBPC shall provide CPUC staff with the name(s) and statement of qualifications of its designated cultural resources specialist(s) with whom the environmental monitor consulted at least 30 days prior to the start of construction. The CPUC staff shall review the qualifications and approve or disapprove of the environmental monitor and the designated cultural resource specialist(s). The statement of qualifications must be sufficient to substantiate that the specialist(s) meets the Secretary of the Interior's proposed Historic Preservation Qualification Standards as published in the Federal Register (United States Department of the Interior, 1997). The assigned cultural resource monitor shall determine the period and duration of the monitoring schedule based both on site conditions and professional judgment regarding the probability of encountering cultural resources</p>	<p>SPBPC shall provide staff with the name(s), statement(s) of qualifications, and signed contract(s) of its environmental monitor and designated cultural resources specialist(s) who will be responsible for implementation of all project-related cultural resources mitigation measures.</p>	<p>Receipt by the CPUC of the described documentation.</p>	<p>At least 30 days prior to the commencement of construction activities.</p>

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
<p>Refer to Impact 2.E-1 for impact discussion.</p>	<p>during construction.</p> <p>2.E-1b: In the event that prehistoric, historic, or paleontological resources are encountered during construction, all work shall immediately stop within 100 feet of the resource. In the event of a paleontological find, the environmental monitor shall notify a qualified paleontologist of unanticipated discoveries in order to evaluate the find. The paleontologist shall notify the CPUC monitor and the CPUC staff to determine procedures that would be followed before construction is allowed to resume at the location of the find. In the event the find is cultural in nature, the project cultural resource specialist(s) shall follow accepted professional standards in recording any find including submittal of the standard Department of Parks and Recreation (DPR) Primary Record forms (Form DPR 523) and locational information to the California Historical Resources Information Center office (Northwestern Information Center). The environmental monitor shall also consult with a project cultural resource specialist to evaluate such resources for significance per California Register of Historical Resources eligibility criteria (Public Resources Code Section 5024.1; Title 14 CCR Section 4852). If the specialist(s) determines that the find does not meet the CEQA standards of significance, construction shall proceed. In the case of both paleontologic and cultural resources, if the specialist(s) determines that further information is needed to evaluate significance, the SPBPC and the CPUC staff shall be notified and a data recovery plan shall be prepared.</p> <p>The Data Recovery Plan shall delineate a plan and timetable for evaluating the find. The Plan shall also emphasize the avoidance, if possible, of significant impacts to archaeological or paleontological resources. If avoidance or preservation is not possible, the acquisition of</p>	<p>In the event of an accidental cultural resource find, SPBPC’s contracted cultural resource specialist shall notify the CPUC mitigation monitor and the CPUC staff to determine the procedures that would be followed before construction is allowed to resume at the location of the find. If the cultural resource specialist(s) determines that the find does not meet the CEQA standards of significance, construction shall proceed. In the case of both paleontologic and cultural resources, if the specialist(s) determines that further information is needed to evaluate significance, SPBPC and CPUC staff shall be notified and a data recovery plan shall be prepared. SPBPC shall provide the data recovery plan to the CPUC for review an approval.</p> <p>The CPUC mitigation monitor shall monitor compliance with the plan.</p>	<p>Receipt by the CPUC of the described documentation.</p>	<p>Notification of any find shall be within 24-hours. The data recovery plan shall be provided to the CPUC within 5 business days of the determination that a plan is needed.</p>

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
	<p>data from the site or salvage through excavation that produces qualitative and quantitative data sets of scientific value may be considered an effective mitigation measure for damage to or destruction of the deposit (Public Resources Code Section 21083.2 (d); Society of Vertebrate Paleontology 1991). Upon approval of this Plan by the CPUC staff, the Plan shall be implemented prior to reactivation of any project activities within 100 feet of the resources' boundary.</p>			
<p>Refer to Impact 2.E-1 for impact discussion.</p>	<p>2.E-1c: Prior to the commencement of construction or ground distributing activities, all construction personnel shall receive environmental training in a manner that will inform all personnel of the possibility of encountering cultural resources.</p> <p>All construction personnel involved in activities that may uncover prehistoric resources shall be trained in the identification of prehistoric resources, which could include flaked stone, projectile points, mortars, pestles, and soil containing shell and bone, or human burials. Historic resources could include stone or adobe foundations or walls, structures and remains with square nails, and refuse deposits. Construction personnel shall also be informed of the potential to uncover paleontological resources, which could include true fossils, trace fossils, and/or breas. The level of training for construction activities shall be sufficient such that the workers will know when to call their supervisors to investigate objects that may be a cultural resource. Supervisors shall receive sufficient training to determine when a cultural resources specialist should be contacted to identify any found objects. If cultural resources are encountered during construction, the construction crew shall halt work in the area and not collect or disturb the materials until the environmental monitor, appointed under Mitigation Measure 2.E-1a, has evaluated the location and determined</p>	<p>All construction personnel shall receive environmental training for the possibility of encountering cultural resources. SPBPC shall provide the CPUC with certification of this training and sign-in sheets from the training session.</p>	<p>Receipt by the CPUC of the described documentation.</p>	<p>Prior to the commencement of construction activities.</p>

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
2.E-2: Construction of the replacement pipeline may cause substantial adverse changes to the significance of currently unknown archaeological resources.	an appropriate mode of action. Implement Measures 2.E-1a, 2.E-1b, and 2.E-1c.	See measures 2.E-1a, 2.E-1b, and 2.E-1c.	See measures 2.E-1a, 2.E-1b, and 2.E-1c.	See measures 2.E-1a, 2.E-1b, and 2.E-1c.
2.E-3: Construction of the replacement pipeline may damage or degrade unidentified paleontological remains.	Implement Measures 2.E-1b, and 2.E-1c.	See measures 2.E-1b, and 2.E-1c.	See measures 2.E-1b, and 2.E-1c.	See measures 2.E-1b, and 2.E-1c.
2.E-4: Trenching, boring, or other subsurface excavation involved with the project could potentially disturb or destroy human remains from both prehistoric and historic time periods, including those interred outside of formal cemeteries.	<p>2.E-4: If discovery of human remains occurs during construction, the following provisions shall be followed:</p> <p>In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:</p> <p>(1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:</p> <p>(A) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and</p> <p>(B) If the coroner determines the remains to be Native American:</p> <ol style="list-style-type: none"> 1. The coroner shall contact the Native American Heritage Commission within 24 hours. 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. 	Documentation shall be submitted to the CPUC indicating that SPBPC's cultural resources specialist will be notified immediately if human remains are found. In turn, the cultural resource specialist will immediately notify the Contra Costa County coroner, in compliance with Section 7050.5 of the California Health and Safety Code. Upon the completion of compliance with all relevant sections of the California Health and Safety Code, the cultural resources specialist will implement Mitigation Measure E.1b.	Verification of the mitigation wording in construction plans.	Prior to all project-related ground disturbances.

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
	<p>3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or</p> <p>(2) Where the following conditions occur, SPBPC or its authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p> <p>(A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.</p> <p>(B) The descendant identified fails to make a recommendation; or</p> <p>(C) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.</p> <p>Upon the completion of the relevant measures above, the cultural resources specialist(s) shall implement Mitigation Measure 2.E-1b.</p>			
GEOLOGY AND SOILS				
2.F-1: The Pipeline may not withstand future offset generated	2.F-1: Prior to operation of the Pipeline, SPBPC shall perform an evaluation of the effect of	SPBPC shall perform an evaluation of the effect of	Receipt by the CPUC of the described	At least 30 days prior to the commencement

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
by tectonic movement or sudden earthquake displacement because the amount of pipeline distortion from historical creep is unknown.	tectonic creep on the Pipeline at the Hayward and Concord fault crossings. A civil or geotechnical engineer licensed by the State of California, with expertise in seismic design and structural seismic response, shall conduct this evaluation. The evaluation shall include a review of available geotechnical, engineering, and construction design and testing information to determine original Pipeline bending and compression/elongation capabilities at the fault crossings. The evaluation shall also include an inspection of the Pipeline. The evaluation shall determine the degree to which the Pipeline has been affected by tectonic creep along the Hayward and Concord fault crossings since its installation in the 1970s. This evaluation shall be submitted to the CPUC staff for review of the analysis and recommend actions. Should this evaluation determine that the Pipeline is unable to withstand a major seismic event on the Hayward or Concord fault, or to withstand the further tectonic creep expected along the two faults during the expected operating lifetime of the Pipeline, SPBPC shall undertake necessary repairs or modifications of the Pipeline as recommended by the consulting engineers, and submit documentation to the CPUC staff showing these necessary repairs or modifications, i.e., strengthening sections of the Pipeline or other design modifications to the Pipeline have been completed. In accordance with federal regulations (Title 49, Section 195), the Pipeline shall be inspected on a regular basis, and immediately following a seismic event or any other event that may effect the safety of the Pipeline. The findings of these inspections shall be reported to the State Fire Marshal, which in California assumes responsibility for enforcement of the above regulations for the U.S. Department of Transportation.	tectonic creep on the Pipeline at the Hayward and Concord faults crossings. Secondly, the evaluation shall include an inspection of the Pipeline to determine the degree to which it has been affected by tectonic creep along the Hayward and Concord fault crossings since its installation in the 1970s. This evaluation shall be submitted to the CPUC.	documentation.	of pipeline operation by SPBPC.
2.F-2: The 5,500-foot replacement pipeline segment could be	2.F-2: Prior to commencing construction activities for the 5,500-foot replacement pipeline	The results of SPBPC's geotechnical evaluation shall	Receipt by the CPUC of the described	Prior to the commencement of

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
<p>subjected to strong ground shaking during a seismic event, potentially resulting in pipeline rupture or long-term service interruption.</p>	<p>segment, SPBPC shall prepare a geotechnical analysis for the 5,500-foot replacement pipeline route in Martinez. The geotechnical analysis shall include an analysis of ground shaking effects, liquefaction potential, earthquake-induced settlement, and other seismic hazards and provide recommendations to reduce these hazards. The geotechnical and seismic evaluation shall be conducted by a California-registered geotechnical engineer and shall include appropriate evaluation of anticipated ground motion using currently accepted seismic parameters and methods. Subsurface exploration and soil testing, where appropriate, shall be conducted to assess the soil and bedrock conditions along the proposed 5,500-foot replacement pipeline segment. Where applicable, structural and seismic design parameters shall conform to the current Uniform Building Code (UBC) and the API standards. The geotechnical evaluation shall be submitted to the CPUC staff for review of the analysis and recommendations such as modifications to the proposed design to strengthen sections of the Pipeline. Based on the geotechnical analysis, recommendations of the geotechnical engineer on issues such as, seismic and corrosion concerns under two water crossings, shall be incorporated into the design and construction of the 5,500-foot replacement pipeline segment. In addition to complying with all applicable local, state, and federal policies, codes, and regulations, SPBPC shall submit documentation to the CPUC staff showing these recommendations were implemented.</p>	<p>be submitted to the CPUC.</p>	<p>documentation.</p>	<p>construction activities.</p>
<p>2.F-3: The 5,500-foot pipeline replacement pipeline segment in Martinez would be subject to liquefaction hazards.</p>	<p>Implement Mitigation Measure 2.F-2.</p>	<p>See measure 2.F-2.</p>	<p>See measure 2.F-2.</p>	<p>See measure 2.F-2.</p>
<p>2.F-4: Portions of the 5,500-foot replacement pipeline segment may be located in areas with expansive soils.</p>	<p>Implement Mitigation Measure 2.F-2.</p>	<p>See measure 2.F-2.</p>	<p>See measure 2.F-2.</p>	<p>See measure 2.F-2.</p>

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
HAZARDS AND HAZARDOUS MATERIALS				
<p>2.G-1: Construction activities associated with the 5,500-foot replacement pipeline segment in Martinez would require the use of certain materials such as fuels, oils, solvents, and glues that, in large quantities, could pose a potential hazard to the public or the environment if improperly used or inadvertently released.</p>	<p>2.G-1: SPBPC and/or its contractor(s) shall implement construction best management practices including but not limited to the following:</p> <ul style="list-style-type: none"> ▪ Follow manufacturer’s recommendations on use, storage and disposal of chemical products used in construction; ▪ Avoid overtopping construction equipment fuel gas tanks; ▪ During routine maintenance of construction equipment, properly contain and remove grease and oils; and ▪ Properly dispose of discarded containers of fuels and other chemicals. <p>The CPUC mitigation monitor shall monitor compliance with these measures during construction.</p>	<p>SPBPC’s and/or its contractor(s) shall implement construction best management practices. The CPUC mitigation monitor shall monitor compliance with these measures during construction.</p>	<p>Verification of the mitigation wording in construction plans.</p>	<p>Prior to the commencement of construction activities.</p>
<p>2.G-2: If a product heater is included in future configurations of the Pipeline, the risk of explosion could be potentially significant.</p>	<p>2.G-2: If a product heater is included in future configurations of the Pipeline, SPBPC shall conduct a hazard assessment that shall determine the risk of explosion for the additional equipment added to the Pipeline. At the time that a hazard assessment is completed, SPBPC shall submit it to the CPUC staff, BAAQMD, and the State Fire Marshal for review and approval. SPBPC shall ensure that operation of the product heater will not cause a significant risk of explosion and demonstrate this to the CPUC staff and State Fire Marshal. SPBPC shall comply with all recommendations and conditions of approval of the CPUC staff, BAAQMD, and the State Fire Marshal for operation the product heater.</p>	<p>SPBPC shall submit the results of its hazard assessment for a product heater to the CPUC for review and approval. SPBPC shall submit evidence of submittal to BAAQMD and the State Fire Marshal to the CPUC.</p>	<p>Receipt by the CPUC of the described documentation.</p>	<p>Prior to installation of any product heater on the Pipeline.</p>
<p>2.G-3: An accidental spill could occur at the crossing of Alhambra Creek, near the Bay.</p>	<p>2.G-3: SPBPC and/or its contractor(s) shall install remotely activated block valves (<u>shut off valves</u>) on the replacement pipeline segment at</p>	<p>SPBPC shall allow the CPUC mitigation monitor to inspect the pipeline segment to ensure</p>	<p>Verification by the CPUC mitigation monitor of the</p>	<p>At least 5 days prior to the commencement of pipeline operation</p>

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
	locations designed to provide optimum protection against spills near Alhambra Creek and the unnamed drainage near Ferry Street as approved by the applicable governmental agencies. The CPUC mitigation monitor shall inspect this pipeline segment to ensure that the block valves are installed at the approved locations prior to operation of the Pipeline.	that the block valves are installed properly.	installation of the block valves.	by SPBPC employing the 5,500-foot replacement section.
2.G-4: Accidental spills could occur at any point along the Pipeline. SPBPC will need to develop a specific spill and containment plan specific to their future operations. Without such a plan this could be a potentially significant impact.	2.G-4: SPBPC shall submit a new spill prevention and containment plan covering the entire length of the pipeline to the Department of Fish and Game and CPUC staff for review and approval prior to restoring the Pipeline operation.	SPBPC shall submit a new spill prevention and containment plan covering the entire length of the Pipeline to the CPUC for review and approval.	Receipt by the CPUC of the described documentation.	Prior to the commencement of construction activities.
2.G-5: Construction activities associated with the 5,500-foot replacement pipeline segment in Martinez could encounter soil or groundwater contaminated by previous activities in the area. Excavation or extraction of contaminated soil and/or groundwater could expose construction workers and the public to potentially hazardous conditions.	2.G-5a: SPBPC shall conduct a Phase I Environmental Site Assessment along the length of the proposed 5,500-foot replacement pipeline alignment to ascertain the potential for construction activities to encounter impacted soil and/or groundwater. SPBPC shall submit the Phase I Environmental Site Assessment to CPUC staff for review and approval. If the Phase I indicates that construction of the 5,500-foot replacement pipeline segment would likely disturb impacted materials, a Phase II Environmental Site Assessment shall be conducted to quantify levels of contamination along the replacement pipeline alignment and to establish appropriate measures to protect construction workers and the general public from exposure to impacted materials. If a Phase II is conducted, SPBPC shall submit the Phase II Environmental Site Assessment to the CPUC staff for review and approval. In addition, if the Phase I or Phase II Environmental Site Assessments determine that construction activity would involve trenching or tunneling through potentially impacted areas, SPBPC shall prepare an environmental site health and safety plan to address worker safety hazards. The plan shall	SPBPC shall submit the Phase I and Phase II (if necessary) Environmental Site Assessment(s) to the CPUC for review and approval.	Receipt by the CPUC of the described documentation.	Prior to the commencement of construction activities.

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
	comply with all applicable OSHA regulations regarding worker safety. The Phase I, Phase II (if necessary) and the environmental site health and safety plan (if necessary) shall be submitted to CPUC staff for review and approval.			
Refer to Impact 2.G-5 for impact discussion.	2.G-5b: SPBPC and/or its contractor(s) shall ensure that impacted soil generated by construction activities be contained on-site and sampled prior to disposal at an appropriate facility, or potential re-use at the project site. Impacted groundwater generated during construction dewatering shall be contained and transported off-site for disposal at an appropriate facility, or treated prior to discharge into the storm drain or sanitary sewer to levels which are acceptable to the RWQCB or Contra Costa Sanitary District, respectively. The CPUC mitigation monitor shall monitor compliance with this measure.	SPBPC shall provide the CPUC with a work plan to ensure compliance with this measure. The CPUC mitigation monitor shall monitor compliance with this measure.	Receipt by the CPUC of the described documentation.	Prior to the commencement of construction activities.
2.G-6: Construction activities associated with the 5,500-foot replacement pipeline segment in the City of Martinez could temporarily restrict evacuation of the Martinez Regional Shoreline Park.	Implement Mitigation Measure 2.O-1b.	See measure 2.O-1b.	See measure 2.O-1b.	See measure 2.O-1b.
HYDROLOGY AND WATER QUALITY				
2.H-1: Potential leaks that could occur during operation of the Pipeline could result in impacts to water quality. Distressed, deteriorated pipe materials or leaking joints could cause leaks in the Pipeline.	2.H-1: Prior to operation of the Pipeline, SPBPC shall inspect the pipeline interior using a “smart pig” device that identifies locations along the interior of the pipe-wall that have undergone deterioration resulting from corrosion. Prior to resuming Pipeline operations, SPBPC shall provide to the CPUC staff for its review and approval the results of this inspection. This information shall also be submitted to and receive approval for verification of pipeline structural integrity and chemical compatibility by the State Fire Marshal in order to return the Pipeline to Active Pipeline status.	SPBPC shall submit the results of this inspection to the CPUC prior to the start of Pipeline operation.	Receipt by the CPUC of the described documentation.	At least 30 days prior to the commencement of pipeline operation by SPBPC.
2.H-2: Construction of the 5,500-	2.H-2: SPBPC shall obtain an NPDES General	SPBPC shall submit all	Receipt by the CPUC	Prior to the

Impact	Mitigation Measure	Monitoring/Reporting Action	Effectiveness Criteria	Timing
<p>foot replacement pipeline segment could result in erosion and sedimentation of storm water originating from the project site. Spills and leaks of oils or petroleum hydrocarbons from construction equipment could also adversely impact storm water quality.</p>	<p>Construction Activity Storm Water Permit from the State Water Resources Control Board and implement measures to prevent erosion and to control stormwater pollution as specified therein. The general construction permit requires the preparation and execution of a Storm Water Pollution Prevention Plan (SWPPP). SPBPC shall prepare and receive approval for a SWPPP by the Regional Water Quality Control Board which shall identify appropriate stormwater pollution best management practices to reduce pollutants in stormwater discharges from the construction site both during and after construction. Measures and practices required by the SWPPP shall include, but are not limited to, the following:</p> <p>General Practices</p> <ul style="list-style-type: none"> ▪ An environmental training program shall be conducted to communicate appropriate work practices, including spill prevention and response measures. Implementation of work practices shall be monitored. ▪ All storm drains, drainage swales, and creeks located along the 5,500-foot replacement pipeline segment shall be identified. All construction personnel and subcontractors shall be made aware of the locations of drainage pathways to prevent pollutants from entering them. ▪ Leaks, drips, and other spills shall be cleaned up immediately. ▪ All storm drain inlets shall be protected using filter fabric cloth or other best management practices to prevent sediments from entering the storm drainage system during construction activities. 	<p>approved permits to the CPUC prior to commencing construction of the 5,500-foot replacement pipeline segment. The CPUC mitigation monitor shall monitor compliance with these measures during construction of the replacement pipeline segment.</p>	<p>of the described documentation.</p>	<p>commencement of pipeline operation by SPBPC employing the 5,500-foot replacement section.</p>

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
	<ul style="list-style-type: none"> ▪ Stormwater runoff shall otherwise be protected from potential pollutant sources. <p>Erosion Prevention and Sediment Control</p> <ul style="list-style-type: none"> ▪ To the extent possible, the area of construction shall be restored to preconstruction conditions. ▪ Mulching, seeding, and/or other suitable stabilization measures to protect exposed areas shall be implemented, during and after construction. ▪ Drainage courses, creeks, and catch basins shall be protected with straw bales, silt fences, and/or temporary drainage swales. ▪ Routine inspections of erosion control measures shall be conducted especially before and immediately after rainstorms, and shall be repaired if necessary. <p>General Site Maintenance</p> <ul style="list-style-type: none"> ▪ Specific areas of the construction site, well away from creeks or storm drain inlets, shall be designated for auto and equipment parking and routine vehicle and equipment maintenance. ▪ •Accidental releases of drilling mud shall be cleaned up immediately. ▪ Spill kits shall be maintained on-site during the construction project for small spills. <p>SPBPC shall submit all approved permits to the CPUC prior to commencing construction of the replacement pipeline segment. The CPUC mitigation monitor shall monitor compliance with these measures during construction of the replacement segment in Martinez.</p>			

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
2.H.3: Construction of the 5,500-foot replacement pipeline segment could alter drainage patterns in the project area by increasing localized, temporary stormwater runoff patterns, especially those that provide flows to creeks.	Implement Mitigation Measure 2.H-2.	See measure 2.H-2.	See measure 2.H-2.	See measure 2.H-2.
2.H.4: Construction of the 5,500-foot replacement pipeline segment could alter drainage patterns, resulting in on- or off-site flooding.	Implement Mitigation Measure 2.H-2.	See measure 2.H-2.	See measure 2.H-2.	See measure 2.H-2.
2.H.5: Construction activities could impact the water quality of local creeks or infiltrate the soil.	Implement Mitigation Measure 2.H-2.	See measure 2.H-2.	See measure 2.H-2.	See measure 2.H-2.
NOISE				
2.K-1: Short-term construction activities for the 5,500-foot replacement pipeline segment could expose people to or generate noise levels in excess of standards described in Table 2.K-1 as normally acceptable.	<p>2.K-1: During construction of the 5,500-foot replacement pipeline segment in Martinez, SPBPC shall implement the following construction noise reduction measures:</p> <ul style="list-style-type: none"> ▪ Require construction contractors to limit construction activity to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, or as otherwise specified by the City of Martinez. ▪ Conduct regular equipment maintenance on all construction equipment and install mufflers on all engine-powered equipment to control noise. ▪ Shield and orient compressors and other small stationary equipment such that equipment exhaust would face away from noise sensitive buildings and land uses. ▪ Use existing natural and manmade features (e.g., landscaping, fences) to shield construction noise whenever possible. <p>The CPUC’s mitigation monitor shall ensure compliance with the above measures during</p>	The CPUC’s mitigation monitor shall ensure compliance with the measures during construction.	Receipt by the CPUC of the documentation limiting work hours per the mitigation measure.	Require construction contractors to limit noisy construction activity to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, or as specified by the City of Martinez.

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
	construction by direct inspection during construction.			
2.K-2: Construction-related activities would lead to a temporary increase in the ambient noise levels in the project vicinity above existing levels.	Implement Mitigation Measure 2.K-1.	See measure 2.K-1.	See measure 2.K-1.	See measure 2.K-1.
PUBLIC SERVICES				
2.M-1: Operation of the Pipeline may require maintenance in public parks, recreation areas, or designated open space areas, which may result in temporary impacts to public parks. In addition, construction activities associated with the 5,500-foot replacement segment of the Pipeline could result in temporary adverse impacts to the Martinez Regional Shoreline and portions of the Bay Trail within the Martinez Regional Shoreline Park.	Implement Mitigation Measures 2.A-1a, and 2.A-1b.	See measures 2.A-1a, and 2.A-1b.	See measures 2.A-1a, and 2.A 1b.	See measures 2.A-1a, and 2.A-1b.
Refer to Impact 2.M-1 for impact discussion.	2.M-1b: Construction activities associated with the 5,500-foot replacement pipeline segment shall only occur during the weekdays or as otherwise permitted by the City of Martinez and the EBRPD and the SPBPC and/or its contractor(s) shall ensure that the Bay Trail is fully accessible during weekends, as well as any holidays observed by the City of Martinez. SPBPC shall prepare a work plan to implement this and other construction-related measures and shall provide the work plan to CPUC staff for approval prior to the start of construction. Compliance with this measure shall be monitored by the CPUC mitigation monitor.	SPBPC shall prepare a work plan to implement this and other construction-related measures and shall provide the work plan to CPUC staff for approval prior to the start of construction. The CPUC's mitigation monitor shall ensure compliance with the measures during construction.	Receipt by the CPUC of the described documentation.	The work plan shall be submitted to the CPUC at least 30 days prior to the start of construction. The CPUC's mitigation monitor shall ensure compliance with the plan during construction of the 5,500-foot replacement pipeline segment.
Refer to Impact 2.M-1 for impact discussion.	2.M-1c: SPBPC shall provide signage that alerts bicyclists to walk their bicycles through the construction area. SPBPC shall also provide notices to local residents (properties within 1 mile of the Martinez Regional Shoreline Park). The	SPBPC shall provide signage that alerts bicyclists to walk their bicycles through the construction area. SPBPC shall submit a certificate of	Receipt by the CPUC of the described documentation.	The notices shall be sent to residents and signage posted at least 14 days in advance of any planned

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	<p>notices and signage shall include the following details:</p> <ul style="list-style-type: none"> ▪ Expected dates of Bay Trail and/or Martinez Regional Shoreline Park disruption. ▪ Description and map of temporary relocation of park facilities. ▪ Name and phone numbers of persons to contact at SPBPC, EBRPD, ABAG Bay Trail, and the City of Martinez. <p>The notices shall be sent to residents and signage posted at least 14 days in advance of any planned construction activities associated with the 5,500-foot replacement pipeline segment.</p>	<p>service and list of all persons (within 1 mile) that received the notice. The CPUC mitigation monitor shall verify the posting of signage and notification prior to construction.</p>		<p>construction activities associated with the 5,500-foot replacement pipeline segment.</p>
<p>Refer to Impact 2.M-1 for impact discussion.</p>	<p>2.M-1d: SPBPC and/or its contractor(s) shall ensure that emergency fencing is erected and flagpersons are present when construction work occurs within roadways or when heavy construction equipment is in operation.</p>	<p>SPBPC and/or its contractor(s) shall ensure that emergency fencing is erected and flagpersons are present when construction work occurs within roadways or when heavy construction equipment is in operation. Compliance with this measure shall be monitored by the CPUC mitigation monitor.</p>	<p>Verification by the CPUC of compliance with the mitigation measure.</p>	<p>Prior to the start of such construction of the proposed 5,500-foot replacement pipeline segment.</p>
<p>Refer to Impact 2.M-1 for impact discussion.</p>	<p>2.M-1e: For all pipeline maintenance activities that could disrupt use or enjoyment of the San Francisco Bay Trail, SPBPC shall coordinate such maintenance efforts with the Association of Bay Area Governments (ABAG), the EBRPD, the City of Martinez, and the City of Pinole. SPBPC shall ensure that access to the Bay Trail remains open to the maximum extent possible, and that if necessary, a clearly marked, comparable alternative route is provided on a temporary basis. SPBPC shall inform the CPUC staff of such coordination prior to starting such maintenance actions which could disrupt the San Francisco Bay Trail.</p>	<p>SPBPC shall inform CPUC staff of coordination with the Association of Bay Area Governments (ABAG), the EBRPD, the City of Martinez, and the City of Pinole prior to starting such maintenance actions which could disrupt the San Francisco Bay Trail.</p> <p>Compliance with this measure shall be monitored by the CPUC mitigation monitor during construction.</p>	<p>Receipt by the CPUC of the described documentation.</p>	<p>SPBPC shall inform the CPUC staff of such coordination prior to starting such maintenance actions which could disrupt the San Francisco Bay Trail.</p>

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
TRANSPORTATION / TRAFFIC				
<p>2.O-1: Construction of the 5,500-foot replacement pipeline segment within or across streets would reduce the number of, or the available width of, travel lanes on roads, resulting in temporary disruption of traffic flows and increases in traffic congestion.</p> <p>Refer to Impact 2.O-1 for impact discussion.</p>	<p>2.O-1a: Prior to commencing construction activities, SPBPC shall obtain and comply with local and state road encroachment permits, and railroad encroachment permits. SPBPC shall submit all local and state road encroachment permits obtained for the replacement pipeline segment to CPUC.</p>	<p>SPBPC shall submit all local and state road encroachment permits obtained for the 5,500-foot replacement pipeline segment in Martinez to the CPUC mitigation monitor for review.</p> <p>The CPUC's mitigation monitor shall monitor compliance with these permits during construction activities.</p>	<p>Receipt by the CPUC of the described documentation.</p>	<p>The permits should be provided to the CPUC at least 30 days prior to the commencement of construction activities.</p>
	<p>2.O-1b: Prior to commencing construction activities, the construction contractor shall prepare a traffic control plan in accordance with professional engineering standards. The traffic control plan shall include the following requirements:</p> <ul style="list-style-type: none"> ▪ Identify all roadway locations where special construction techniques (e.g., directional drilling or night construction) would be used to minimize impacts to traffic flow. ▪ Develop circulation and detour plans to minimize impacts to local street circulation. This may include the use of signing and flagging to guide vehicles through and/or around the construction zone. ▪ Schedule truck trips outside of peak morning and evening commute hours. ▪ Limit lane closures during peak hours to the extent possible. ▪ Use haul routes minimizing truck traffic on local roadways to the extent possible. ▪ Include detours for bicycles and pedestrians in 	<p>SPBPC shall submit the traffic control plan to CPUC staff prior to commencing any construction activities associated with the 5,500-foot replacement pipeline segment.</p>	<p>Receipt by the CPUC of the described documentation.</p>	<p>The traffic control plan shall be submitted to applicable jurisdictions for review and approval at least 30 days prior to the commencement of construction activities.</p>

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	<p>all areas potentially affected by project construction.</p> <ul style="list-style-type: none"> ▪ Include provisions for temporary alternative dedicated parking spaces when construction activities would prevent access to existing on- and off-site parking. ▪ Cover open trenches subject to vehicular or pedestrian traffic with metal plates capable of accommodating traffic at the end of each work day. ▪ Install traffic control devices as specified in the California Department of Transportation Manual of Traffic Controls for Construction and Maintenance Work Zones. ▪ Install safety fencing where needed, to protect pedestrians from construction areas. ▪ At a minimum, maintain the UPRR safety and engineering guidelines when installing pipeline within the railroad right-of-way. Train construction crews and project personnel on UPRR safety guidelines prior to commencing work in the railroad right-of-way. ▪ Prohibit construction vehicles and equipment from crossing the tracks except at established public crossings or as specified by UPRR. ▪ Develop and implement access plans for highly sensitive land uses such as police and fire stations, transit stations, hospitals and schools. Develop in advance (at least 2 weeks prior to start of construction) the access plans in consultation with the facility administrator. To minimize disruption of emergency vehicle access, the access plans shall inform the facility administrator of the timing, location, 			

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
	<p>and duration of construction activities and the locations of detours and lane closures.</p> <ul style="list-style-type: none"> ▪ Store construction materials only in designated areas. ▪ Coordinate with local transit agencies for temporary relocation of routes or bus stops in works zones, as necessary. ▪ Restore all roads disturbed during construction to their preconstruction condition. <p>The traffic control plan shall be submitted to CPUC staff, the EBRPD, and the City of Martinez Public Works Department for review and approval. Copies of the approved plan shall be submitted to CPUC.</p>			
2.O-2: Construction-generated traffic could cause a temporary impact to operating conditions or level of service on local roadways.	Implement Mitigation Measures 2.O-1a and 2.O-1b.	See measures 2.O-1a and 2.O-1b.	See measures 2.O-1a and 2.O 1b.	See measures 2.O-1a and 2.O-1b.
2.O-3: Heavy equipment operating adjacent to or within a road right-of-way could increase the risk of accidents.	Implement Mitigation Measures 2.O-1a and 2.O-1b.	See measures 2.O-1a and 2.O-1b.	See measures 2.O-1a and 2.O 1b.	See measures 2.O-1a and 2.O-1b.
2.O-4: Pipeline installation within or across streets and temporary reduction in travel lanes could result in delays for emergency vehicle access in the vicinity of the work sites.	Implement Mitigation Measures 2.O-1a and 2.O-1b.	See measures 2.O-1a and 2.O-1b.	See measures 2.O-1a and 2.O 1b.	See measures 2.O-1a and 2.O-1b.
2.O-5: Construction of the 5,500-foot replacement pipeline segment could temporarily prevent access to on- and off-street parking adjacent to the proposed replacement segment route, including Waterfront Park and Joe DiMaggio Fields.	Implement Mitigation Measures 2.O-1a and 2.O-1b.	See measures 2.O-1a and 2.O-1b.	See measures 2.O-1a and 2.O 1b.	See measures 2.O-1a and 2.O-1b.

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UTILITIES AND SERVICE SYSTEMS				
2.P-1: Construction activities associated with the 5,500-foot replacement pipeline segment could inadvertently contact underground utility lines and/or facilities during underground construction, possibly leading to short-term utility service interruptions. In addition, construction workers could be exposed to live, overhead electric lines.	2.P-1a: SPBPC shall ensure that Underground Service Alert is notified at least 14 days prior to initiation of construction of the 5,500-foot replacement pipeline segment. Underground Service Alert verifies the location of all existing underground utilities and alerts the other utilities to mark their facilities in the area of anticipated construction activities.	SPBPC shall submit a written copy of its notification to USA of the proposed construction activities associated with the 5,500-foot replacement pipeline segment. Compliance with this measure shall be verified by the CPUC mitigation monitor.	Receipt by the CPUC of the described documentation.	SPBPC shall notify USA at least 14 days before initiating construction of the proposed 5,500 replacement pipeline segment and shall provide a written copy of this notification to the CPUC within 3 days of notification to USA.
Refer to Impact 2.P-1 for impact discussion.	2.P-1b: Where the replacement pipeline segment crosses or is adjacent to live, overhead electric lines, SPBPC shall install signs warning construction workers of the presence of the line(s).	SPBPC shall install signs warning construction workers of the presence of overhead electric lines. Compliance with this measure shall be verified by the CPUC mitigation monitor.	Verification by the CPUC of compliance with the mitigation measure.	SPBPC shall ensure that the signs are installed at least 48 hours before initiating construction of the proposed 5,500-foot replacement pipeline segment.