1. INTRODUCTION

The Carson to Norwalk Pipeline Project was approved by the California Public Utilities Commission (CPUC) as the State Lead Agency under the California Environmental Quality Act (CEQA) on October 8, 1998. This included certification of the Final Environmental Impact Report (FEIR).

The measures that will be implemented by Kinder Morgan Energy Partners, L.P. through its operating subsidiary, SFPP, L.P. (SFPP) and monitored through this Mitigation Monitoring, Compliance, and Reporting Program (MMCRP) were developed in the Carson to Norwalk Pipeline Project FEIR. In addition, measures that were proposed by SFPP and were part of the project described and analyzed in the FEIR will be monitored. As conditions of project approval, the CPUC adopted numerous mitigation measures which require numerous actions to be taken: some prior to construction, some during construction, and some after construction (during project operation). This Implementation Plan addresses primarily implementation of those measures that are related to pre-construction and construction actions.

The adopted mitigation measures for the Carson to Norwalk Pipeline Project are contained within each environmental issue area section in the 1998 FEIR. There are 96 mitigation measures that need to be implemented and monitored prior to or during construction of the pipeline and station modifications. There are also 96 measures that were proposed by SFPP to reduce environmental impacts or improve pipeline safety; those measures are also identified in this document and monitoring/verification procedures are presented. Under this MMCRP, implementation of permit conditions will also be monitored in cases where the responsible agencies delegate that monitoring responsibility to the CPUC.

Description of FEIR Mitigation Measures

As described in the Introduction, the Final EIR for the Carson to Norwalk Pipeline Project was issued in May of 1998 and certified by the CPUC in October of 1998. Appendix A of this Implementation Plan presents the full text of the mitigation measures from the FEIR. Exhibit 1 below summarizes the measures for each environmental issue area.

Exhibit 1 FEIR Mitigation Measures and Applicant-Proposed Measures Per Environmental Issue Area

Issue Area	No. of Mitigation Measures	No. of Applicant-proposed Measures
Air Quality	19	15
Biological Resources	6	6
Cultural Resources	3	3
Environmental Contamination	8	5
Geology & Soils	2	6
Hydrology	5	8
Land Use & Recreation	7	5
Noise	5	10
Socioeconomics, Public Services & Utilities	3	5
System Safety & Risk of Upset	20	16
Transportation & Traffic	16	9
Visual Resources	2	2
TOTAL	**96**	**90**

Applicant-Proposed Measures and Project Parameters from FEIR

In addition to the adopted mitigation measures in the FEIR (1998), SFPP proposed and committed to implementing a number of measures that would mitigate potential impacts associated with the project. These measures were assumed in the FEIR as part of the Proposed Project. Thus, the analysis of the impacts in the FEIR was based on full implementation of these measures and proposals. In order to ensure that these measures are successfully implemented as proposed, these measures are included as part of the MMCRP. These measures, and associated performance criteria, are listed under each issue area in Appendix A.

Further, the project design and construction parameters (such as thickness of the pipes, number/type/location of proposed valves) affect the determination and analysis of potential impacts from the project. The analysis and the identified impacts (and the recommended mitigation measures) are all based on the assumptions that the project will be built as described in the FEIR. In order to ensure that this assumption, upon which the project was subsequently approved, are complied with, the Aspen team will also monitor these project parameters. These parameters are listed at the end of Appendix A.

Responsible and Cooperating Agencies

The CPUC has adopted the mitigation measures recommended in the FEIR (1998) as conditions of project approval. Other responsible agencies who have issued permits (or will issue permits in the future) for this project (such as Franchise Permits issued by a few cities) might stipulate certain conditions in their approval processes. Aspen will coordinate our monitoring efforts with these agencies by providing this Implementation Plan to them so they are aware of the CPUC's MMCRP requirements. The agencies issuing these other permits are listed in Appendix B.

In addition, Aspen will contact all agencies with permit authority over this project (see agency table, Appendix B). Aspen will review their permit conditions with them and, based on consultation with the agency, determine who shall be responsible for monitoring, compliance, and reporting. If the agency determines that they will directly conduct the required monitoring program, Aspen will coordinate with their monitor and give any assistance required. If the agency defers implementation of its mitigation measures to the CPUC, those measures will be added to monitored as part of the MMCRP and Aspen will monitor and report on a daily basis to the respective agencies.

Other Regulatory Requirements

The project will be built in compliance with all applicable rules, regulations and policies of the agencies which have jurisdiction over the project. These regulations and laws were generally considered under each issue area in the FEIR. For example, the Clean Air Act, which is the most significant federal law protecting the quality of the air, has been considered in the Air Quality issue area. The requirements of this law are implemented by Federal, State, and regional agencies. In very rare occasions, there might be other environmental laws applicable to this project which are not considered in the four categories of measures above (i.e., mitigation measures, Applicant-proposed measures, project parameters, and permit conditions) and may be required by an agency during the construction. The EMs will coordinate these requirements with SFPP, the agency involved, and the CPUC. These laws and regulations are summarized in Appendix C.

2. PURPOSE AND OBJECTIVES

2.1 Authority and Purpose of the Mitigation Monitoring, Compliance and Reporting Program

The Public Utilities Code confers authority upon the California Public Utilities Commission (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. This section requires a public agency to adopt a Mitigation Monitoring, Compliance, and Reporting Program (MMCRP) when it approves a project that is subject to preparation of an Environmental Impact Report (EIR) and where the EIR for the project identifies significant effects on the environment.

The purpose of a MMCRP is to ensure that measures adopted to mitigate or avoid significant impacts are successfully implemented and that they achieve the anticipated impact reductions. The CPUC views the MMCRP 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. This Implementation Plan is also distributed to other agencies to inform them how the MMCRP is carried out by the CPUC.

The CPUC is complying with its responsibility under Public Resources Code Section 21081.6 using Aspen as the environmental consultant to carry out the MMCRP under its direction. The MMCRP includes all the mitigation measures that were made conditions of approval by the Commission.

2.2 CPUC Adoption of the MMCRP

The mitigation measures and applicant-proposed measures described in the FEIR were adopted by the CPUC as conditions of project approval in D. 98-10-022. In this Decision (which certifies the EIR as complying with CEQA), the CPUC states the following:

> "SFPP shall, as a condition of approval, comply with all mitigation measures specified in . . . the Final EIR as conformed with Appendix A, attached hereto, as directed by the Executive Director . . . The Executive Director shall supervise and oversee construction of the Project insofar as it relates to monitoring and enforcement of the mitigation conditions described in Appendix A. . . The Executive Director is authorized to employ staff independent of the Commission staff t carry out such fucntions, including, without limitation, the on-site environmental inspection, environmental monitoring, and environmental supervision of the construction of the Project."

3. MANAGEMENT AND RESPONSIBILITIES

3.1 Program Organization

The organization of the monitoring team for implementation of the MMCRP for the Carson to Norwalk Pipeline Project is presented in Exhibit 2. Program organization is as follows:

- **CPUC Project Manager: Moisés Chavez** will direct all MMCRP activities. He has the authority to approve variances associated with the adopted mitigation measures and to order that construction be stopped if serious non-compliance events occur. He will review all project deliverables and coordinate with SFPP management as needed during construction.

- **Principal-in-Charge**: **Dr. Hamid Rastegar** will be in charge of Quality Assurance/Quality Control. This will include quality audits, and performance monitoring and review of project deliverables.

- **Program Manager: Susan Lee** managed preparation of the EIR and will continue to serve as overall Program Manager throughout the MMCRP process. Ms. Lee, under the direction of Dr. Hamid Rastegar, will have full responsibility and authority to commit Aspen Team resources and ensure successful performance for the duration of the contract. She will be Aspen's primary point of contact with CPUC and will have full responsibility for all contractual matters. She will use Aspen's established management systems and procedures to ensure completion of all program activities in accordance with plans, schedules, and budgets, and she will ensure that field personnel and subcontractors are properly tasked, controlled, and integrated into project activities.

  Ms. Lee will also coordinate the review of pre-construction plans and the services of the Technical Experts in the plan review effort. This role includes review of subcontractors' reports and comments, and coordination with SFPP and its team to ensure timely review and responsiveness to issues of concern. She is responsible for the development of this Implementation Plan, and she will assist Ms. Strong with various coordination responsibilities, including preparation of Progress Reports.

- **Project Coordinators: Vida Strong** serves as In-House Coordinator and will supervise all program activities that occur in the office. Ms. Strong will directly manage the Public Access Program and Construction Reporting efforts, and she will coordinate technical review functions. Ms. Strong will manage the documentation associated with the field monitoring effort, including preparation of variance recommendations and progress reports. She will be the primary point of contact for SFPP's Compliance Manager, and also Aspen's primary contact with the CPUC's project manager during construction. Ms. Strong will also manage website maintenance and the Public Access Program during the construction phase.

  Kris Thorne will be Field Coordinator and the Lead Environmental Monitor (LEM). All field activities and supervision of environmental monitors will be under the direction of Ms. Thorne. In addition, she will prepare the Field Monitoring Manual, and ensure that Aspen's Environmental Monitor(s) are properly trained. She will also participate in training of SFPP and contractor personnel to ensure that these training programs comply with agency requirements. As the LEM, Ms. Thorne will interface with representatives of SFPP, as well as with a variety of Federal, State, and local agencies in the field. She will supervise compliance reporting, issuance of Non-Compliance Reports, and implementation of variance procedures

- **Field Monitors** will serve as construction and mitigation monitors. We envision using one primary Environmental Monitor (EM) at the start of construction. Should the number of spreads or concurrent activities increase, additional monitors will be added as required. Supervised by Kris Thorne as LEM, Aspen will have an EM in the field at all times while construction is in progress. The EM will monitor pipeline construction, as well as construction activities at the four stations requiring modification: Watson Station (in Carson), Norwalk Station, Industry Station, and Colton Station. The roles and responsibilities of the EM are described in detail in Section 6 of this Plan, the Field Monitoring Manual.

- A pool of **Technical Experts** will review submitted plans, participate in the identification of performance/success criteria, participate in training as appropriate, and resolve specific technical problems in the field. Aspen's team of Technical Experts will serve several roles in the MMCRP. First, they will review and comment on SFPP's plans submitted to demonstrate compliance with various mitigation measures. In this review, they will ensure that plans demonstrate full performance of the measures and that the plans appear to provide effective environmental protection, as appropriate. The second role of the Technical Experts is to prepare detailed and specific performance and success criteria for each mitigation measure to be monitored

under this program. Experts might

Exhibit 2 placeholder: Org Chart/lines of communication

also be asked to participate in portions of the training program to discuss some of the technical parameters that might be specifically monitored. And lastly, the experts will be available for consultation on construction issues and problems, or to monitor construction at critical locations for their resource areas. The field role is described in more detail in Section 6.3.

- The **Construction Reporting** function includes preparation and distribution of daily and weekly reports for appropriate agency personnel.

- The **Public Access Program** will serve to inform the public about construction progress and activities.

The Organization Chart shown in Exhibit 2 displays lines of communication with SFPP, permitting agencies, and the public under the full direction and guidance of the CPUC.

3.2 Monitoring, Enforcement, and Compliance Responsibilities

Field monitoring and enforcement activities are addressed in detail in Section 6, the Field Monitoring Manual. Aspen's team will perform continuous compliance inspection during the pre-construction and construction phases of the project to ensure compliance with all applicable plans, permits, and conditions of approval of the CPUC. An Environmental Monitor (EM) will be on-site at all times during construction, under the supervision of the Lead Environmental Monitor (LEM), Kris Thorne. The LEM and EM will monitor all active construction areas. They will contact personnel on-site, and access Technical experts as needed during construction progress. With regard to compliance and enforcement activities, if necessary the LEM and EM will prepare and issue Non-Compliance Reports (with levels of severity ranging from a warning to an immediate stop-work order) as appropriate, depending on severity of the incident and the potential impact.

3.3 Field Reporting

Aspen's implementation of the MMCRP will include completion of daily and weekly reports that record construction activities. These reports will be sent to the CPUC and to other interested agencies. The daily reports will be faxed or e-mailed to those requesting copies at the end of each work day or on the next weekday morning.

Daily and weekly reports will be sent to the following agencies:

- CPUC
- California State Fire Marshal
- Each city affected by ongoing construction activities
- Other agencies who request reports.

Monthly Progress Reports will be sent to all other agencies listed in Appendix B, if they request to be included on the mailing list. In addition, all agencies will be included on the project mailing list and provided with information through the Public Access Program (see Section 3.4).

3.4 Public Access Program

The Public Access Program was defined in FEIR Section F.7.4 (Public Access to Records) and will be coordinated by Aspen, utilizing the in-house expertise and project familiarity of Martha Sullivan, under the direction of the Program Manager and other management personnel.

The Carson to Norwalk Pipeline Project traverses 8 jurisdictions where impacts from construction of the pipeline will occur. Although construction impacts to businesses and residents are expected to be short-

term, the CPUC wants to ensure that the public is informed regarding the construction of this project by providing easy access to information on construction progress and the implementation of the MMCRP.

The Public Access Program will provide current information to the public about the status of Carson to Norwalk Pipeline construction and mitigation activities. SFPP has primary responsibility for responding to public inquiries and complaints about the project. They are also required to complete various pre-construction notifications to nearby residents and businesses. The Public Access Program would supplement the notification program by providing information for interested public or agencies including, for example a history of the environmental review and permitting process, status of construction, and the schedule for future construction activities.

Aspen will provide public access to monitoring records and reports, and will produce and maintain public information on the status and results of mitigation monitoring on an ongoing basis. The implementation strategy for accomplishing the goals of the Public Access Program is described below.

3.4.1 *Public Information*

Information Repositories. Project information repositories (i.e., libraries) most accessible to construction locations will be used to house the 1998 FEIR, the CPUC's certification decision, a copy of this Implementation Plan, and all MMCRP mail outs, so that the public can access these documents on a regular basis. Many of these libraries now have access to the Internet, where the public can use computers to search for information.

Following is a list of repository locations and libraries with online access to the Internet. All libraries on this list were repositories for the EIR information. These libraries will be contacted individually to determine whether they are willing to be a repository site and the availability of Internet access.

California Public Utilities Commission
Public Advisor
107 South Broadway
Los Angeles, CA 90012

Artesia Library
18722 Clarkdale Ave.
Artesia, CA 90701

Carson Library
151 E. Carson St.
Carson, CA 90745

C.M. Brakensiek Library
9945 Flower St.
Bellflower, CA 90706

Cerritos Library
18025 S. Bloomfield Ave.
Cerritos, CA 90703

Long Beach Library
5571 Orange Ave.
Long Beach, CA 90805

Norwalk Library
12350 Imperial Hwy.
Norwalk, CA 90650

LA County Library
Paramount Branch
16254 Colorado Ave.
Paramount, CA 90723

Project Newsletter. Construction is expected to begin in November of 1998 and conclude in July of 1999, Therefore, a newsletter will be mailed to all businesses and residents along the pipeline route. Aspen will design, produce and print the newsletter, and distribute it to a mailing list provided by SFPP. The newsletter will acquaint the public with the history of the environmental review and CPUC approval process, schedule for construction, pre-construction mitigation measures, problems identified, future plan and schedule, and methods of additional public access. The text of the newsletter document will be written with the average concerned citizen in mind; the public would not need to have a technical background in order to understand the issues.

3.4.2 *Project Web Site*

An on-line service will be set-up to provide project information on a 24-hour basis. This service will make project information accessible via the Internet and a project Web site linked to CPUC's existing Web site (http://www.cpuc.ca.gov) and to the site where the text of the FEIR is currently located (http://www.aspeneg.com/SFPP-EIR/). The Web site will include a unique Uniform Resource Locator (URL), including a home page with buttons that link to the CPUC's site and SFPP's site. The site will include components such as a Home Page describing the MMCRP and agency roles, a general map of the construction area, and updates on construction progress.

4. PLANS AND REPORTS REQUIRED BY MITIGATION MEASURES

4.1 List of Required Plans and Reports

SFPP is required by the terms of the mitigation measures and the permitting requirements of various other regulating agencies to prepare numerous plans and obtain approval of these documents prior to construction or prior to operation. Copies of these plans are retained in Aspen's Agoura Hills headquarters office. Major requirements are listed in Exhibit 3 below.

Exhibit 3 Major Plans and Reports Required to be Submitted by SFPP

Plan/Report Title	Pre-Construction	Pre-Operation
Construction Contract Document	X	
Final Construction Plans	X	
Hazardous Material Management Plan	X	
Traffic Control Plans	X	
Construction Contingency Plan (contaminated sites)	X	
Urban Spill Response Plan		X
Fire Protection Plan (Construction Phase)	X	
Process Safety Management Analysis		X
Site-Specific Health and Safety Plan	X	
Oil Well Location Report	X	
Geotechnical Reports	X	
Ground Water Wells Report	X	
Documentation of Notification to Residents and Property Owners	X	
Business Impact Mitigation Plan	X	
Wellhead Protection Plan	X	

While these documents are being reviewed by the approving agencies, they are also reviewed by the CPUC. As also shown in the Exhibit 3, some plans are not required prior to construction, but will likely be submitted during the construction phase. These plans and reports will be reviewed within 60 days of Aspen's receipt of the completed submittal.

4.2 Review Procedures

The Aspen team, including Program Management staff and the Technical experts, will review all mitigation plans and reports and provide comments. Comments will be provided to SFPP on these documents to devise an effective and feasible plan to accomplish the intended reduction in impacts, including assurance that objective performance criteria are in place before monitoring begins. Deliverables sent to SFPP and the CPUC will include a report on each plan or permit reviewed, in addition to a copy of the plan itself with marginal notes or comments, if appropriate. Each plan will be approved, once it is determined that it is in compliance with the required mitigation measure and that changes (if required) have been made.

5. ENVIRONMENTAL BRIEFINGS AND TRAINING

The purpose of the Mitigation Monitoring, Compliance, and Reporting Program (MMCRP) is to ensure compliance with adopted mitigation measures, and associated requirements and permits, in order to minimize impacts on the environment. SFPP's compliance personnel and contractor personnel are responsible for understanding and complying with all mitigation measures. The CPUC's Environmental Monitors are responsible for documenting compliance with mitigation measures.

5.1 Training of Aspen Monitors

Aspen has trained its environmental monitors based on project specific mitigation requirements as well as Federal, state, and local permit stipulations, landowner agreements, and Applicant-proposed measures. Aspen's goal is to educate the environmental monitors to ensure that the specific standards and requirements for protecting the environmental resources are met. The training program has provided each EM with a working knowledge of:

- What the project is; what are the components of the construction phase of the project
- What impacts were identified and what mitigation measures were adopted
- How to interpret and apply the measures
- Where the measures are required
- Who is responsible for compliance
- Enforcement responsibility and authority
- Procedures for non-compliances
- Levels of non-compliance
- Reporting requirements
- How to respond to requests for variances
- Jurisdictional agencies and their requirements
- Construction and environmental alignment sheets and typical drawings
- Chain of command (including levels of authority)
- Communication protocol and structure.

The contents of the ***Field Monitoring Manual for Environmental Monitors*** (Section 6 of this Implementation Plan) will be reviewed with each EM to ensure that all EMs fully understand its contents. Each EM will receive communication tools, necessary forms and any other informational or field material.

5.2 Training/Briefings for SFPP's Construction Personnel

Preconstruction training sessions may be developed and conducted by SFPP and their construction contractors to inform construction personnel about mitigation measures, the reason for the establishment of the MMCRP, and its requirements. The training should describe in simple, nontechnical language why training and monitoring are occurring and how a "win-win relationship" can be established among the agencies, SFPP, and its contractors and subcontractors.

The CPUC recommends that SFPP's construction personnel, including SFPP employees, contractors, subcontractors, and service personnel, attend a brief project orientation and environmental training program prior to going to the project area (including right-of-way, staging areas, extra work space, and equipment yards). A record should be kept of personnel attending all training and briefings. The purpose of the project orientation program is to introduce personnel to the general requirements that everyone on the job site must follow. This program should be developed by SFPP and conducted by SFPP or its designee. Aspen's Lead Environmental Monitor (LEM), or her designee, will be available to participate in any project orientation and environmental training programs to present information on the monitoring program and requirements . Agency personnel are encouraged to monitor the adequacy of training and

briefing programs.

During construction, SFPP may also provide periodic training or briefings, as required, to provide more in-depth or specialized information about mitigation requirements. Aspen shall be notified at least 24-hours prior to such training in order to make arrangements to attend.

6. PROCEDURES FOR FIELD MONITORING

[*Field Monitoring Manual for Environmental Monitors*]

6.1 Description of the Carson to Norwalk Pipeline Project and Reference Documents

6.1.1 *Description of the Carson to Norwalk Pipeline Project*

SFPP, L.P. (owned by Kinder Morgan Energy Partners, L.P.) operates approximately 3.400 miles of petroleum products pipelines in six western states. Major input locations are Concord and Richmond (in the San Francisco Bay Area), El Paso (Texas), Portland (Oregon), and Carson, Long Beach and Norwalk in southern California. Approximately 30 million barrels of products are moved through the pipeline system each month.

The Carson to Norwalk Pipeline will expand the capacity of SFPP's pipelines between the major refining centers in the Los Angeles area and markets in Arizona, Nevada, and California's Inland Empire (Riverside and San Bernardino Counties). SFPP currently transports approximately 350,000 barrels per day of petroleum products to markets in southern California, Nevada, and Arizona. SFPP proposes to build and operate a new 16-inch petroleum products pipeline extending from SFPP's existing Watson Station in Carson to the existing SFPP station at Norwalk, California (approximately 14 miles). The new pipeline will transport unleaded gasoline, diesel fuel, and jet fuel. The throughput of the new line will average 190,000 barrels of petroleum products per day. The products shipped will consist of approximately 56% gasoline, 19% jet fuel and 25% diesel.

Exhibits 4A through 4C are maps of the pipeline route. Appendix D presents a table describing land uses and sensitive receptors along the pipeline route.

The 14-mile long pipeline will traverse portions of the Cities of Carson, Long Beach, Paramount, Bellflower, Cerritos, Artesia, and Norwalk, as well as portions of unincorporated Los Angeles County. SFPP also plans to modify existing facilities located in Carson, Norwalk, Industry, and Colton as a part of the proposed expansion project.

As part of its financing application submitted to the California Public Utilities Commission, SFPP submitted a Proponent's Environmental Assessment (PEA) which described the proposed project in detail, including a proposed pipeline route, engineering parameters and safety systems. This project description has been summarized in "project parameters" (listed at the end of Appendix A). In addition, the project was modified based on the CPUC's adoption of several route alternatives and nearly 100 mitigation measures. The project as approved is described in the Final EIR (May 1998) and the CPUC's Decision (D.) 98-10-022, approving SFPP's financing application and certifying the FEIR as complying with CEQA.

6.1.2 *Reference Documents*

Field monitors are expected to be thoroughly familiar with the project history and with the environmental documents that have been prepared. The documents that guide the field monitoring efforts, and which will serve as essential references, include the following:

- Carson to Norwalk Pipeline Project Final Environmental Impact Report, May 1998 (certified October 1998)
- Final/approved construction plans
- Appendices to this Manual, including:

Exhibit 4A MAP 1

Exhibit 4B MAP 2

Exhibit 4C MAP 3

- Appendix A: Mitigation Measures, Applicant-Proposed Measures and Project Parameters
- Appendix B Responsible and Cooperating Agencies
- Appendix C Applicable Plans, Policies, and Regulations
- Appendix D Sensitive Receptor Table

6.2 General Approach to Field Monitoring: Philosophy and Strategy

6.2.1 *Monitoring Philosophy*

The proposed Carson to Norwalk Pipeline Project went through an extensive environmental review process managed by the CPUC as the Lead Agency under CEQA. This review process included the preparation of an EIR, as required by CEQA, which analyzed the potential environmental impacts associated with the proposed project and to identify ways of avoiding or reducing those impacts through numerous mitigation measures. After careful review of the more than 500-page EIR, the CPUC approved this project subject to implementation of specific route alternatives and mitigation measures as conditions of project approval. Thus, it is imperative that the adopted conditions be implemented effectively.

The goal in implementing the MMCRP is to ensure complete compliance with mitigation measures, applicant-proposed measures, approved plans, project parameters, and permit conditions and requirements in the most cooperative manner. The project was approved by the CPUC assuming the achievement of the impact reductions defined in the environmental documents through implementation of these measures. The methods and procedures presented in this document are intended to assure the completion of an effective monitoring program, consistent with the requirements of the CPUC and CEQA.

The CPUC is committed to the ensuring effective implementation of the mitigation measures and the associated conditions under which SFPP is required to construct. The CPUC's environmental consultant, Aspen, hires experienced construction monitors who have monitored construction of petroleum pipelines. Effective management of the MMCRP is based on continuous interaction between the CPUC Project Manager, the MMCRP Project Management Team, and the Environmental Monitors.

6.2.2 *Monitoring Strategy*

Environmental monitors will be in the field every work day monitoring construction activities. Emphasis will be placed on more populous or sensitive locations (river crossings, sensitive receptors, etc.) or activities (traffic control, for example). Sensitive receptors are listed in Appendix D. The strategy is:

1. Through careful planning, and to the maximum extent possible, anticipate potential scenarios that could cause confusion or conflict, and attempt to resolve these problems in the preconstruction phase of the project.

2. Through training and communication, convey the importance of this MMCRP to all parties involved.

3. Be very specific and clear about the criteria that would determine the full compliance with the intent of the mitigation measures.

4. Use experienced and trained monitors so that they provide both an assurance of meeting the intent and spirit of each mitigation measure and the mature experience to deal with the decisions required in the field and handling of changing circumstances.

6.3 Roles, Responsibilities, and Authority of Field Monitors

The Aspen Monitoring Team consists of third party monitors who are monitoring implementation of the MMCRP on behalf of the CPUC and are accountable to the CPUC. As third party monitors, they are responsible for ensuring that all measures are implemented successfully by SFPP. SFPP is responsible for complying with the mitigation measures, Applicant-proposed measures, and project parameters, and permit conditions. Aspen's EMs will not be responsible for committing SFPP's project resources and directing construction contractors. The joint goal of the third party monitors and SFPP is to ensure successful completion of the project while minimizing environmental impacts and citizen complaints.

Qualifications of Field Monitors. The Lead Environmental Monitor (LEM) will have earned a minimum of a Bachelor's degree in one of the environmental sciences, cultural resources/archaeology, engineering, or related field and have at least 5 years of monitoring experience. In addition, the LEM will have field experience managing field crews; knowledge of pipeline construction techniques; the ability to read and understand construction specifications, drawings, plans, and designs; strong interpersonal abilities; be computer literate; and possess excellent communication skills.

The Environmental Monitors (EMs) will have earned a minimum of a Bachelor's degree in one of the environmental sciences, engineering, or related field. The EMs will have experience in field monitoring for construction and restoration procedures or permit compliance; the ability to read and understand construction specifications, drawings, plans, and designs; be computer literate; and possess excellent communication skills.

Role of Monitors. The role of the LEM is to provide training, field coordination, scheduling, and management of the EMs at each construction spread; coordinate with Aspen's Program Management Team regarding the need for Technical Experts in the field; be an on-site resource for EMs and project personnel; and to be a liaison between field personnel and the Program Manager. The LEM will provide specific briefings for agency personnel regarding the status of the project, if it is required. The LEM can be contacted by cellular phone, SFPP radio (if provided by SFPP), or pager. The LEM reports directly to the Program Manager.

The role of an EM is to watch, check, and keep track of the field and construction activities and progress of the construction crews and document/report to help ensure that the required mitigation measures and other conditions/requirements are met. The EMs will assist and report to the LEM.

See Section 6.10 for the roles of the LEM and EMs in responding to variance requests.

Monitoring Responsibility. Environmental monitors (LEM and EMs) are responsible for documenting that the required mitigation measures, applicant-proposed measures, approved plans, project parameters, and permit conditions and requirements are implemented according to the performance criteria and that mitigated environmental impacts meet the standards set by these criteria defined in Appendix A. The EM will complete a daily report documenting compliance or non-compliance with applicable mitigation measures and project parameters (dependent upon construction activities) and summarizing construction activities and progress. A copy of the Daily Compliance Report is provided as Exhibit 5.

Each workday morning, before going into the field, the EM will meet with the SFPP Construction Superintendent (or his designee) to discuss the planned construction activities for the day. When in the field, the first priority of the EM is to inspect active construction sites. The time spent monitoring an activity will depend upon a combination of the activity occurring and the location of the activity. Before

Exhibit 5: monitor's daily report form - 3 pages

Exhibit 5 page 2

Exhibit 5 page 3

leaving the site, the EM will notify the SFPP Environmental Coordinator, or his designee, if there is a problem or if a non-compliance event has occurred. If a non-compliance is recorded, the EM will follow the steps outlined in Section 6.8 of this document.

Reporting Responsibility. Environmental monitors (LEM and EMs) are responsible for documenting the implementation of mitigation measures, Applicant-proposed measures, approved plans, and permit conditions and requirements using the established reporting system. Follow-up reports on any non-compliance will be prepared until the situation is remedied (see Section 6.8 for more details).

Enforcement Responsibility. Environmental monitors (LEM and EMs) have overall authority to enforce permit compliance on behalf of, and in full consultation with the CPUC. Implementation problems or non-compliances related to mitigation measures, Applicant-proposed measures, approved plans, and permit conditions and requirements will be recorded and reported to the LEM, who will notify the Program Manager. Such events will also be reported in the daily report modemed or e-mailed to Aspen and to the CPUC and other interested agencies. The Program Manager, or her designee, will contact the CPUC as well as appropriate agencies or individuals, as necessary, and will discuss the suggested enforcement actions associated with each non-compliance.

Monitor Authority. Environmental monitors (LEM and EMs) have the authority (after proper consultation with the Program Management Team and the CPUC) to require SFPP to halt any construction, operation, or maintenance activity associated with the Carson to Norwalk Pipeline Project if the monitor determines that the activity is a deviation from the approved project description or adopted mitigation measures, Applicant-proposed measures, approved plans, or permit conditions and requirements. The decision on cessation of construction activity will depend on the level of the violation and the SFPP response to warnings, if these warnings were issued. (Please see Sections 6.8 and 6.9).

SFPP's Mitigation Compliance Responsibility. SFPP is responsible for successfully implementing all the mitigation measures in the MMCRP, including mitigation requirements established by cooperating and responsible agencies through the permit process and in specific plans. SFPP is also responsible for implementing Applicant-proposed measures, project parameters, approved plans, and all aspects of the Project Description as described in the FEIR. Successful implementation of each measure in actual achievement of reduction intended should be measured by the detailed "Effectiveness Criteria" of the Mitigation Monitoring Plan defined in Appendix A.

SFPP shall inform the CPUC in writing of any aspect of a mitigation measure or project parameter that is not or cannot be successfully implemented. The CPUC or its designee will assess whether alternative mitigation is appropriate and specify to SFPP the subsequent actions required. Any change to a mitigation measure, condition, or project parameter will be documented as a "Variance" (see Section 6.10).

6.4 Roles and Responsibilities of Technical Experts in the Field

Qualifications. Technical Experts will have a minimum of a Bachelor's degree in a relevant discipline and 10 years of experience. The Technical Experts will have professional certificates (where applicable), specific expertise in the project subject, and experience in pipeline construction and restoration procedures or permit compliance.

Role. The role of the Technical Expert in the field is to provide, at the request of Aspen's Program Management Team and in consultation with the CPUC Project Manager, expert analysis or quick and innovative approaches for specialized field problems or situations, often with very little notice. Technical Expert might be required to actually monitor, in the field, aspects of the mitigation measures that require specific technical experience.

Responsibility. Technical Experts are responsible for responding promptly to inquiries from Aspen. They will be available to report to a field site of being notified that their services are needed. They will periodically review the monitoring activities for thoroughness and technical accuracy, as required. When in the field, the Technical Experts shall contact the LEM on a daily basis to report their activities, findings, and recommendations, in order that the LEM can include those reports in her daily report. The Technical Experts shall also submit documentation summarizing field activities to the Aspen office to document their time spent and tasks performed. Exhibit 6 lists the technical experts on the Aspen team. For issue areas not listed below, Aspen staff will provide technical expertise.

Exhibit 6 Technical Experts

Name of Technical Expert, Firm	Telephone No.	Issue Area(s)
Neal Mace, Geotechnical Consultants Inc.	(415) 777-4870	Geology, Soils
Jim Thurber, Geotechnical Consultants Inc.	(714) 547-5413	Environmental Contamination
Jay Sheth, Robert Brown Engineers	(213) 770-3630	System Safety, Pipeline Engineering
Vicki Hill, Vicki Hill Environmental Planning Consultants	(707) 935-9496	Land Use, Recreation

6.5 Agency Jurisdictions

Appendix B includes a table with the contact name and phone number for each Federal, State, and local agency with jurisdiction associated with the project. This table also lists the permit(s) issued by each agency, and the status of permit issuance. This table will be updated throughout the construction process as permits are issued.

6.6 Communication Protocols

Exhibit 2 shows communication channels between the CPUC, Aspen, permitting agencies, the public, and SFPP. The Aspen team, including MMCRP Program Management and Environmental Monitors, shall use the following general communication protocols:

- Aspen's Program Management Team will be the primary contact for SFPP management and agency inquiries.
- The primary point of contact for the Lead Environmental Monitor (LEM) will be SFPP's Environmental Coordinator. The LEM will not directly contact SFPP management or agencies without consulting Aspen's Program Management Team.
- Aspen's Environmental Monitors (EMs) will not directly contact SFPP management or agencies without prior instructions from the LEM or Aspen's Program Management Team.
- The LEM and Environmental Monitors (EMs) will not directly contact the contractors or subcontractors. Contact will be made through SFPP, unless there is an emergency situation.
- Correspondence for the LEM and EMs will be sent to the Aspen field office.
- EMs will submit written memoranda through the LEM.

6.6.1 *Communication with SFPP/Contractor*

The goals of all interactions between EMs and SFPP or Contractor personnel are the following:

- Full working cooperation to ensure that all required mitigation measures, Applicant-proposed measures, and project parameters are successfully implemented
- Avoid the appearance of impropriety
- Maintain professional and cooperative working relationships
- Establish and maintain effective communication and coordination
- Distribute all necessary information among all parties in a timely manner.

The EM will meet with SFPP Environmental Coordinator (or his designee) to be briefed on the activities of the day and to discuss the potential problems for particular locations or activities. The LEM and EM will coordinate with SFPP to identify sensitive areas before construction reaches those locations. Every night the LEM will contact the EM to discuss the plans and assignments for the next workday.

The EM will communicate and coordinate with the SFPP Environmental Coordinator or his/her designee. When there is a problem or non-compliance, the EM shall notify the SFPP Environmental Coordinator directly (in person or by phone) in order to hasten corrective actions. The LEM shall also be notified promptly. If the SFPP Environmental Coordinator cannot be located, the SFPP Construction Superintendent shall be contacted. The EM shall document all communications and observations in his/her log book.

The LEM will meet or talk with the EM during each work week to distribute paperwork, coordinate activities, and discuss concerns, problems, resolutions, and laudatory activities. To ensure that SFPP and contractor concerns are addressed promptly and efficiently, the LEM will meet with SFPP's Environmental Coordinator as needed. Meetings between the SFPP Environmental Coordinator and the LEM will occur on a regular basis so SFPP's environmental staff and Aspen's field staff can have an open exchange of information and a cooperative, professional working relationship.

6.6.2 *Communication with Agencies and Local Jurisdictions*

Appendix B includes all Federal, State, and local agencies with potential jurisdiction over the project. The list be expanded during construction to include names and contact information for Aspen's monitoring personnel, SFPP personnel, and construction contractor personnel.

In case of an accident, some of these agencies should be contacted. SFPP is responsible for contacting these agencies; however, this table may be used by the LEM if SFPP does not contact the appropriate agencies, or if SFPP needs assistance from the EMs. [*Note: this Appendix will be updated during construction and provided to the LEM/EMs and appropriate agency personnel*.]

6.6.3 *Media Contact*

CPUC's field representatives are not authorized to talk to the media. Any media inquiries presented to Environmental Monitors or Technical Experts should be reported immediately to the Lead Environmental Monitor. The LEM shall refer all media requests to Aspen Program Management Team: Vida Strong, Susan Lee, or Dr. Hamid Rastegar, or the CPUC's Project Manager.

When approached by a member of the media, the EM should:

- Identify him/herself
- Be calm and truthful
- Tell them that, by the virtue of Aspen's contract, it is required that all inquiries be referred to the CPUC's

Project Manager.

6.6.4 *Public Contact*

When approached by a member of the public, the LEM or EM should remain polite at all times, but should not offer solutions or make promises. Depending on the problem or question, the public should be referred to either the SFPP Inspector on-site or to Aspen's Program Manager. At all times, whether on-site or off-site, Aspen's environmental monitors shall remember that they represent the CPUC and shall consider project-related information confidential until instructed otherwise by Aspen's Program Management Team.

6.7 Documentation and Reporting

Documentation and Reporting Requirements. The documentation and reporting requirements are intended to (1) chronicle SFPP's compliance with the MMCRP, including evaluation of environmental impacts and the effectiveness of mitigation efforts, and (2) report on construction progress and compliance both internally to Aspen's Program Management Team and field personnel, and externally to CPUC, SFPP, other agencies, and the public.

Documentation Procedures. Every work day, each EM will maintain a log book and prepare a daily report to track all procedures required for each mitigation measure and ensure that the timing specified for the procedures is adhered to for their assigned construction sites.

Technical Experts shall submit an activity record to the Aspen office for each day that they are in the field. They shall also call the LEM and briefly report on their activities. The written report shall include a description of the work done and any problems that occurred. Both the LEM and the Aspen office will be made aware of the progress and activities of the Technical Experts on a daily basis when project activities are occurring.

Field personnel (LEM, EMs, and Technical Experts) are expected to document construction activities with photographs and, in some cases, video photography. Color, print, 35 mm photographs will be taken to help document a reported non-compliance. If appropriate, photos should also be taken to document the steps taken to remedy the non-compliance. Aspen monitors are encouraged to take photographs to record construction activities and progress. Photographs will be logged on a photograph record sheet. Each photograph shall be properly labeled (photographer, photo identification number, date of photo, time photo taken, construction spread, estimated milepost, description of activity) and then submitted with negatives to the Aspen corporate office. Aspen's Program Management Team may provide a video camera and request that specific construction activities be recorded. If this occurs, specific instructions will be provided by Aspen's Management Team.

Reporting Requirements. Daily Compliance Reports will be sent (via modem) to the Aspen's corporate office at the end of each work day. The CPUC and other interested agencies will receive daily reports by fax or e-mail. The reports will indicate activities at the construction spread or stations and non-compliances that were reported and their status.
Aspen's Program Management Team will also provide the CPUC with Weekly and Monthly Compliance Reports based on the Daily Compliance Reports and project correspondence. All records generated by Aspen personnel will be kept at Aspen's corporate office until construction is completed. At that time they will be sent to the CPUC for filing.

6.7.1 *Compliance Reporting*

The EM will utilize a portable computer to enter their Daily Compliance Reports each work day. The information will be sent via modem to Aspen's corporate office and to appropriate agencies by the next business day. The information included in the Daily Compliance Reports will include, at a minimum:

- Date
- Monitor Name
- Hours of Construction
- Type of Site
- Jurisdiction or Landowner
- Activities Occurring
- Hours of Construction
- Non-Compliances Documented; Level of Violation
- Deadline for Correction of Non-Compliance

The Weekly Compliance Report shall be prepared by Aspen's Program Management Team. It will provide a summary of construction activities, including description of construction spread(s), progress of construction (by activity and milepost), discussion of activities, summary of project memoranda and non-compliance reports, and projected weekly schedule. The Weekly Compliance Report will be distributed to the Lead Agency and other interested parties (as requested).

The Monthly Compliance Reports shall be prepared by Aspen's Program Management Team and will provide detailed information on the mitigation measures that have been completed, types of non-compliances that have occurred, remedial actions that have been proposed, the progress of construction, approved/denied variances, and other pertinent information.

6.7.2 *Expense and Time Reporting*

Expense and time reporting by LEM and EMs will be done on a bi-weekly basis. Time Sheets and Expense Reports shall be submitted to the Aspen Corporate office every other Monday. If expense reports are sent by facsimile, legible copies of all receipts shall be included. Original receipts shall be submitted within 5 days. Blank time sheets and expense reports will be available at both Aspen's corporate and field offices. Guidelines for expense reports will be provided; these guidelines are based on California State allowable limits due to Aspen's contract with the CPUC.

Aspen's corporate office will provide supplies. The purchase of materials not available from the Aspen corporate office must be approved by the Aspen Program Management Team prior to purchase in order to be considered for reimbursement.

6.8 Compliance Evaluation

The purpose and goal of compliance evaluation is to ensure that the specific performance criteria for each mitigation measure, Applicant-proposed measure, project parameters, permit requirement or condition, approved plan, or other project stipulation are met in order to minimize or eliminate potential significant impacts and to protect environmental resources.

6.8.1 *Process for Determining Compliance Status*

Each active construction spread will have at least one EM assigned to it each workday. The EM will make field observations to determine whether the observed construction activities meet the relevant "Performance Criteria" as defined in Appendix A-2 for (1) mitigation measures, (2) Applicant-proposed measures and project parameters, and (3) approved plans. If the activity does not meet the performance criteria, the activity will be recorded as "Non-Compliance," and the level of non-compliance will be determined.

6.8.2 *Description of Non-Compliance Levels*

A non-compliance is defined as any deviation from applicable mitigation measures, Applicant-proposed measures and project parameters, permit conditions or requirements, and approved plans. Violation levels are defined as follows:

Level 1 One of the performance criteria has not been complied with resulting in only partial implementation of a Mitigation Measure, but no significant impact.

A written warning shall be submitted to SFPP's Environmental Coordinator (or assigned designee) and corrective action shall be required within a stated maximum period (24 hrs to 3 days, to be determined by the LEM or CPUC Project Manager).

If corrective action is not taken within the stated period, a second written notice will inform SFPP that unless the situation is rectified, a cessation of all construction activities will be required within 24 hours. Construction activities may be shut down until SFPP satisfies the CPUC Project Manager (or MMCRP Program Management Team, as designated) that the situation has been remedied.

Level 2 One or more of the performance criteria have not been complied with, making the mitigation ineffective and resulting in minor impacts. If allowed to continue, this non-compliance could result in a significant impact over time.

An oral warning followed by a written notice shall be submitted to SFPP's Environmental Coordinator (or assigned designee). Corrective action shall begin by the next construction day.

If corrective action is not begun by the next construction day, a cessation of all construction activities may be required. Construction activities may be shut down until SFPP satisfies the CPUC Project Manager (or MMCRP Program Management Team, as designated) that the situation has been remedied.

Level 3 One or more of the performance criteria are not complied with and the implementation of a mitigation measure is deficient or non-existent, resulting in significant impact(s), or there is immediate threat of major, irreversible environmental damage or property loss.

An oral warning followed by written notice shall be submitted to SFPP's Environmental Coordinator (or assigned designee). Correction action shall begin immediately.

Construction activities for the entire construction spread may be shut down until SFPP satisfies the CPUC, the CPUC Project Manager, and other involved agencies/parties that the situation has been remedied.

A pattern of repeated Level 1 or Level 2 non-compliances may also be reason to shut down construction activities until SFPP satisfies the CPUC that the situation has been remedied.

6.8.3 *Procedures for Addressing Non-Compliance Events*

Level 1 Non-Compliance Procedures. The EM will promptly notify the LEM and will give the SFPP Environmental Coordinator or assigned designee, a copy of the non-compliance report. If the EM is unable to personally deliver the written report to the SFPP Environmental Coordinator or assigned designee, the non-compliance will be reported to the SFPP Environmental Coordinator or assigned designee by telephone and the report will be left in the SFPP Construction Superintendent's office. In order to hasten corrective actions, the EM may notify the appropriate SFPP Inspector directly. The SFPP Environmental Coordinator is responsible for ensuring that remedial action is taken. The EM shall document all observations and communications and conduct follow-up observations within 3 days. The LEM will notify Aspen's Program Management Team.

Level 2 Non-Compliance Procedures. The EM will promptly notify the LEM and the SFPP Environmental Coordinator, or assigned designee, of the non-compliance. In order to hasten corrective actions, the EM may notify the appropriate SFPP Inspector directly. The EM will provide a copy of the non-compliance report to the SFPP Environmental Coordinator, or assigned designee. The SFPP Environmental Coordinator is responsible for ensuring that remedial action is taken. The EM will conduct follow-up observations within 24 hours. The LEM will notify Aspen's Program Management Team, who will make the necessary agency notifications.

Level 3 Non-Compliance Procedures. The EM will immediately notify the LEM and the SFPP Environmental Coordinator, or assigned designee, of the non-compliance. In order to hasten corrective actions, the EM will notify the appropriate SFPP Inspector directly. If a SFPP Inspector or the SFPP Environmental Coordinator cannot be located or contacted, the EM will notify the contractor foreman. The EM shall not direct the work of the Inspector, the contractor, or subcontractor. The EM shall document all observations and communications in his/her log book. The LEM will notify Aspen's Program Management Team, who will make the necessary agency notifications.

6.9 Dispute Resolution

SFPP will review the performance criteria set by this document and before construction is initiated and should inform CPUC if they have any questions or disagreements with performance criteria and violation levels stated in Appendix A. EMs will maintain frequent informal communication with SFPP's Environmental Coordinator in order to minimize the occurrence of non-compliance events. However, disputes may arise and a process for their resolution is required. Should a dispute arise on interpretation of the criteria, the following steps will be used:

Step 1 Disputes and complaints (including those of the public) should be directed first to CPUC's designated MMCRP Program Management Team (Susan Lee, Vida Strong or Hamid Rastegar). They will attempt to resolve the dispute in consultation with CPUC.

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 the Mitigation Monitoring Program adopted with the FEIR.

Step 3 If a dispute or complaint regarding the implementation or evaluation of the Program or the mitigation measures cannot be resolved informally or though 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.

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

6.10 Variance Procedures

Definition: A variance is (1) any deviation from the description of the project as proposed in the FEIR (and as summarized in Section 6.1 of this Plan, including project parameters) or (2) a construction activity or practice that is not carried out in accordance with approved construction plans, mitigation measures, or other conditions of approval. Two types of variances are addressed herein:

(1) Route and construction changes or non-compliance with all specific mitigation measure requirements proposed by SFPP prior to the start of construction, and

(2) Changes proposed by SFPP after construction has started.

The CPUC or a designee (Aspen team) has the authority to halt any construction activity associated with the Carson to Norwalk Pipeline Project if the activity is determined to be a deviation from the approved project or adopted mitigation measures and permit conditions. Any deviation from the procedures identified in the MMCRP must be approved in advance by CPUC or a designee.

Environmental Monitors (EMs) shall immediately report any unapproved variances to the Lead Environmental Monitor (LEM). The LEM will notify Aspen's Program Management Team, who will contact the CPUC or a designee. ***Variances may only be approved by the CPUC; variances cannot be approved by the LEM or EM, or by Aspen's Program Management Team***.

Procedure to Request Variance

When SFPP identifies a project change [including route changes, change in description of the project (such as location of valves) or proposed change in construction methods (such as boring or directional drilling instead of trenching at river crossings crossing)] a written request shall be prepared and submitted to CPUC according to the procedure defined in Exhibit 7, and as further described in Exhibit 8 on page 30.

The proposed change, its location and/or nature, shall be completely described. This explanation shall refer to where the item to be changed was previously documented (such as the page number of PEA, FEIR, the milepost on the original maps, and on latest submitted construction alignment sheets, etc.). The reason and necessity for this proposed deviation/change shall be fully described.

Exhibit 7 MMCRP Procedures for Addressing Project or Mitigation Measure Changes

Type of Change or Action	Action Needed **
1. **Mitigation Measure Implementation** (e.g., difference on opinion on performance criteria)	SFPP negotiates with CPUC or designee. If no agreement can be reached: a. If the disagreement is considered by CPUC to be major/significant, dispute resolution process could be used to resolve differences b. If the disagreement is based on technical difference of opinion in ways to comply with a measure, CPUC or its designee will document their recommendation and SFPP will be allowed to proceed with their approach, if it is determined that the intent of the measure is being met.
2. **Project Description changes** (including changes to Applicant-proposed Measures, e.g., change of valve location or reroute)	SFPP to document reason(s) for proposed change and evaluate environmental impacts. CPUC or designee reviews SFPP submittal: a. If no new significant impacts, document as part of MMCRP b. Depending on scope/nature of change or impact, maybe go to #4.
3. **A measure cannot be successfully implemented** (reference EIR Section F.3.4, 2nd paragraph)	CPUC or its designee assesses alternative mitigation and notifies SFPP of what is required in order to effectively address the impact identified
4. **Change to adopted mitigation measure** (if the measure itself requires modification)	SFPP must file a Petition to Modify the CPUC Decision that approved the project and certified the EIR. This action must comply with the CPUC's Rules of Practice and Procedures.

** Potentially applicable to all issues: CPUC Dispute Resolution process (see F.3.3 of EIR)

SFPP will review the Implementation Plan and will be aware of all performance criteria outlined in this Plan. Any disagreement with these requirements shall be discussed with CPUC before the start of the construction. However, on rare occasions and due to the site-specific conditions that could not be anticipated before construction begins, variances might be required during construction. In non-emergency cases, at least 14 days prior to the specific construction activity or implementation of mitigation measure for which a variance is required, SFPP should submit to the CPUC (with a copy to Aspen's Program Management Team) a written request for a variance. The request should contain the following information:

- Date of request
- Location the variance will affect (spread, estimated milepost, and general description, including maps if required)
- Which mitigation measure, Applicant-proposed measure, permit condition or requirement, project parameters, approved plan, or other project stipulation is the variance being requested for, and a reference to the approved documents
- An explanation of the necessity for the variance
- Discussion of any previous variances of a similar nature
- An analysis that evaluates the occurrence of:
    - New significant impact(s)
    - Incremental increase in an identified impact
    - Reduction in efficiency, nature, or geographical location of a mitigation measure
- Date of expected construction at the variance site.

Exhibit 10

FLOW CHART FOR PROJECT DESCR CHANGES

In emergency cases, the above information shall be communicated as soon as possible to the LEM. The LEM and the Aspen team will review these changes as soon as possible and inform CPUC of their determination. Each short-notice variance must be presented by SFPP in the manner described above; each request will be considered on a case-by-case basis and responded to as promptly as possible by Aspen, with recommendations made to the CPUC, as appropriate. ***If the variance is associated with an immediate safety threat to human life or sensitive resources (i.e., an imminent and immediate hazard) and EM/LEM/Program Manager cannot be contacted immediately, SFPP shall take the appropriate action to preserve life, protect the resource, and remove immediate hazard with minimum impacts on other significant environmental resources. A full written report on such action shall be filed with the LEM within 72 hours***.

Each variance request will be reviewed by Aspen for completeness. If incomplete, a letter of inquiry will be sent to SFPP. After analysis of the variance request, a recommendation of approval or denial shall be made to the CPUC by Aspen, and a written determination on approval or rejection of the proposed variance will be provided to SFPP by the CPUC Project Manager.

6.11 Monitoring Criteria

The Appendices to this plan include the technical guidance documents for the EMs. Appendix A includes the full text of mitigation measures, Applicant-proposed measures, project parameters, as well as the specific criteria for monitoring the implementation of these measures and requirements. Appendix B lists other agencies with responsibility for permit issuance along the ROW. Appendix C lists all applicable plans, policies, and regulations. Appendix D is a table of the land uses and sensitive receptors identified in the FEIR.

6.12 Safety

Philosophy: The Aspen team will take all necessary steps to conduct this program with minimum risk and to prevent potential safety hazards.

Responsibilities. Each Environmental Monitor (including the LEM) is responsible for his/her own safety and working safely is a requirement. EMs are responsible for the timely and accurate reporting of all reportable accidents or injuries (requiring more than first aid) to their immediate supervisor.

Consumption of drugs and alcohol is strictly prohibited during work hours. All Aspen employees have signed their acknowledgment that they understand Aspen's Drug-Free Policy. If an EM is taking prescription medication, the LEM must be notified. This information will be kept confidential unless the EM is involved in a accident or injured and testing is required.

SFPP and its contractor are responsible for providing a safe work environment for the EMs. This includes teaching compliance with all Federal, State, local and company policies and procedures. EMs are responsible for utilizing the tools and training to perform their tasks safely.

Safety Equipment

The following safety equipment will be issued to Aspen's Environmental Monitors, installed in field vehicles, or stored at the field office:

Personnel safety items:
- hard hat
- safety glasses
- ear plugs
- flourescent vest

Field Office:
- first aid kit

Vehicle-related items:
- vehicle accident reporting sheets
- 2½ lb fire extinguisher
- first aid kit
- flashlight
- 3 gallon water cooler

Each EM/LEM is responsible for providing her/his own:
- steel-toed boots
- sun protection (sunscreen, sunglasses, hats)
- field-appropriate clothing and outerwear.

Environmental Monitors are expected to care for the equipment that is assigned to them and to return all equipment to Aspen at the conclusion of either their employment or their task, whichever comes first. If required by Aspen Managers, all equipment will be returned to Aspen immediately upon request, at any stage of work or project.

Emergency Action Response

Initial emergency action response is the responsibility of SFPP and the Contractor. The responsibility of the Environmental Monitor is to assist as requested by SFPP or the Contractor. SFPP or the Contractor will make all necessary contacts.

If an Environmental Monitor is alone and encounters an emergency situation, the following protocol applies:

- Call 911 for help and provide the following information:
  - brief description of what happened (if you know)
  - location of accident
  - number of people injured
  - type(s) of injuries
  - type of assistance required.

- Attend to the injured person(s). If you do not have a current Red Cross certificate, only comfort the victim(s) until trained help arrives.