

C&S Waste Solutions Transfer Station

MITIGATION AND MONITORING REPORTING PROGRAM

MMRP Statements:

1. **MMRP runs with the Land.** The adopted Transfer Station MND and MMRP shall run with the real property and successive owners, heirs, and assigns of this real property are bound to comply with all of the requirements of the adopted program;
2. **MMRP Disclosure.** Prior to any lease, sale, transfer, or conveyance of any portion of N Highway 1, the applicant shall provide a copy of the adopted program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made;
3. **Applicant Responsibilities.** C&S Waste Solutions is responsible for ensuring the attached MMRP is implemented and that annual reports are submitted to the Community Development Department of the City of Fort Bragg describing compliance and work towards compliance with all mitigation measures.
4. **Professional Expertise.** The following professional expertise is required for completion or evaluation of any part of the program:
5. **Payments.** No additional costs are required of the applicant.
6. **Civil Remedies and Criminal Penalties.** The following civil remedies and criminal penalties are permitted by Title 18.04.050 of CEQA for noncompliance with this adopted mitigation monitoring and reporting program.

18.04.120 Civil and administrative remedies.

In addition to the penalties set forth in subsection [18.04.100](#), the city may carry out or seek other remedies as permitted by law, including, but not limited to the following:

- A. Injunctive relief;
- B. A stop order subject to the following:
 1. Whenever the environmental coordinator finds that there is noncompliance with an adopted program and that this noncompliance presents a serious and immediate threat to the public health, safety and welfare, the environmental coordinator shall issue a stop work order which shall prohibit further work on the project that is the subject of the adopted program.
 2. In the event the environmental coordinator issues a stop work order, notice of this order shall be served on the applicant and/or project supervisor and/or contractor and posted on site. The notice shall contain the following:
 - a. The findings justifying the stop work order;
 - b. The time and date when the stop work order commence;
 - c. The time, date, and place at which the applicant may appear to respond to the findings in the notice, which shall not be later than twenty-four (24) hours following the time and date when the stop work order commences.
 3. Authority to recommence work on the project that is the subject of an adopted program after issuance of a stop work order may be granted by the environmental coordinator upon the establishment of such terms, conditions and requirements as are reasonably necessary to protect the public health, safety, and welfare and as are consistent with the terms, conditions, and requirements of the adopted program. (Ord. 97-03 § 2 (part): prior code § 8-1.6015(L))

Mitigation Monitoring and Reporting Program

Mitigation Measure	Mitigation Monitoring			Reporting	
	Schedule	Responsibility	Procedure	Comments	Date/Initial
AESTHETICS					
AQ-1: No solid waste odors shall be detectable beyond the facility's boundaries. In the event that odors are detectable beyond the immediate vicinity of the transfer trailers and re-load area, the operator shall take immediate action to prevent the further spread of the odor either by hauling the transfer trailer to an appropriate disposal site, sealing the transfer trailer, applying deodorizer, or utilizing other prevention or abatement measures.	During all Operations	City of Fort Bragg Planning & Building Department. C&S Waste Solution Operator.	Initiate code enforcement if odors are detectable or if complaints are received from the public. Implement mitigations.		
AQ-2: No recyclables or solid waste will remain on-site in the pickup trucks or transfer trailers longer than 24 hours. The purpose of this mitigation measure is to reduce odors and associated vector issues (crows, rats, etc.).	During all Operations	City of Fort Bragg Planning & Building Department. C&S Waste Solution Operator.	Initiate code enforcement if odors are detectable or if complaints are received from the public. Do not allow solid waste to remain on site more than 24 hours		
AQ-3: Solid waste and compostable materials shall never be stored on the ground or in an unclosed container. All such materials shall always be contained on site in a fully closed container for 24 hours or less.	During all Operations	City of Fort Bragg Planning & Building Department. C&S Waste Solution Operator.	Initiate code enforcement if odors are detectable or if complaints are received from the public.		
AQ-4: At the close of each operating day, all transfer trailers containing solid waste shall have the on-board tarp closed and covering the roof of the trailer and the rear doors shall be securely closed.	During all Operations	C&S Waste Solution Operator.	Close tarps at the end of each day.		

Mitigation Measure	Mitigation Monitoring			Reporting	
	Schedule	Responsibility	Procedure	Comments	Date/Initial
BIOLOGY					
<p>BIO-1: Reduce and Minimal Impacts to plant communities and special status species. This mitigation measure is designed to minimize and mitigate potential temporary impacts to special status natural communities and special status plant species and during proposed Project grading, perimeter fence installation, and proposed restoration/mitigation work, the following are proposed:</p> <ul style="list-style-type: none"> • Best Management Practices (BMPs) shall be implemented during construction in accordance with the Project’s Stormwater Pollution Prevention Plan (SWPPP). • In order to limit potential construction-related impacts in areas adjacent to special status species and natural communities, prior to any construction work, a qualified botanist shall meet with the construction crew site manager(s) and shall oversee the installation of site habitat protective fencing and to inform the manager(s) of the avoidance and minimization constraints at the site. • The Habitat Protection fencing shall be installed prior to operation. • Protective signage shall be installed that says: “Do Not enter – Protected Area. The permanent habitat protective fence (T-stake with 5 feet high coated livestock wire) shall be installed along the border with the paved zones, the driveway, the parking area and the property frontage (east of the informal parking area) to protect special status habitats and species at the site. • To avoid any inadvertent trampling of special status plant species, during or prior to restoration work, a qualified botanist shall place lath stakes with flags around the special status plant species occurrences to identify and protect these special status plant 		City of Fort Bragg Planning & Building Department.	Make regular visits to the project site to ensure that all Biology Related Mitigations are implemented.		
	Construction	Operator Contractor	Implement Mitigation		
	Construction	Qualified Biologist	Implement Mitigation		
	Prior to Construction	Qualified Biologist	Implement Mitigation		
	Construction	Operator Contractor	Implement Mitigation		
Prior to Construction	Qualified Biologist	Implement Mitigation			

<p>populations. Prior to restoration work, a qualified botanist shall train the restoration crew supervisor on how to identify and avoid Menzies' wallflowers, dark-eyed gilia, and roundheaded Chinese-houses.</p> <ul style="list-style-type: none"> Invasive pampas grass (<i>Cortaderia jubata</i>) and blue gum trees (<i>Eucalyptus globulus</i>) adjoining the Coastal Strand community shall be mechanically removed to protect Coastal Strand habitat and its species from further encroachment. 	<p>Prior to Certificate of Occupancy and annually thereafter.</p>	<p>Operator Contractor</p>	<p>Implement Mitigation</p>		
<p>BIO-2: Avoid and reduce impacts to western snowy plover. To mitigate for potential predator-related impacts to western snowy plover during Project operations:</p> <ul style="list-style-type: none"> All waste shall be fully contained within an enclosed transfer trailer, moved on a truck-to-truck basis only. Full transfer trailers shall then transport collected materials off-site within 24 hours; No materials shall be stored on the ground at any time; The operation's staff shall make every best effort to deter crows and ravens from the site, such that, any collected material that may unintentionally fall outside of the vehicles will be promptly cleaned up and replaced within the vehicle to which it is being transferred; A permanent habitat protective fence (T-stake with 5 feet high coated livestock wire) shall be installed along the border with the paved zones, the driveway, the parking area and the property frontage (east of the informal parking area) to protect special status habitats and species at the site. This fencing and the regular human activity during business operations will deter coyotes, raccoons and people from trespassing. 	<p>During all Operations</p> <p>Construction</p>	<p>City of Fort Bragg Planning & Building Department.</p> <p>Operator</p> <p>Contractor</p>	<p>Make regular visits to the project site to ensure that all Biology Related Mitigations are implemented.</p> <p>Implement Mitigation</p> <p>Install Fence</p>		
<p>BIO-3: Avoid and reduce impacts to western pond turtles. To mitigate for potential presence and impacts to western pond turtles, prior to construction:</p>		<p>City of Fort Bragg Planning & Building Department.</p>			

<ul style="list-style-type: none"> • A qualified biologist shall train the construction and restoration supervisors in identifying and avoiding harm to the western pond turtle. 	Construction	Qualified Biologist	Implement Mitigation		
<p>BIO-4: Avoid and reduce impacts to northern red-legged frog. To assess presence and address potential impacts to northern red-legged frog within the BRAA the following mitigation are proposed:</p> <ul style="list-style-type: none"> • Prior to beginning construction, a qualified biologist shall train the construction and restoration supervisors in identifying and avoiding harm to northern red-legged frogs; • Grading work shall be limited to the dry period generally from July 1 to October 30. Work beyond October 30 may continue if approved by the Director of Public Works; and • After October 30, anytime there is a rain event of 0.10-inch or greater, construction work shall halt and a qualified biologist, approved by CDFW, shall survey the project site for northern red-legged frogs at least two days after the qualifying rain event, before construction activities can resume. 		City of Fort Bragg Planning & Building Department.	Insure Biology Mitigation is implemented.		
	Construction	Qualified Biologist Public Works approval Approval of CDFW	Implement Mitigation		

CULTURAL RESOURCES					
CUL-1: Avoidance of Cultural Resources Project proponents shall ensure that cultural resources are not adversely affected by ground disturbing activities within the sensitive area and buffer (100-foot).	During Construction	City of Fort Bragg Planning & Building Department.	Verify compliance with Mitigation Measure CUL-1.		
CUL-2: Unanticipated Discovery of Cultural Resources. If previously unidentified cultural resources are encountered during project implementation, all construction within 100 feet of the find shall be temporarily halted until the find is examined by a qualified professional archaeologist. Project personnel should not collect cultural resources. Prehistoric resources include, but are not limited to, chert or obsidian flakes, projectile points, mortars, pestles, and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources include stone or abode foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.	During Construction	City of Fort Bragg Planning & Building Department.	Halt construction if unidentified resources are found. Implement Mitigation Measure CUL-2.		
CUL-3: Prior to construction, the applicant shall hire a qualified tribal monitor to assist in implementation of mitigation measures. The monitor will be notified when construction begins and will inspect the construction area as necessary during work to ensure that the site is protected and to monitor for any new site discoveries. The monitor will notify the City of Fort Bragg and the State Historic Preservation Officer within 48 hours of any ESA violation or unanticipated discovery to determine how it will be addressed. After construction, the monitor shall supervise removal of the temporary fencing.	Prior to Construction	City of Fort Bragg Planning & Building Department. Cultural Resource Monitor	Check with Sherwood Valley Band of Pomo to determine if a monitor has been hired. Implement Mitigation Measure CUL-3		
CUL-4: Encountering Native American Remains. Although unlikely, if human remains are encountered, all construction must be temporarily halted within 100 feet of the discovered remains, and the County	During Construction	City of Fort Bragg Planning & Building Department.	Implement CUL-4 if required.		

<p>Coroner and a qualified archaeologist must be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission must be contacted by the coroner so that a “Most Likely Descendant” can be designated and further recommendations regarding treatment of the remains is provided.</p>					
GEOLOGY & SOILS					
	Mitigation Monitoring			Reporting	
Mitigation Measure	Schedule	Responsibility	Procedure	Comments	Date/Initial
<p>GEO-1: Compliance with the Geotechnical Exploration Recommendations. The project applicant shall implement all recommendations outlined in the Geotechnical Exploration, prepared by LACO Associates Inc., and attached as Appendix C. The recommendations shall avoid impacts to settlement and/or collapse when subjected to structural loading. The recommendations shall be implemented before construction commences and throughout project construction.</p>	Construction	City of Fort Bragg Planning & Building Department and Public Works Department	<p>Review grading permit for compliance with the Geotechnical Report.</p> <p>Conduct site visits to verify that all measures identified in the geotechnical report are implemented.</p>		
<p>GEO-2: Avoid and Minimize Impacts to Paleontological Resources. In the event paleontological or other geologically sensitive resources (such as fossils or fossil formations) are identified during any phase of project construction, all excavations within 100 feet of the find shall be temporarily halted until the find is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall notify the appropriate representative at the City of Fort Bragg who shall coordinate with the paleontologist as to any necessary investigation of the find. If the find is determined to be significant under CEQA, the City shall implement those measures which may include avoidance, preservation in place, or other appropriate measures, as outlined in Public Resources Code Section 21083.2.</p>	Construction	City of Fort Bragg Planning & Building Department.	Implement mitigation measure if a discovery is made.		

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HAZARDS AND HAZARDOUS MATERIALS					
HAZ-1: If the applicant proposes to use the existing well as a water source, the applicant shall obtain appropriate permits from the City of Fort Bragg prior to use of the well. The applicant shall be allowed to use the existing well in compliance with Fort Bragg Municipal Code Section 14.04.127 (Wells for Nondomestic Use), as well as Section 14.04.125 (Wells for Domestic Use), if applicable.	Construction	City of Fort Bragg Planning & Building Department.	Review permit for compliance with City requirements.		
HAZ-2: Clean-up Camp Site. Prior to construction, the applicant shall take actions necessary to evict campers from the site, and to remove all refuse and any impacted soils.	Prior to Construction	City of Fort Bragg Planning & Building Department.	Site visit to ensure camp site has been cleaned up.		
HYDROLOGY & WATER QUALITY					
HYD-1: Prepare and implement a Construction SWPPP. All proposed development associated with this project shall be compliant with the Fort Bragg Municipal Code (FBMC) Section 18.62 (Grading, Erosion and Sediment Control Standards), Section 18.64 [Urban Runoff Pollution Control] and Section 12.14 (Drainage Facility improvements). Prior to issuance of building permit, the: <ul style="list-style-type: none"> • Applicant shall execute an agreement with the City for the long-term maintenance of the post-construction BMPs identified in the plans, which shall remain functional in perpetuity. • Obtain approval from the Public Works Department if any construction is conducted between October and April (the rainy season). • Remove all construction debris/soil. 	Prior to Construction	City of Fort Bragg Department of Public Works.	Site visit to ensure HYD-1. Is implemented.		

<p>HYD-2: Prepare and implement an Industrial SWPPP. All proposed development associated with this project shall be compliant with the Fort Bragg Municipal Code (FBMC) Section 18.62 (Grading, Erosion and Sediment Control Standards), Section 18.64 [Urban Runoff Pollution Control] and Section 12.14 (Drainage Facility improvements). Prior to issuance of building permit, an Industrial SWPPP shall be submitted with the conditions listed below.</p> <ul style="list-style-type: none"> This project is subject to the Industrial General Permit (IGP), and an industrial SWPPP will be required. Submittal of draft IGP-SWPPP is required per Municipal Code Section 18.64 [Urban Runoff Pollution Control]. The SWPPP shall clearly identify industrial activities with the potential to pollute and the BMP's proposed to protect watershed. Applicant shall at all times practice good housekeeping to eliminate pollutants in discharges and stormwater flows. No hazardous materials shall be stored on site. In the event of a release of a hazardous material the responsible person or owner shall immediately notify emergency response officials of the occurrence via emergency dispatch services (911). In the event of a release of non-hazardous materials, the responsible person or owner shall notify the Public Works Department in person or by phone or email no later than 5:00 p.m. of the next business day. 	Prior to construction	City of Fort Bragg Public Works Department.	Implement HYD-2.		
	Construction & operations	City of Fort Bragg Public Works Department.	Implement HYD-2. Engage in Code enforcement if any violations occur or are reported.		

LAND USE AND PLANNING					
Mitigation Measure	Mitigation Monitoring			Reporting	
	Schedule	Responsibility	Procedure	Comments	Date/Initial
<p>LUP-1: Operating Standards.</p> <ul style="list-style-type: none"> ▪ The operation and facility shall be conducted and maintained to prevent the creation of any nuisance conditions. Measures to control nuisances shall be implemented as needed, or at the direction of the Community Development Director, and may include, but are not limited to regular maintenance and cleaning of the transfer area, vector control devices, and other measures necessary to control vectors. ▪ No solid waste will remain on-site in the transfer trailers longer than 24 hours to reduce odor transmission and vector issues. ▪ No solid waste odors shall be detectable beyond the facility's boundaries. In the event that odors are detectable beyond the immediate vicinity of the transfer trailers and re-load area, the operator shall take immediate action to prevent the further spread of the odor either by hauling the transfer trailer to an appropriate disposal site, sealing the transfer trailer, applying deodorizer, or utilizing other prevention or abatement measures. ▪ At the close of each operating day, all transfer trailers containing solid waste shall have the on-board tarp closed and covering the roof of the trailer and the rear doors shall be securely closed. ▪ To minimize noise transmission, the operator shall utilize the best available OSHA-compliant technology for all backup alarms for both route trucks and transfer trailers. The use of heavy equipment (other than trucks) shall be 	Operations	City of Fort Bragg Planning & Building Department.	Engage in Code enforcement as needed.		

<p>limited to the hours of 8:00 a.m. to 5:00 p.m. so that it occurs when ambient noise from the highway and other nearby industrial areas is also high.</p> <ul style="list-style-type: none"> ▪ Trucks shall be parked facing exit roads in the evenings, so that they can be driven from the site in the morning without requiring backing and the consequent backing beeping. ▪ The operator shall utilize portable litter fences around the direct transfer area to prevent and capture all windblown litter. ▪ The operator shall take measures to minimize the creation, emission, or accumulation of excessive dust and particulates. The operator shall minimize the unnecessary handling of wastes during transfer to prevent the creation of excessive dust. Measures to control dust should be implemented as needed or at the direction of the Community Development Director and may include but are not limited to reduced transferring during periods of high winds, daily sweeping and cleaning, and misting systems. 					
<p>LUP-2: All transfer trailer tarps shall be closed during any rain events to prevent the generation of any stormwater leachate.</p>	<p>Operations</p>	<p>City of Fort Bragg Planning & Building Dept.</p>	<p>Engage in code enforcement as needed.</p>		
<p>LUP-3: The applicant shall engage in a long term weed abatement program that includes hand and mechanical pulling of pampas grass on an annual basis prior to the blooming period and the removal of pulled plants from the property. Herbicide use is prohibited due to the sensitive and rare plants located on the site.</p>		<p>City of Fort Bragg Planning & Building Department.</p>	<p>Make regular visits to the project site to ensure Mitigation is implemented. Engage in code enforcement as needed.</p>		

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NOISE					
NOI-1: Construction Hours/Scheduling. The City shall specify on all grading, and construction permits that construction activities for all phases of construction, including servicing of construction equipment shall only be permitted during the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and between 9:00 a.m. to 5:00 p.m. on Saturdays. Construction shall be prohibited on Sundays and on all holidays.	Construction	City of Fort Bragg Planning & Building Department.	Make regular visits to the project site to ensure that all Noise related Mitigations are implemented.		
TRANSPORTATION					
TRA-1: Visibility to Sight Lines. The applicant shall ensure that all vegetation within and near the area encompassed by the sight lines be regularly mowed, clipped and maintained throughout project construction and operation. The applicant shall ensure the sight lines are not blocked from overgrown vegetation.		City of Fort Bragg Planning & Building Department.	Make regular visits to the project site to ensure that this transportation mitigation is implemented.		