

MITIGATION MONITORING AND REPORTING PROGRAM

Introduction

This Mitigation Monitoring and Reporting Program (MMRP) has been developed to ensure that mitigation measures and conditions of approval outlined in the Final Environmental Impact Report (FEIR) State Clearinghouse No. 2009081045 prepared for the Walmart Expansion Project. The MMRP has been prepared in conformance with Section 21081.6 of the Public Resources Code and the City of Lompoc Mitigation Monitoring requirements. Section 21081.6 of the State Public Resources Code states:

Section 1: Section 21081.6 is added to the Public Resources Code, to read. When making findings required by subdivision (a) of Section 21081 or when adopting a negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21081, the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The reporting of monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of an agency, prepare and submit a proposed reporting or monitoring report (emphasis added).

Section 2: No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act. The first component of the program satisfies the need to commit that the mitigating features added to the project through the environmental process have been incorporated into the plans, actual construction and operation of the project. The second component is that of providing the agency with information concerning the accuracy of impact predictions and the effectiveness of mitigation measures. This second component is required by Public Resources Code Section 21081.6 but is

necessary to enable agencies to improve their environmental procedures and protect the environment pursuant to directives provided through the California Environmental Quality Act (CEQA).

The mitigation measures contained in this document are categorized according to the primary environmental impact designations listed in the Draft Environmental Impact Report. In all, 49 mitigation measures are contained in the document and are shown in **Table 1, Mitigation Monitoring and Reporting Program**.

Mitigation Matrix

In order to effectively track and document the status of mitigation measures, a mitigation matrix has been prepared and includes the following components:

- Mitigation Measure
- Monitoring Action
- Responsible Party
- Source Document
- Monitoring Sequence
- Compliance Verification

The timing for implementing each mitigation measure has been apportioned into several specific timing increments. Of these, the most common are:

1. Prior to issuance of grading permit;
2. During grading operations;
3. Prior to completion of grading operations;
4. Prior to issuance of building permit(s);
5. During construction; and
6. Prior to occupancy.

Plan checking and verification of mitigation compliance shall be the responsibility of the City of Lompoc.

Information pertaining to compliance with mitigation measures, or any necessary modifications or refinements, will be documented in the comments portion of the matrix.

Mitigation Monitoring Procedures

The City of Lompoc is the designated lead agency for the Walmart Expansion Project MMRP. The City is responsible for review of all monitoring reports, enforcement actions, and document disposition. The City will rely on information provided by the monitor as accurate and up to date and will field check mitigation measure status as required.

A. In-Field Monitoring

Project monitors shall exercise caution and professional practices at all times when monitoring construction. Protective wear (hard hats, glasses, etc.) shall be worn at all times in construction areas. Injuries shall be reported immediately to the mitigation monitor.

B. Coordination with Contractors

The construction manager/superintendent is responsible for coordination of contractors, and is also responsible for contractor completion of required measures in accordance with the provisions of this program.

C. Recognized Experts

The use of recognized experts as a component of the monitoring team is required to ensure compliance with scientific and engineering based mitigation measures. While the mitigation monitoring team recognized experts assess compliance with required mitigation measures, consultation with the City of Lompoc planning staff shall take place in the event of a dispute.

D. Arbitration/Dispute Resolution

If the mitigation monitor has identified an action that, in the opinion of the monitor, has not been implemented, or has not been implemented correctly, the problem will be brought to the attention of the City for resolution. If City staff cannot satisfactorily resolve the problem, it will be brought before the CDD Director or designee for resolution.

E. Enforcement

Agencies may enforce conditions of approval through their existing police power, using stop work orders, fines, infraction citations, loss of entitlement, refusal to issue building permits or certificates of use and occupancy, or, in some cases, notice of violation for tax purposes. Criminal misdemeanor sanctions could be available where the agency has adopted an ordinance requiring compliance with the monitoring program, similar to the provision in many zoning ordinances which state the enforcement power to bring suit against violators of the ordinances provisions.

Additional enforcement provisions included required posting of a bond or other acceptable security in the amount of the required mitigation measures. In the event of non-compliance, the City could call the bond and complete the required mitigation measures.

F. Minor Alterations to the MMRP

Minor changes to the MMRP may be made by the CDD Director. Such changes shall not result in alteration of any mitigation measures, but shall be restricted to changes related to which phase of the MMRP (e.g., plan check, construction, pre-occupancy, post-occupancy) a mitigation measure is to be completed. Any such changes may be approved when it is found to be impractical to require completion of a mitigation measure during the phase specified in the MMRP.

Mitigation Measure	Source Document	Monitoring Action	Monitoring Sequence	Responsible Party/Dept.	Compliance Verification			
					Initial	Date	Comments	
<ul style="list-style-type: none"> Require the construction contractor to designate a person or persons to oversee the implementation of a comprehensive dust control program and to increase watering, as necessary. 								
PDF 4.1-2	Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB tier 2 or higher should be used to the maximum extent feasible.	EIR	Field Check	During Grading Operations During Construction	Engineering Division Building Division			
PDF 4.1-3	Diesel powered equipment should be replaced by electric powered equipment whenever feasible.	EIR	Field Check	During Grading Operations During Construction	Engineering Division Building Division			
PDF 4.1-4	If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters certified and/or verified by EPA or California.	EIR	Field Check	During Grading Operations During Construction	Engineering Division Building Division			
PDF 4.1-5	Catalytic converters shall be installed on gasoline-equipment, if feasible.	EIR	Field Check	During Grading Operations During Construction	Engineering Division Building Division			
PDF 4.1-6	All construction equipment shall be maintained in tune per manufacturer's specifications.	EIR	Field Check	During Grading Operations During Construction	Engineering Division Building Division			
PDF 4.1-7	The engine size of construction equipment shall be the minimum practical size.	EIR	Field Check	During Grading Operations During Construction	Engineering Division Building Division			

Mitigation Measure	Source Document	Monitoring Action	Monitoring Sequence	Responsible Party/Dept.	Compliance Verification		
					Initial	Date	Comments
PDF 4.1-8 The number of construction operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.	EIR	Field Check	During Grading Operations During Construction	Engineering Division Building Division			
PDF 4.1-9 Construction worker trips should be minimized by requiring carpooling and by providing lunch onsite.	EIR	Field Check	During Grading Operations During Construction	Engineering Division Building Division			
PDF 4.1-10 Applicant shall complete and submit an Asbestos Demolition/Renovation Notification (APCD Form ENF-28) for each regulated structure to be demolished or renovated. Demolition notifications are required regardless of whether asbestos is present or not. The completed notification should be presented or mailed to the Santa Barbara County Air Pollution Control District a minimum of 10 working days in advance notice prior to disturbing asbestos in a renovation or starting work on a demolition.	EIR	Plan Check	Prior To the Issuance of Building Permits	Santa Barbara County Air Pollution Control District Building Division			
PDF 4.1-11 The Walmart building shall be equipped with an energy management system that is monitored and controlled from the Home Office in Bentonville, Arkansas in order to enable Walmart to monitor energy usage, analyze refrigeration temperatures, observe HVAC and lighting performance, and adjust lighting, temperature, and/or refrigeration set points 24 hours per day, seven days a week.	EIR	Plan Check	Prior to Issuance of Building Permit	Building Division			

Mitigation Measure	Source Document	Monitoring Action	Monitoring Sequence	Responsible Party/Dept.	Compliance Verification		
					Initial	Date	Comments
<p>PDF 4.1-12 The Walmart building shall include:</p> <ul style="list-style-type: none"> Occupancy sensors shall be installed in non-sales floor areas. These sensors detect activity in a room and automatically turn off the lights when the space is unoccupied; and All lighting shall utilize T-8 fluorescent lamps and electronic ballasts in order to reduce the energy load by approximately 15 to 20 percent; and Non-hazardous, “low-mercury” lamps shall be used, and recycled (as appropriate and necessary). 	EIR	Plan Check	Prior to Issuance of Building Permit	Building Division			
<p>PDF 4.1-13 The proposed project shall install light colored “cool” roofs in order to lower the “cooling” load by about 8 percent.</p>	EIR	Plan Check	Prior to Issuance of Building Permit	Building Division			
<p>PDF 4.1-14 The project applicant shall provide information on energy reduction to employees.</p>	EIR	Plan Check	Energy Reduction Materials to Be Provided for Review Prior to Issuance of Building Permit	Building Division			
<p>PDF 4.1-15 The Walmart building shall use “super” high efficiency packaged HVAC units rated at an Energy Efficiency Ratio (EER) of approximately 12.1 (for 20-ton units) to 14.3 (for 3-ton units), which is approximately 4 to 17 percent more efficient than required by California Title 24.. In addition, the Walmart building shall include an active dehumidification, dedicated outdoor air system that allows Walmart to operate the store at a higher temperature, use less energy, and allow the refrigeration system to operate more efficiently.</p>	EIR	Plan Check	Prior to Issuance of Building Permit	Building Division			

Mitigation Measure	Source Document	Monitoring Action	Monitoring Sequence	Responsible Party/Dept.	Compliance Verification		
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PDF 4.1-16 Freezer doors shall have a film that combats condensation and requires no energy.	EIR	Plan Check	Prior to Issuance of Building Permit	Building Division			
PDF 4.1-17 The project shall install light emitting diodes (LEDs) for all externally illuminated building signage and in all low temperature refrigerated cases, which are over 70 percent more energy-efficient than fluorescent illumination. With lamp life ranging to 100,000 hours, using LEDs provides an extended life span of 12 to 20 plus years, and significantly reduces the need to manufacture and dispose of fluorescent lamps.	EIR	Plan Check	Prior to Issuance of Building Permit	Building Division			
PDF 4.1-18 The project shall use poured concrete with up to 25 percent fly ash in the exterior concrete mixes, and up to 40 percent of the mix as a combination of fly ash and ground granulated blast furnace slag.	EIR	Plan Check	Prior to Issuance of Building Permit	Building Division			
PDF 4.1-19 The project shall use combined heat and power in appropriate applications.	EIR	Plan Check	Prior to Issuance of Building Permit	Building Division			
PDF 4.1-20 The project shall use water-efficient landscaping in the parking areas.	EIR	Plan Check	Prior to Issuance of Grading Permit	Planning Division			
PDF 4.1-21 All new and existing restroom sinks shall include sensor-activated low-flow faucets.	EIR	Plan Check	Prior to Issuance of Building Permit	Building Division			
PDF 4.1-22 The project shall use R404a for the refrigeration equipment and R410a refrigerant for air conditions.	EIR	Plan Check	Prior to Issuance of Building Permit	Building Division			

Mitigation Measure	Source Document	Monitoring Action	Monitoring Sequence	Responsible Party/Dept.	Compliance Verification		
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PDF 4.1-23 The project shall restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.	EIR	Field Check	On-going	Building Division			
PDF 4.1-24 The project shall restrict the use of water for cleaning outdoor surfaces and vehicles.	EIR	Field Check	On-going	Building Division			
PDF 4.1-25 The project applicant shall provide education about water conservation and available programs and incentives to employees.	EIR	Plan Check	Education Materials to Be Provided for Review Prior to Issuance of Grading Permit	Planning Division			
PDF 4.1-26 The project shall: (1) reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard); (2) use approximately 96 percent recycled steel in building construction; and (3) provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.	EIR	Plan Check	Prior to Issuance of Grading Permit	Planning Division			
PDF 4.1-27 The project applicant shall provide education and publicity about reducing waste and available recycling services to employees.	EIR	Plan Check	Education Materials to Be Provided for Review Prior to Issuance of Grading Permit	Planning Division			
PDF 4.1-28 The project shall create travel routes that ensure that destinations may be reached conveniently by public transportation, bicycling or walking.	EIR	Plan Check	Prior to Issuance of Grading Permit	Planning Division			

Mitigation Measure	Source Document	Monitoring Action	Monitoring Sequence	Responsible Party/Dept.	Compliance Verification		
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PDF 4.1-29 The project shall provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience.	EIR	Plan Check	On-going	Planning Division			
PDF 4.1-30 The project shall limit idling time for commercial vehicles, including delivery and construction vehicles.	EIR	Field Check	During Grading Operations	Engineering Division			
			During Construction	Building Division			
TRAFFIC AND CIRCULATION							
PDF 4.3-1 The contractor shall conduct operations so as to cause the minimum obstruction and inconvenience to traffic and to residences adjacent to the work. No greater quantity of work shall be under construction at any one time than can be properly conducted with due regard for the rights of the public.	EIR	Field Check	During Grading Operations	Engineering Division			
			During Construction	Building Division			
PDF 4.3-2 Convenient access to driveways, houses, and buildings along the line of work shall be maintained.	EIR	Field Check	During Grading Operations	Engineering Division			
			During Construction	Building Division			
PDF 4.3-3 Streets shall not be closed to traffic without approval of the City Engineer, and then only for as short a period as possible to complete the work. All closed streets shall be barricaded at all intersecting streets with Type III barricades, which shall be illuminated at night by a flashing device.	EIR	Field Check	During Grading Operations	Engineering Division			
			During Construction	Building Division			
PDF 4.3-4 Safe, adequate pedestrian access to all residences, places of business, and other establishments affected by the work shall be provided and maintained by the contractor at all times.	EIR	Field Check	During Grading Operations	Engineering Division			
			During Construction	Building Division			

Mitigation Measure	Source Document	Monitoring Action	Monitoring Sequence	Responsible Party/Dept.	Compliance Verification		
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PDF 4.3-5 The contractor shall provide safe, adequate crossings for pedestrians at each street intersection, cross street, and pedestrian crossing.	EIR	Field Check	During Grading Operations During Construction	Engineering Division Building Division			
PDF 4.3-6 The contractor shall expedite the passage of any necessary traffic around the work.	EIR	Field Check	During Grading Operations During Construction	Engineering Division Building Division			
PDF 4.3-7 The contractor shall furnish, install and maintain signs, detours, lights, flares, and barricades, and shall furnish flagmen and other facilities for the convenience and direction of public traffic.	EIR	Field Check	During Grading Operations During Construction	Engineering Division Building Division			
PDF 4.3-8 Spillage resulting from hauling or ditching operations along or across any public traveled way shall be removed daily at the contractor's expense. Any spoils piles, bedding gravel, base material etc., shall be placed as far out of the traveled way as possible and removed within 24 hours. No material or equipment shall be stored where it will interfere with the free and safe passage of public traffic. The contractor shall remove all equipment and other obstructions from that portion of the roadway open for use by public traffic at the end of each day's work and at other times when construction operations are suspended for any reason.	EIR	Field Check	During Grading Operations During Construction	Engineering Division Building Division			
PDF 4.3-9 The contractor shall promptly restore normal facilities for the convenience of access by the public including restoration of sidewalks, driveways, and similar types of access, and the prompt removal of excess materials from streets and parkways when a reasonable portion of the work in any location has been completed.	EIR	Field Check	During Grading Operations During Construction	Engineering Division Building Division			

Mitigation Measure	Source Document	Monitoring Action	Monitoring Sequence	Responsible Party/Dept.	Compliance Verification		
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<p>MM 4.3-1 The proposed project shall contribute it's fair share contribution to the City's improvement plan for the H Street/Central Avenue intersection. The City identified improvements for the H Street/Central Avenue intersection include the installation of dual left-turn lanes on the northbound and southbound approaches at the intersection.</p> <p>The proposed project's fair share contribution shall be 12.8 percent of the total cost of the intersection improvement in current dollars. Payment of fees shall occur prior to issuance of building permits.</p>	EIR	Plan Check	Prior to the Issuance of Building Permits	Engineering Division Building Division			
HAZARDS AND HAZARDOUS MATERIALS							
<p>MM 4-6-1 While not known to occur on site, if contaminated soil and/or groundwater is encountered during the removal of on-site debris or during excavation and/or grading both on and off site, the construction contractors shall stop work and immediately inform the City of Lompoc. An environmental hazardous materials professional shall be contracted to conduct an on-site assessment. If the materials are determined to pose a risk to the public or construction workers, the construction contractor shall prepare and submit a remediation plan to the appropriate agency and comply with all federal, state, and local laws. Soil remediation methods could include excavation and on-site treatment, excavation and off-site treatment or disposal, and/or treatment without excavation. Remediation alternatives for cleanup of contaminated groundwater could include in-situ treatment, extraction and on-site treatment, or extraction and off-site treatment and/or disposal. Construction plans shall be modified or postponed to ensure construction will not inhibit remediation activities and will not expose the public or construction workers to hazardous conditions.</p>	EIR	Field Check	During Grading Operations During Construction	Engineering Division Building Division			

Mitigation Measure	Source Document	Monitoring Action	Monitoring Sequence	Responsible Party/Dept.	Compliance Verification		
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MM 4-6-2 All residual hazardous materials and contaminated construction material removed prior to and during demolition of the Tire and Lube Express shall be properly disposed of according to state and federal law.	EIR	Field Check	During Grading Operations During Construction	Engineering Division Planning Division			
CULTURAL RESOURCES							
MM CR-1 In the event that archaeological resources are unearthed during project subsurface activities, all earth-disturbing work within a 200-meter radius shall be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume. The appropriate measures may be as limited as recording the resource with the California Archaeological Inventory database or as extensive as excavation, recordation, and preservation of the sites that have outstanding cultural or historic significance.	EIR	Field Check	During Grading Operations	Planning Division			
MM CR-2 In the event that paleontological resources are unearthed during project subsurface activities, all earth-disturbing work within a 100-meter radius shall be temporarily suspended or redirected until a paleontologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume. The appropriate measures may be as limited as recording the resource with the California Archaeological Inventory database or as extensive as excavation, recordation, and preservation of the sites that have outstanding paleontological significance.	EIR	Field Check	During Grading Operations	Planning Division			

Mitigation Measure	Source Document	Monitoring Action	Monitoring Sequence	Responsible Party/Dept.	Compliance Verification		
					Initial	Date	Comments
MM CR-3 If human remains are accidentally discovered or recognized during construction, all excavation and ground-disturbing work on or adjacent to the project site (or area of discovery) shall stop immediately. The County Coroner shall be contacted, and the Native American Heritage Commission shall be notified immediately, and their recommendations and requirements adhered to prior to continuation of construction activity.	EIR	Field Check	During Grading Operations	Planning Division			
GEOLOGY AND SOILS							
MM GEO-1 All new or rehabilitated structures shall be designed in accordance with the current seismic design parameters in the California Building Code (CBC), as well as adherence to the most current state, County, and City standards for earthquake-resistant construction.	EIR	Plan Check	Prior to the Issuance of Building Permits	Building Division			
MM GEO-2 The project shall comply with all of the recommendations contained in the Earth Systems Pacific's 2007 Soils Engineering Report Wal-Mart No. 1989-06 Expansion pertaining to site preparation, grading, trench backfill, foundations, interior slabs-on-grade and exterior pedestrian flatwork, retaining wall, pavement sections, and drainage around improvements (contained on pages 17 through 35 of the Earth Systems Pacific report.)	EIR	Plan Check Field Check	Prior to the Issuance Grading Permits	Engineering Division			
HYDROLOGY AND WATER QUALITY							
MM HYD-1 A Notice of Intent shall be filed with the SWPPP, meeting all the requirements of the currently adopted Construction General Permit, shall be submitted to the City Planning Division and the City Engineering Division for review. No grading shall take place until a SWPPP for the project has been approved, a grading permit has been issued, and the approved SWPPP is located on site and implemented.	EIR	Plan Check	Prior to Issuance of Grading Permits	Planning Division Engineering Division			

Mitigation Measure	Source Document	Monitoring Action	Monitoring Sequence	Responsible Party/Dept.	Compliance Verification		
					Initial	Date	Comments
<p>MM HYD-2</p> <p>The proposed project shall be modified to include post-construction water-quality control measures, as required in the City's Storm Water Management Program, which was conditionally approved at the Regional Water Quality Control Board hearing on October 17, 2008, to offset the impact of the additional impervious area proposed. These measures include the following:</p> <ul style="list-style-type: none"> • Filters that remove sediment, oil, grease, and trash shall be provided to treat all storm water that will drain to the City's storm drain system from on-site paved areas and private streets. The location, type, and details of the filters proposed shall be shown on the project's erosion control plan and grading and drainage plans, which shall be reviewed by the City Planning and Engineering Divisions prior to issuance of grading permits. • Adequate maintenance and replacement of storm water filters shall be ensured. Filters shall be adequately maintained and replaced, per manufacturer's specifications. Filters must be cleaned out at least twice a year, before and after the rainy season. At any time filters are not functioning correctly and water is ponding as a result, the filters shall be cleaned out and replaced, if necessary. • No pollutants, including, but not limited to, sediment, chemicals, trash and contaminated storm water shall be discharged from private property (or other property where they could be transported) into City property, the City's storm drain system, streets, storm channels, or waterways, either during or after construction. • All roof drains and gutters draining the portion of the building which is altered or added, shall drain to landscaping or to properly installed and maintained rain barrels. 	EIR	Plan Check	Prior to Issuance of Grading Permit	Planning Division Engineering Division			

Mitigation Monitoring and Reporting Program

Mitigation Measure	Source Document	Monitoring Action	Monitoring Sequence	Responsible Party/Dept.	Compliance Verification		
					Initial	Date	Comments
<ul style="list-style-type: none"> All new landscaping shall be drought tolerant and low maintenance. 							

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