

22.0 MITIGATION MONITORING AND REPORTING PROGRAM

The purpose of this chapter is to summarize the mitigation measures proposed as part of the WesPac Energy–Pittsburg LLC (WesPac) Pittsburg Energy Infrastructure Project (project) to ensure that potential environmental impacts are minimized to less-than-significant levels or otherwise minimized, as feasible. As the Lead Agency under the California Environmental Quality Act (CEQA), the City of Pittsburg (City) is required to adopt a program for monitoring and reporting regarding the implementation of mitigation measures for this project, if it is approved, to ensure that the adopted mitigation measures are implemented as defined in this Environmental Impact Report (EIR). This Lead Agency responsibility originates in Public Resources Code Section 21081.6(a) (Findings), and State CEQA Guidelines Sections 15091(d) (Findings) and 15097 (Mitigation Monitoring or Reporting).

22.1 MONITORING AUTHORITY

The purpose of a Mitigation Monitoring and Reporting Program (MMRP) is to ensure that measures adopted to mitigate or avoid significant impacts are implemented. This City is responsible for enforcing the procedures adopted for monitoring; however, the City may delegate duties and responsibilities for monitoring to other environmental monitors or consultants as deemed necessary, and some monitoring responsibilities may be assumed by responsible agencies. The number of monitors assigned to the project would depend on the number of concurrent mitigation measure requirements. The City or its designee(s), however, would ensure that each person delegated any duties or responsibilities is qualified to monitor compliance.

22.2 ENFORCEMENT RESPONSIBILITY

The City is responsible for enforcing the procedures adopted for monitoring through the designated environmental monitor assigned to the project. Any assigned environmental monitor shall note problems with monitoring, notify appropriate agencies or individuals about any problems, and report the problems to the City or its designee(s).

22.2.1 Compliance Responsibility

WesPac and its contractors, including construction personnel and environmental monitors, would be responsible for successfully complying with all conditions described in the final Mitigation Monitoring and Reporting Plan, environmental

commitments (as described in Section 2.7 of Chapter 2.0: Proposed Project and Alternatives), and all other plans and permits associated with this project. During construction of the project, a copy of all project plans and permits would be available at the WesPac Energy–Pittsburg Terminal. Mitigation success thresholds would be established by applicable agencies with jurisdiction through the permit process and through the review and approval of specific plans for the implementation of mitigation measures.

In addition to ensuring implementation of all measures described above, WesPac would be responsible for complying with any additional protection measures that may be required by other agencies and applicable laws. Furthermore, WesPac would be responsible for ensuring that any deviation from the procedures identified under the final mitigation monitoring and reporting plan are approved by the City or by the applicable responsible agency. Any deviation and its correction shall be reported immediately to the City or its designee by the environmental monitor assigned to the project.

22.3 MITIGATION MONITORING CHECKLIST FORMAT

While the actual formulation of a specific MMRP would not be completed unless and until this EIR is certified, Table 22-1 is a representation of the proposed framework that would be utilized for tracking compliance with adopted mitigation measures for reducing significance of project impacts. Upon certification of the EIR, Table 22-1 would be completed and adopted as the final MMRP. The checklist would include spaces for identifying—and verifying with signature and date—the following information (by column):

- Impact (this column would include each identified impact number and title, as it is presented in the EIR);
- Mitigation Measure (this column would include each identified mitigation measure number and full text, as it is presented in the EIR);
- Monitoring/Reporting Action (this column would describe the action to be taken by the monitor or Lead Agency);
- Timing (this column would describe any implementation timing requirements, such as before, during or after construction, during operation, etc.); and
- Responsible Agency (this column would describe the entity responsible for carrying out each mitigation measure).

Mitigation measures adopted as part of the final MMRP would be implemented in addition to the environmental commitments, as described in Chapter 2.0: Proposed Project and Alternatives, which WesPac would implement as part of the project design.

Table 22-1: Mitigation Monitoring and Reporting Program Checklist

Impact	Mitigation Measure(s)	Monitoring			Verification	
		Monitoring/Reporting Action	Timing	Responsible Agency	Signature	Date
<i>Aquatic Resources</i>						
<i>Terrestrial Resources</i>						
<i>Cultural Resources</i>						
<i>Public Services and Utilities</i>						
<i>Land Transportation</i>						