

Mitigation Monitoring and Reporting Program

# Draft Mitigation Monitoring and Reporting Program

This document is the Mitigation Monitoring and Reporting Program (MMRP) for the Ojai Water System Improvements Project proposed by the Casitas Municipal Water District. CEQA requires a reporting or monitoring program be adopted for the conditions of project approval which are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). This mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Final Initial Study-Mitigated Negative Declaration (Final IS-MND), specifications are made herein which identify the action required and the monitoring which must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in this Mitigation Monitoring and Reporting Program.

In addition to ensuring implementation of mitigation measures, the MMRP provides feedback to agency staff and decision-makers during project implementation, and identifies the need for enforcement action before irreversible environmental damage occurs.

The following table identifies each mitigation measure included in the Final IS-MND, the action required for the measure to be implemented, the time at which the monitoring is to occur, the monitoring frequency, and the agency or party responsible for ensuring the monitoring is performed. In addition, the table includes columns for compliance verification. These columns will be filled out by the monitoring agency or party and would document monitoring compliance. Where an impact was identified to be less than significant, no mitigation measures were required.

Mitigation Measure/				Compliance Verification				
Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Initial	Date	Comments		
BIOLOGICAL RESOURCES								
BIO-1: Avoid Work above San Antonio Creek during the	e Rainy Season							
Project activities associated with pipe replacement on the bridge above San Antonio Creek shall not occur during the rainy season (December 1 to April 1), to avoid work when higher flows and steelhead could be present. If activities at this location must occur during the rainy season, a pre-activity survey shall be conducted by a qualified fisheries biologist to determine if flow conditions are suitable for steelhead passage. If flow conditions are not suitable, pipeline replacement can proceed and the activity should be monitored by a qualified biologist, as needed, to confirm flow conditions do not change during the project activity. If flow conditions are suitable for steelhead passage, pipeline replacement shall be postponed until a qualified biologist determines the conditions are no longer suitable and the species is not likely to be present.	Avoid project activities associated with pipe replacement on the bridge above San Antonio Creek between December 1 and April 1. Retain a qualified fisheries biologist to conduct pre-activity surveys.	Avoid rainy season construction above San Antonio Creek throughout project construction. Retain a qualified fisheries biologist prior to any pipe replacement over San Antonio Creek between December 1 and April1.	Casitas Municipal Water District					
BIO-2: Worker Environmental Awareness Program								
Prior to initiation of all construction activities (including staging and mobilization), all personnel associated with project construction shall attend a Worker Environmental Awareness Program (WEAP) training, conducted by a qualified biologist, to aid workers in recognizing special status biological resources potentially occurring in the project area. This training will include information about southern California steelhead, San Bernardino ringneck snake, coast patch-nosed snake, and hoary bat, as well as other special-status species with potential to occur in the project area. The specifics of this program shall include identification of special-status species and habitats, a description of the regulatory status and general	Retain a qualified biologist to conduct WEAP. Verify all employees have signed a form documenting attendance of the WEAP.	Retain a qualified biologist to conduct WEAP and document attendance prior to initiation of all construction activities.	Casitas Municipal Water District					

Mitigation Measure/				Compliance Verification			
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ecological characteristics of special-status resources, and review of the limits of construction and measures required to avoid and minimize impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employees, and other personnel involved with construction of the project. All employees shall sign a form provided by the trainer documenting they have attended the WEAP and understand the information presented to them. The crew foreman shall be responsible for ensuring crew members adhere to the guidelines and restrictions designed to avoid impacts to special- status species.							

#### **BIO-3: Pre-Construction Wildlife Surveys**

Within one week prior to the commencement of project activities, a qualified wildlife biologist shall conduct pre-construction surveys in portions of the access and construction area, particularly those containing natural vegetation. The surveys will be conducted within the project footprint locations specified below. A 50-foot buffer around the project footprint will be surveyed with inaccessible areas (i.e., private lands) surveyed with binoculars, as practicable.

A qualified biologist will conduct a survey within the following locations of the project footprint: Heidelberger Tank, 100 feet east and west San Antonio Creek at Grand Avenue, adjacent to the daylighted portions of Fox Canyon Barranca and Stewart Canyon Creek, and within the disturbed oak woodland habitat in Unit B (if trenching is to occur in this area). The biologist will document existing conditions and search for special-status species (i.e., San Bernardino ringneck snake and coast patch-nosed snake). If San Bernardino ringneck snake and coast patch-nosed snake are found, individual animals shall Retain a qualified wildlife biologist and verify that they have conducted a pre-construction survey in designated locations of project footprint.

Verify protective measures (relocation) are adhered to if San Bernardino ringneck snake or coast patch-nosed snake are found. Not more than one week prior to commencement of project activities, verify that qualified biologist has conducted surveys. Immediately following discovery of special-status species, verify that

relocation

place.

measures take

Casitas Municipal Water

District

Mitigation Measure/				Compliance Verificat		
Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Initial	Date	Comments
be relocated to similar habitat away from construction activities, at least 200 feet from any area of project construction.						
BIO-4: Night Construction Avoidance						
Night-time construction shall be avoided adjacent to San Antonio Creek, daylighted portions of Fox Canyon Barranca, and daylighted portions of Stewart Canyon Creek as practicable, to avoid impacts to special- status wildlife in and near these drainages.	Review project construction schedule to verify that nighttime construction is avoided adjacent to the designated barrancas and creeks.	Review construction schedule prior to commencement of construction activities.	Casitas Municipal Water District			
BIO-5: Night Lighting						
If construction must occur at night (between dusk and dawn), all lighting will be shielded and directed downward to minimize the potential for glare or spillover onto adjacent properties and to reduce impacts on local wildlife.	Verify through periodic site visits lighting is shielded and directed downward during any necessary night construction.	Verify lighting measures are adhered to during any night work throughout project construction.	Casitas Municipal Water District			
BIO-6: Nesting Bird Season Avoidance						
To avoid disturbance of nesting and special-status birds, including raptor species protected by the Migratory Bird Treaty Act and California Fish and Game Code 3503, activities related to the project including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season for migratory birds (February 1 through August 31), if practicable.	Review project construction schedule to verify that ground- disturbance, vegetation removal, and construction and demolition are avoided between February 1 and August 31 to the extent practicable.	Review project construction schedule prior to commencement of construction activities.	Casitas Municipal Water District			

Mitigation Measure/				<b>Compliance Verification</b>				
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BIO-7: Nesting Birds								
If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than seven days prior to initiation of ground disturbance and vegetation removal activities. The nesting bird pre-construction survey shall be conducted on foot inside the project footprint, including a 100-foot buffer (300-foot for raptors), and in inaccessible areas (e.g., private lands) from afar using binoculars to the extent practicable. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in southern California coastal communities. If nests are found, an avoidance buffer (dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the qualified biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground- disturbing activities shall occur inside this buffer until the avian biologist has confirmed breeding/nesting is completed, and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.	Limit all initial ground disturbing activities, including vegetation removal, to the time period between September 1 and January 31. Verify a qualified biologist has prepared a pre-construction nesting bird survey if initial site disturbance cannot be conducted during the time specified above. Verify the specified protective measures are in place to document compliance with applicable state and federal laws and MBTA and California Fish and Game Code requirements pertaining to protection of native birds.	Verify performance of a nesting bird pre-construction survey no more than seven days prior to initial ground disturbance and vegetation removal. Immediately following discovery of any active nests, verify that appropriate buffers have been established pursuant to the requirements of the mitigation measure.	Casitas Municipal Water District					

### **BIO-8: Disturbance Area**

Areas of temporary disturbance shall be minimized to the extent practicable.

Review all project construction plans to verify that temporary disturbance area is minimized to the extent practicable. Review project construction plans prior to commencement of construction activities. Casitas Municipal Water District

# Casitas Municipal Water District Ojai Water System Improvements Project

Mitigation Massuro/				Comp	erification	
Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Initial	Date	Comments
BIO-9: Staging Equipment						
Staging and laydown areas shall be unvegetated areas and previously disturbed sites only.	Review project construction plans to verify that all staging areas are located in unvegetated and previously disturbed areas.	Review project construction plans prior to commencement of construction activities.	Casitas Municipal Water District			
BIO-10: Pollutant Management						
All vehicles and equipment shall be in good working condition and free of leaks. The contractor shall prevent oil, petroleum products, or any other pollutant from contaminating the soil or entering a watercourse (dry or otherwise). When vehicles or equipment are stationary, mats or drip pans shall be placed below vehicles to contain fluid leaks.	Verify through periodic site visits equipment is in good working condition and pollution prevention measures are implemented as specified in the mitigation measure.	Conduct periodic site visits continuously during construction activities.	Casitas Municipal Water District			
BIO-11: Material Storage						
Materials shall be stored on impervious surfaces or plastic ground covers to prevent any spills or leakage. Material storage shall be at least 100 feet from San Antonio Creek, and daylighted portions of Fox Canyon Barranca, and Stewart Canyon Creek. Any material/spoils from project activities shall be located and stored 100 feet from potential jurisdictional areas (San Antonio Creek, Fox Canyon Barranca, and Stewart Canyon Creek). Construction materials and spoils shall be protected from stormwater run-off using temporary perimeter sediment barriers such as berms, silt fences, fiber rolls, covers, sand/gravel bags, and straw bale barriers, as appropriate.	Verify through periodic site visits material storage measures, including use of temporary perimeter sediment barriers, have been implemented.	Conduct periodic site visits continuously during construction activities.	Casitas Municipal Water District			

Mitigation Measure/				Compliance Verificat		
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BIO-12: Tracking Loose Material						
Implement Best Management Practices (BMPs) to prevent the off-site tracking of loose construction and landscape materials such as street sweeping, vacuuming, and rumble plates, as appropriate.	Verify through periodic site visits implementation of BMPs to prevent off-site tracking of loose material.	Conduct periodic site visits continuously during construction activities.	Casitas Municipal Water District			
BIO-13: Pollution Prevention						
Prevent the discharge of silt or pollutants off of the site when working adjacent to potentially jurisdictional waters. Install BMPs (i.e., silt barriers, sand bags, straw bales) as appropriate.	Verify through periodic site visits implementation of BMPs to prevent discharge of silt or pollutants during construction adjacent to potentially jurisdictional waters.	Conduct periodic site visits continuously during construction activities.	Casitas Municipal Water District			
BIO-14: Site Materials and Refuse Management						
All food related trash shall be disposed of in closed containers and removed from the project area each day during the construction period. Construction personnel shall not feed or otherwise attract wildlife to the construction area. At project completion, all project-generated debris, vehicles, building materials, and rubbish shall be removed from the project footprint.	Verify through periodic site visits adherence to trash disposal and refuse management measures specified in the mitigation measure. Verify removal of all debris, vehicles, building materials, and rubbish from project footprint.	Conduct periodic site visits continuously during construction activities. Verify post- construction debris removal once, at project completion.	Casitas Municipal Water District			
BIO-15: Re-fueling and Maintenance						
All re-fueling, cleaning, and maintenance of equipment will occur at least 100 feet from San Antonio Creek and other potentially jurisdictional waters (Fox Canyon Barranca, Stewart Canyon Creek).	Verify through periodic site visits re-fueling, cleaning, and maintenance activities do not occur within 100 feet of potentially jurisdictional waters.	Continuously during construction activities.	Casitas Municipal Water District			

# Casitas Municipal Water District Ojai Water System Improvements Project

Mitigation Measure/				Compliance Verificatio			
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BIO-16: Responding to Spilled Materials							
Any spillage of material will be stopped if it can be done safely. The contaminated area will be cleaned, and any contaminated materials properly disposed. For all spills, the project foreman or other designated liaison will notify CMWD immediately.	Identify designated liaison and review spill response procedures.	Prior to commencement of construction activities.	Casitas Municipal Water District				
BIO-17: Arborist Study							
<ul> <li>Prior to obtaining a permit from either jurisdiction, an Arborist Study shall be conducted within portions of the project footprint occurring within 20 feet of the canopy drip line of protected trees. The study shall plot the location of protected trees in this zone, identify each protected tree, and determine the jurisdiction of any trees to be impacted. An Arborist Report shall be prepared by a Certified Arborist in compliance with both the City of Ojai and County of Ventura ordinance guidelines. Specifically, the Arborist Report shall include, at minimum, the following:</li> <li>An inventory of all trees containing a canopy drip line within 20 feet of the project footprint, as feasible without trespassing on private lands. Inventory data should record, at minimum: diameter at breast height (DBH), height, canopy cover information/mapping, health and vigor rating</li> <li>Representative photographs of each regulated tree proposed to be encroached upon within the disturbed oak woodland footprint</li> <li>Description of proposed site development activities including, but not limited to, excavation for trenching, any tree trimming for access, and construction access routes</li> <li>A project-specific Tree Protection Plan (TPP) shall be prepared which would at a minimum</li> </ul>	Retain a Certified Arborist to complete an Arborist Study containing the requirements specified in the mitigation measure, including a project- specific TPP. Submit the Arborist Study to the appropriate department of the City of Ojai and County of Ventura in compliance with applicable tree permit application procedures.	Retain a Certified Arborist and complete and submit the Arborist Study to the applicable jurisdiction prior to commencement of any tree-disturbing activities.	Casitas Municipal Water District				

Mitigation Measure/				Compliance Verificat			
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include site plans, protective tree fencing, the designated tree protection zone (identifying an area sufficiently large enough to protect the tree and its roots from disturbance), activities prohibited/permitted within the tree protective zone, encroachment boundaries, and potential transplanting or replacement tree plantings The Arborist Report shall be submitted to the appropriate department of the City of Ojai or County of Ventura for approval prior to the start of any tree- disturbing construction activities, as necessary.							
CULTURAL RESOURCES		_		-	-	-	
CUL-1: Archaeological Monitoring							
Ground-disturbing activities shall be monitored by a qualified archaeologist within the mapped boundary of P-56-000061, as well as within a 100-foot radius of the site. Additionally, archaeological monitoring shall be conducted for ground disturbance occurring within 100-feet of the mapped boundaries of P-56- 000137, P-56-001779 and P-56-001151. The archaeological monitor shall work under the direction of an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (National Park Service 1983). If cultural resources are encountered during ground-disturbing activities, work in the immediate area shall halt and the find shall be evaluated for significance under CEQA.	Verify a qualified archaeologist has been obtained for the project. Verify work in the immediate area of any cultural resources discoveries has halted until the find has been evaluated.	Verify a qualified archaeologist has been obtained prior to commencement of ground- disturbing activities. Verify work has ceased in the immediate area of any finds immediately following discovery of any cultural resources, as needed.	Casitas Municipal Water District				
CUL-2: Native American Monitoring							
Ground-disturbing activities shall be observed by a Native American monitor within the mapped boundary of P-56-000061 as well as within a 100-foot	Verify a Native American monitor has been obtained for the project.	Verify a Native American monitor has been obtained	Casitas Municipal Water District				

Mitigation Measure/				Comp	erification	
Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Initial	Date	Comments
radius of the site. Further, Native American monitoring shall be conducted within 100-feet of the mapped boundaries of P-56-000137 and P-56- 001779. If cultural resources are encountered during ground-disturbing activities, work in the immediate area shall halt and the find shall be evaluated by an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (National Park Service 1983) for significance under CEQA.	Verify that work in the immediate area of any cultural resources discoveries has halted until the find has been evaluated.	prior to commencement of ground-disturbing activities. Verify work has ceased in the immediate area of any finds immediately following discovery of any cultural resources, as needed.				
CUL-3: Unanticipated Discovery of Cultural Resources						
If cultural resources are encountered during ground- disturbing activities, work in the immediate area must halt, and an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (National Park Service 1983) shall be contacted immediately to evaluate the find. If the discovery proves to be significant under CEQA, additional work such as data recovery excavation, Native American consultation, and archaeological monitoring may be warranted to mitigate any significant impacts.	Verify a qualified archaeologist has been obtained for the project. Verify that work in the immediate area of any cultural resources discoveries has halted until the find has been evaluated.	Verify a qualified archaeologist has been obtained prior to commencement of ground- disturbing activities. Verify work has ceased in the immediate area of any finds immediately following discovery of any cultural resources, as needed.	Casitas Municipal Water District			

## GEOLOGY AND SOILS

## **GEO-1:** Paleontological Resources

Mitigation Measure/				Comp	liance Ve	erification
Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Initial	Date	Comments
Prior to the commencement of ground disturbing activities within previously undisturbed portions of the project area, a qualified professional paleontologist shall be retained to conduct paleontological monitoring during project ground disturbing activities. The Qualified Paleontologist (Principal Paleontologist) shall meet Ventura County's (2010) Minimum Qualifications for Paleontological Consultants, including possession of at least Bachelor's Degree or equivalent work experience in paleontology, knowledge of the local paleontology, and experience with paleontological procedures and techniques. Ground disturbing construction activities (including grading, trenching, drilling with an auger greater than three feet in diameter, and other excavation) within project areas with high paleontological sensitivity (i.e., Sespe Formation, Ts; Coldwater Sandstone, Tcw; and, Pleistocene alluvium, Qpa) shall be monitored on a full-time basis. Spot-check monitoring is recommended for project areas underlain by geologic units with low paleontological sensitivity (i.e.,	Verify that a qualified paleontologist meeting the standards specified in the mitigation measure has been obtained for the project. Verify that paleontological monitoring occurs in accordance with the recommendations of the qualified paleontologist. Verify work in the immediate vicinity of a paleontological resource discovery is halted and the qualified paleontologist is notified to evaluate the find. Verify proper curation of any significant paleontological resource discoveries.	Verify a qualified paleontologist has been obtained prior to commencement of ground- disturbing activities. Verify paleontological monitoring throughout ground- disturbing activities. Verify work has halted immediately following discovery of a paleontological resource, as needed.	Casitas Municipal Water District			
Holocene alluvium; Qha, Qhf, Qw) to determine if underlying sensitive units are being impacted. Monitoring shall be supervised by the Qualified Paleontologist and shall be conducted by a qualified paleontological monitor, who is defined as an individual who meets the minimum qualifications per standards set forth by the Society of Vertebrate Paleontology (2010), which includes a B.S. or B.A. degree in geology or paleontology with one year of monitoring experience and knowledge of collection and salvage of paleontological resources. The duration and timing of the monitoring shall be determined by the Qualified Paleontologist. If the Qualified Paleontologist determines full-time monitoring is no longer warranted, he or she may recommend to reduce monitoring to periodic spot-	Obtain a final paleontological monitoring report and verify the report is submitted to the designated museum repository.	Verify proper curation of a significant paleontological resource following evaluation by the qualified paleontologist, as needed. Obtain final report and verify submittal to designated repository once following project				

Mitigation Measure/				Compliance Verif			
Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Initial	Date	Comment	
checking or cease monitoring entirely. Monitoring		completion.					
would be reinstated if any new ground disturbances							
are required and reduction or suspension would need							
to be reconsidered by the Qualified Paleontologist.							
If a paleontological resource is discovered, the							
monitor shall have the authority to temporarily divert							
the construction equipment around the find until it is							
assessed for scientific significance and collected. If a							
paleontological resource is discovered during							
construction, construction activities must halt in the							
area of the discovery, the Qualified Paleontologist							
shall be notified, and a site evaluation shall be							
conducted as necessary to assess the site and							
determine further mitigation measures, as							
appropriate. Once salvaged, significant fossils shall be							
prepared to a curation-ready condition and curated in							
a scientific institution with a permanent							
paleontological collection (such as the LACM).							
Curation fees are the responsibility of the project							
owner.							
A final report shall be prepared describing the results							
of the paleontological monitoring efforts associated							
with the project. The report shall include a summary							
of the field and laboratory methods, an overview of							
the project geology and paleontology, a list of taxa							
recovered (if any), an analysis of fossils recovered (if							
any) and their scientific significance, and							
recommendations. The report shall be submitted to CMWD. If the monitoring efforts produced fossils,							
then a copy of the report shall also be submitted to							
the designated museum repository.							

## HAZARDS AND HAZARDOUS MATERIALS

#### HAZ-1: Hazardous Materials Management and Spill Control Plan

Before construction begins, the construction contractor shall submit to CMWD for review and

Verify completion of and review a C Hazardous Materials th

Obtain and review the HMMSCP prior

Casitas Municipal Water District

Mitigation Measure/				Comp	liance Ve	rification
Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Initial	Date	Comments
approval a Hazardous Materials Management and Spill Control Plan (HMMSCP) that includes a project- specific contingency plan for hazardous materials and waste operations. The HMMSCP shall establish policies and procedures consistent with applicable codes and regulations, including but not limited to the California Building and Fire Codes, as well United States Department of Labor OSHA and California OSHA regulations. The HMMSCP shall articulate hazardous materials handling practices to prevent the accidental spill or release of hazardous materials.	Management and Spill Control Plan.	to commencement of construction activities.				
HAZ-2: Unanticipated Discovery of Contaminated Soil of	or Groundwater					
In the event that unanticipated, existing soil or groundwater contamination is discovered during construction of the proposed project, the construction contractor shall implement appropriate procedures for the treatment, handling, and notification of unanticipated hazardous materials. The construction contractor shall promptly notify CMWD in writing regarding any material the construction contractor believes may be a hazardous waste. The construction contractor also shall promptly notify CMWD in writing regarding unknown physical conditions at the project site of any unusual nature, different materially from those ordinarily encountered. Upon such notification, CMWD shall promptly investigate the conditions at the project site. If the construction contractor encounters a hazardous environmental condition, the construction contractor shall immediately secure or otherwise isolate such condition and in any area affected thereby, and notify CMWD of the hazardous environmental condition. The construction contractor shall not be required to resume work in connection with such condition or in any affected area until after CMWD has obtained any required permits related thereto	Review contamination discovery procedures described in the mitigation measure with construction contractor, including written notification requirements. Verify any hazardous environmental condition has been secured or otherwise isolated and work has stopped in connection with the condition. Coordinate with applicable agency (e.g., Department of Toxic Substances Control) to obtain any required permits. Provide written notice to construction contractor specifying the hazardous environmental condition has been rendered safe for resumption of work.	Review procedures with contractor prior to commencement of construction activities. Verify securing or isolation of hazardous condition and work has stopped immediately upon notification of the condition. Coordinate with applicable agency to obtain required permits immediately following notification of a hazardous environmental	Casitas Municipal Water District			

Mitigation Measure/				<b>Compliance Verification</b>		
Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Initial	Date	Comments
and delivered written notice to the construction contractor specifying that such condition and any affected area is or has been rendered safe for the resumption of work and specifying any special conditions under which such work may be resumed safely. The construction contractor is required to comply with all applicable laws related to the work performed, including laws governing hazardous materials treatment, handling, notification, transportation, and disposal of contaminated soil and import of clean fill.		condition. Provide written notification to contractor to resume work upon obtaining any required permits.				
TRANSPORTATION AND TRAFFIC						
TRA-1: Traffic Control Plan						
To mitigate temporary traffic disruption and ensure public safety, the construction contractor shall prepare a traffic control plan for construction areas located in or near roadways whose traffic volumes exceed Ventura County Levels of Service or City of Ojai criteria. The construction contractors will provide the traffic control plans to CWMD's Construction Inspector prior to commencement of construction, and CMWD will submit the traffic control plans to the City of Ojai, County of Ventura, and/or Caltrans, as necessary, prior to receiving an encroachment permit.	Obtain and review the traffic control plan. Submit traffic control plans to the City of Ojai, County of Ventura, and/or Caltrans, as necessary.	Review the plan prior to commencement of construction activities. Submit traffic control plans to the appropriate jurisdiction prior to receiving an encroachment permit.	Casitas Municipal Water District			
TRA-2: Emergency Service Providers						
The Project Manager shall notify emergency service providers (fire and police departments within a 0.5- mile radius of the alignment) with construction contact names, locations, schedules, and traffic plans, if applicable, prior to the start of construction.	Verify information specified in the mitigation measure has been provided to emergency service providers.	Verify emergency service providers have been notified prior to commencement of construction activities.	Casitas Municipal Water District			

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