

RESOLUTION NO. \_\_\_\_\_

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA  
ACTING AS THE GOVERNING BOARD OF THE BURLINGAME HILLS SEWER  
MAINTENANCE DISTRICT

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**RESOLUTION:**

- A) CERTIFYING THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION,  
DATED JUNE 2013 FOR THE ADELINE DRIVE AND CANYON ROAD SANITARY  
SEWER CAPACITY IMPROVEMENTS PROJECT; AND**
- B) AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO PROCEED WITH  
PREPARING THE PLANS AND SPECIFICATIONS FOR THE ADELINE DRIVE  
AND CANYON ROAD SANITARY SEWER CAPACITY IMPROVEMENTS  
PROJECT; AND**
- C) AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO PROCEED WITH  
ADVERTISING FOR BIDS ON THE ADELINE DRIVE AND CANYON ROAD  
SANITARY SEWER CAPACITY IMPROVEMENTS PROJECT, AND REPORTING  
BACK TO THIS BOARD WITH RECOMMENDATIONS ON AWARDING A  
CONTRACT**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, acting as the Governing Board of the Burlingame Hills Sewer Maintenance District (District), that

**WHEREAS**, on June 6, 2009, the San Francisco Baykeeper and the Burlingame Hills Sewer Maintenance District entered into a Consent Decree (Decree) due to the number of sewage overflows from the District's sanitary sewer facilities. The Decree requires that the District complete a Capacity Assurance Plan (Plan), a Master Plan Update, and Capital Improvement Projects recommended by the Plan. and

**WHEREAS**, the Plan, dated April 14, 2011, identified the need to replace the Adeline Drive and Canyon Road sewer main segments as the two Capital Improvement Projects (Project) to address the capacity deficiencies in the collection system to reduce

the occurrences of Sanitary Sewer Overflows; and

**WHEREAS**, this Board of Supervisors did, on September 11, 2012, adopt Resolution No. 072154A, which authorized the Director of Public Works to submit a financial application to the State Water Resources Control Board (SWRCB) for a Clean Water State Revolving Fund (CWSRF) loan to fund the Project, authorized the President of the Board or his/her designee to negotiate and execute Financial Assistance Agreements from the SWRCB, and dedicated the net revenues collected through the sewer service charges for repayment of the CWSRF loan; and

**WHEREAS**, an Initial Study / Mitigated Negative Declaration (IS/MND) was prepared in June 2013, as required by the CWSRF loan program; and

**WHEREAS**, in compliance with Section 21081.6 of the California Public Resources Code, a Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to the IS/MND having identified potential adverse effects that will be reduced to less-than significant levels through the implementation of mitigation measures during construction; and

**WHEREAS**, a 30-day public review of the IS/MND was conducted in compliance with the provisions of the California Environmental Quality Act (CEQA), no comments were received during the 30-day public review of the IS/MND, and certification of the IS/MND completes the CEQA process for the Project; and

**WHEREAS**, the Director of Public Works has recommended that this Board authorize the preparation of the plans and specifications and call for bids for this Project in order to shorten the time to award a contract and complete the construction during the 2014 construction season; and

**WHEREAS**, this Board has considered and agrees with the recommendations of the Director of Public Works.

**NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** as follows:

1. This Board has reviewed and considered the IS/MND, and on the basis of the record as a whole, confirms that the IS/MND is adequate for its use by this Board, and on the basis of this review and consideration, there is no substantial evidence that the Project will have a significant effect on the environment if mitigated as set forth in the MMRP and this Board hereby confirms its certification of the IS/MND.
2. This Board hereby adopts the MMRP attached hereto as Exhibit A and incorporated by reference in this Resolution and commits to all mitigation measures identified in the IS/MND and contained in the MMRP.
3. The Board of Supervisors of the County of San Mateo hereby certifies this IS/MND and approves the Project.
4. The Director of Public Works is authorized to proceed with preparation of the plans and specifications for the Adeline Drive and Canyon Road Sanitary Sewer

Capacity Improvements Project.

5. The Director of Public Works is directed to advertise for bids on the Project as defined above, and to report to this Board with recommendations on awarding a contract to the lowest responsible bidder for said project once bids are received and confirmed.

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# **EXHIBIT A**

## **Mitigation Monitoring and Reporting Program**

### **County of San Mateo**

#### **Burlingame Hills Sewer Maintenance District**

#### **Adeline Drive and Canyon Road Sanitary Sewer Capacity Improvements Project**

##### **Introduction**

This is the Mitigation Monitoring and Reporting Program (MMRP) for the County of San Mateo's Burlingame Hills Sewer Maintenance District Adeline Drive and Canyon Road Sanitary Sewer Capacity Improvements Project (Project). California Public Resources Code Section 21081.6 and the California Environmental Quality Act (CEQA) Guidelines Section 15097 require public agencies to adopt a program for monitoring and reporting on the measures required to mitigate or avoid significant environmental effects potentially resulting from implementation of the proposed Project. When a public agency makes its findings pursuant to CEQA, the MMRP must be adopted so that mitigation requirements can be made conditions of project approval. Consistent with these requirements, this MMRP ensures compliance with mitigation requirements that are set forth in the Mitigated Negative Declaration (MND).

The Burlingame Hills Sewer Maintenance District's Adeline Drive and Canyon Road Sanitary Sewer Capacity Improvements Project MMRP contains mitigation measures that address potential impacts associated with construction of the replacement of existing sanitary sewer in specific areas of the Burlingame Hills Sewer Maintenance District (BHSMD). They are intended to provide detailed guidance on the schedule and responsible parties for implementing and monitoring mitigation measures. The directives in the MMRP table (below) do not attempt to specify the detailed procedures to be used to verify implementation (e.g., interactions between County departments, use of private consultants, sign-off on plans, certification by the County, and site inspections). Specific monitoring procedures such as these will be included in the Project approval and construction documents and developed prior to implementation of the mitigation measures.



Burlingame Hills Sewer Maintenance District Adeline Drive and Canyon Road Sanitary Sewer Capacity Improvements Project – MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Impact Summary	Mitigation Measure	Responsible Agency	Time frame	Monitoring and Reporting Actions
BIOLOGICAL RESOURCES					
BIO-1	Impact to biological resources, including special-status species	<p><b><u>Mitigation Measure BIO-1:</u></b></p> <p>The project shall implement the following avoidance and minimization measures to reduce potential negative effects to special-status species to a less-than-significant level:</p> <ol style="list-style-type: none"><li>1. The construction area shall be confined to the minimum area necessary to complete the work.</li><li>2. Prior to construction activities, the project proponent shall retain a qualified biologist to conduct a Worker's Education Training Program for the construction crew and County staff. The biologist shall meet with the construction crew and County staff at the Project site at the onset of construction to educate the crew and staff on the following: 1) a review of the project boundaries; 2) the special-status species that may be present, their habitat, and proper identification; 3) the specific avoidance and minimization measures that will be incorporated into the construction effort; 4) the general provisions and protections afforded to these species; and 5); and the proper procedures if a Listed species is encountered within the Project site. All onsite construction managers must attend and are responsible making sure that all personnel that will be onsite, including all new workers and subcontractors, attend a Worker's Education Training Program. All personnel must sign and date their attendance to the Worker's Education Training Program.</li><li>3. For locations with the potential for nesting migratory birds, migratory bird surveys shall be performed by a qualified biologist within five days prior to any project-related activity if construction is scheduled during the typical bird nesting season (February 1 to August 15). To avoid potential impacts to nesting birds, 50-foot buffers will be maintained around active migratory bird nests, and 200-foot buffers will be maintained around active raptor nests. The 50-foot and 200-foot buffers are adequate based on California Department of Fish and Wildlife (CDFW) conditions stated in Streambed Alteration Agreements issued for other previous County of San Mateo projects. The CDFW conditions further requires that if active nests are found, the biologist shall consult with CDFW and United States Fish and Wildlife Service (USFWS) regarding appropriate actions.</li><li>4. In locations where San Francisco dusty-footed woodrat (woodrat) nests are present, a 10-foot buffer from all woodrat nests shall be maintained to avoid disturbance. If a less than 10-foot buffer is required due to the close proximity of the woodrat nest to the sewer line, the nest will be monitored by a qualified biologist during construction.</li></ol>	Burlingame Hills Sewer Maintenance District	Prior to construction	<ol style="list-style-type: none"><li>1) Allocate funds to hire a qualified environmental monitor or retain in-house qualified biologist.</li><li>2) Ensure environmental monitor carries out assigned duties as outlined in the Mitigation Measure.</li><li>3) Ensure that a requirement consistent with permit conditions, if any, for personnel to attend training is included in contract documents.</li><li>4) Ensure that all personnel attend permit-required worker awareness training, if any, prior to beginning work and sign training sign-in sheet.</li><li>5) If active bird nests are found, biologist shall consult with CDFW and USFWS regarding appropriate action.</li><li>6) If woodrat nests are found, exclusion fencing (i.e. silt fencing) shall be installed around the nests and area monitored by biologist.</li></ol>
BIO-2	Potential indirect impacts from the project associated with erosion/sedimentation during construction activities	<p><b><u>Mitigation Measure BIO-2:</u></b></p> <p>The project shall implement best management practices (BMPs) and protective measures listed below to avoid indirect impacts to riparian areas within the vicinity of improvements. (See also mitigation for special status species above.)</p> <ol style="list-style-type: none"><li>1. All storm drain inlets and culvert inlets and outlets shall be protected (e.g., filter fabric, straw wattles, and/or silt fencing) in order to prevent debris or construction materials from entering in these areas. At the end of project construction all materials trapped by the barriers and excess materials such as dirt, rock, asphalt and concrete pavement, or debris shall be collected using dry sweep methods and removed from the project locations. No materials shall be allowed to enter into aquatic resources within the vicinity.</li><li>2. A litter control program shall be instituted at each project location. All workers will ensure that food scraps, paper wrappers, food containers, cans, bottles, and other trash from the project area are deposited in covered or closed trash containers. The trash containers shall be removed from the area at the end of each working day.</li><li>3. All leaks, drips and spills shall be immediately cleaned up to prevent entry into aquatic resources within the vicinity. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.</li><li>4. All work shall be conducted in accordance with the County of San Mateo Watershed Protection Program's Maintenance Standards and the guidelines set forth by the San Mateo Countywide Water Pollution Prevention Program. These documents provide guidelines on minimization and avoidance, project timing, containment, equipment maintenance and fueling, traffic control, erosion control and street sweeping, storm water pollution prevention, and asphalt removal and recycling.</li></ol>	Burlingame Hills Sewer Maintenance District	Prior to and during construction	<ol style="list-style-type: none"><li>1) Ensure that contractor prepares and submits a written program including Storm Water Pollution Prevention Plans and applicable plan drawings and details to control water pollution.</li><li>2) Ensure that sufficient quantities of applicable water pollution control materials are available at the work site.</li><li>3) Monitor to ensure that the contractor implements measures in contract documents, report noncompliance and ensure corrective action.</li></ol>

HAZARDS AND HAZARDOUS MATERIALS				
HAZ-1	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials	<p><b><u>Mitigation Measure HAZ-1:</u></b></p> <p>The project proponent shall ensure that a certified hazardous materials contractor or subcontractor be retained to handle and manage asbestos-containing materials during construction in accordance with Bay Area Air Quality Management District (BAAQMD) requirements to avoid release of asbestos during construction activities.</p>	Burlingame Hills Sewer Maintenance District	<div>Prior to and during construction</div> <div>           1) Ensure that the requirement for a certified hazardous materials contractor to perform the related work is incorporated in the construction documents.            2) Ensure that contractor prepares and submits a written program for proper handling and disposal of hazardous materials.            3) Monitor to ensure that the contractor implements measures in contract documents, report noncompliance and ensure corrective action.         </div>