

MINUTE ITEM

This Calendar Item No. C06 was approved as
Minute Item No. 06 by the California State Lands
Commission by a vote of 3 to 0 at its 12-09-03
meeting.

**CALENDAR ITEM
C06**

A	17		12/09/03
		PRC 8496.9	W 25933
S	14		L. Burks

**TERMINATION OF GENERAL LEASE – PUBLIC AGENCY PERMIT
NO. PRC 452.9, PURSUANT TO SECTION 101.5
OF THE STREETS AND HIGHWAYS CODE AND ISSUANCE OF A NEW
GENERAL LEASE - PUBLIC AGENCY USE**

APPLICANT:

City of Lathrop
16775 Howland Road, Suite 1
Lathrop, California 95330-9792

AREA, LAND TYPE, AND LOCATION:

0.84 acres, more or less, of tide and submerged lands across the San Joaquin River, just north of the Manthey Road Bridge in the city of Lathrop, San Joaquin County.

AUTHORIZED USE:

Continued use and maintenance of the existing Manthey Road Bridge (old Highway 50 bridge) and proposed construction of a bike/pedestrian bridge.

LEASE TERM:

25 years, beginning December 9, 2003.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the uplands adjoining the lease premises.

CALENDAR ITEM NO. C06 (CONT'D)

2. On November 21, 1949, the Commission authorized issuance of Lease No. 452.9 to the Division of Highways, a General Lease – Public Agency Permit, pursuant to section 101.5 of the Streets and Highways Code, for a right of way easement for the Manthey Road Bridge (old Highway 50 bridge) for vehicular use. The term of the lease was ongoing. In 1997, the City annexed the San Joaquin River area, including the existing Manthey Road Bridge. The City is now proposing to construct a bike/pedestrian bridge within the existing Manthey Road Bridge right of way easement. Therefore, the city of Lathrop is applying for a new General Lease – Public Agency Use, for continued use and maintenance of the existing Manthey Road Bridge and proposed construction of a bike/pedestrian bridge.
3. The city of Lathrop has identified the need for safe and reliable access for pedestrians and bicyclists across the San Joaquin River, in the vicinity of the existing Manthey Road Bridge which is currently used for vehicular use. Some time after the construction of the vehicular bridge, a retrofit to accommodate pedestrian access was constructed onto the bridge. This pedestrian walkway portion of the bridge has deteriorated beyond repair and has been closed to pedestrian access prior to the City's annexation. In fiscal year 2002-03, the City approved a Capital Improvement Project (CIP) to repair and reopen the pedestrian walkway. However, during its annual inspection, Caltrans determined that the retrofitted portion of the bridge which was used for the pedestrian walkway had foundation damage and as a result would not support the structural improvements needed for proper pedestrian access. The only alternative to having residents cross the San Joaquin River is to build a new separate structure for pedestrians which will also accommodate bicycles. The vehicular portion of Manthey Road bridge continues to be structurally sound for vehicular traffic; it is only the retrofitted walkway which has deteriorated and which the City has determined is not cost effective to repair.

The proposed bike/pedestrian bridge will also be designed to support future utility lines by the city of Lathrop and other public service providers. The utility support capability of the bridge has been designed so that any utility lines will be located internally to the bridge structure and will not be attached to the sides or outside the bridge structure or be visible from the exterior of the bridge.

CALENDAR ITEM NO. C06 (CONT'D)

4. The proposed bike/pedestrian bridge design includes a 10-foot wide structure with four independent pre-fabricated steel truss spans supported by two abutments and three piers for a total length of approximately 642 feet. Supporting the abutments are large diameter cast-in-steel shell (CISS) piles. The three intermediate piers will be constructed of single large diameter CISS pier shafts, two of which will be located in the San Joaquin River.

A total of approximately 192 cubic yards of soil will be excavated for placement of the abutments and piers. All excavated materials will be hauled off site to a designated site for disposal. The project is expected to take approximately five months to complete, depending upon the seasonal weather conditions.

5. The proposed bike/pedestrian bridge, during construction, will require 10 feet on either side of the bridge to be cleared of vegetation for construction access. Construction of the proposed bridge will require the temporary removal of approximately 0.04 acres and the permanent removal of approximately 0.001 acres of riparian vegetation along the east and west banks of the San Joaquin River. This habitat provides cover from predators and increased water velocities for emigrating juvenile fall-run. Following completion of bridge construction, and in accordance with agency (the Reclamation Board, Department of Fish and Game, and California Regional Water Quality Control Board) recommendations, the City will replant approximately 0.04 acres of riparian habitat along the exposed east and west banks of the San Joaquin River within the same area of original vegetation removal. Planted vegetation shall consist of native willow species.

6. A Section 401 Water Quality Certification has been issued by the California Regional Water Quality Control Board for this project. The RWQCB has indicated that construction activities may impact surface waters with increased turbidity and settleable matter. The city of Lathrop will conduct turbidity and settleable matter testing during in-water work, stopping the project if Basin Plan limits are exceeded, and will implement Best Management Practices (BMP's) to control sedimentation and erosion. All temporarily effected areas will be restored to pre-construction contour and conditions upon completion of construction activities.

CALENDAR ITEM NO. C06 (CONT'D)

7. A Mitigated Negative Declaration was prepared and adopted for this project by city of Lathrop. The California State Lands Commission's staff has reviewed such document.
8. A Mitigation Monitoring Program was adopted by the city of Lathrop.
9. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

National Historic Preservation Agency; United States Coast Guard; NOAA Fisheries (formerly National Marine Fisheries Service); United States Fish and Wildlife Service; California Department of Fish and Game; Central Valley Regional Water Quality Control Board.

EXHIBITS:

- A. Site Plan and Location Map
- B. Notice of Determination
- C. Mitigation Monitoring Plan

PERMIT STREAMLINING ACT DEADLINE:

May 3, 2004

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

1. FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE CITY OF LATHROP AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED IN EXHIBIT C, ATTACHED HERETO.

CALENDAR ITEM NO. C06 (CONT'D)

SIGNIFICANT LANDS INVENTORY FINDING:

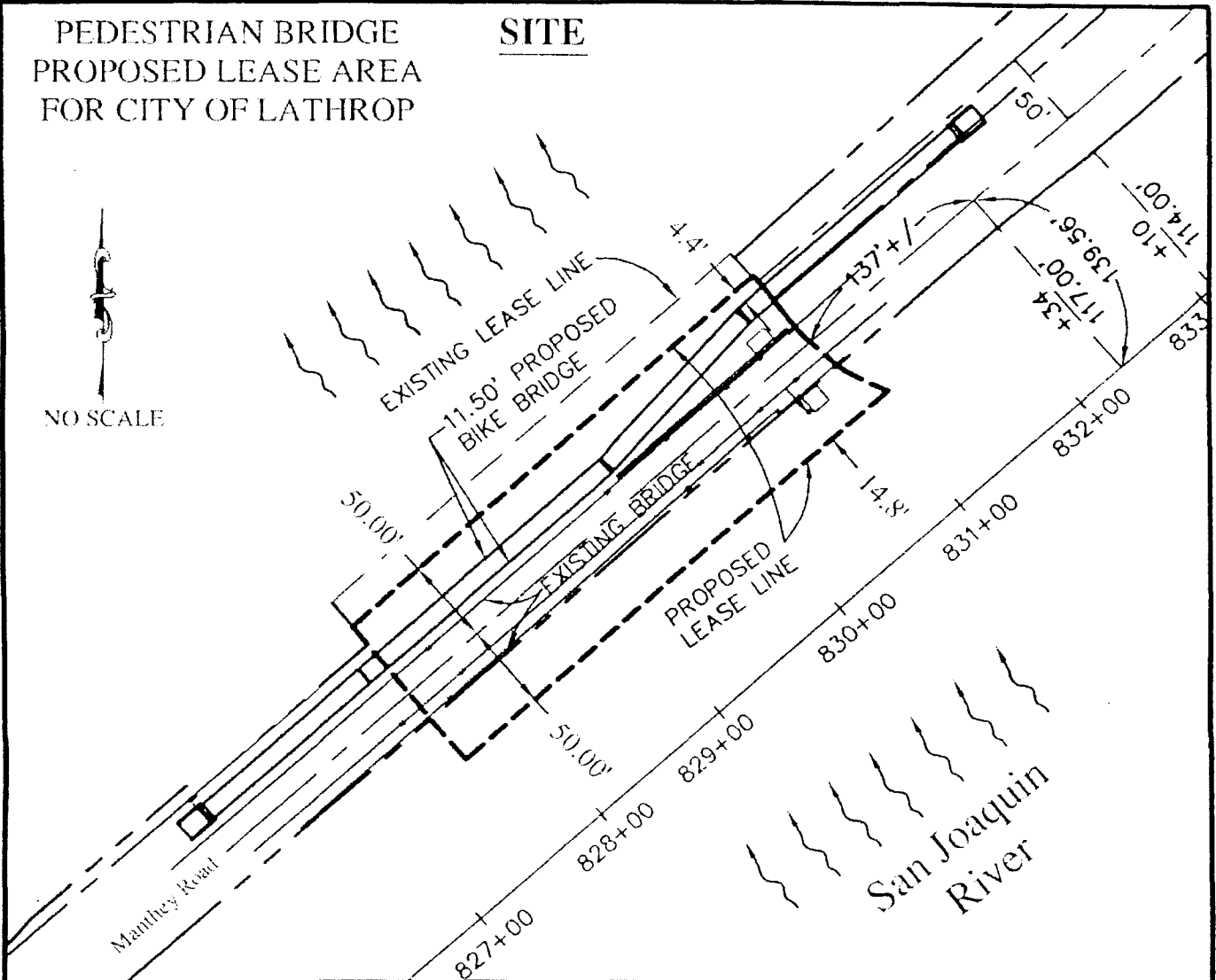
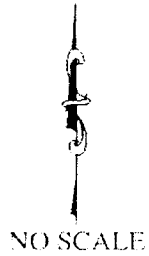
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

1. AUTHORIZE THE TERMINATION OF GENERAL LEASE – PUBLIC AGENCY PERMIT NO. PRC 452.9 ISSUED TO THE DIVISION OF HIGHWAYS AND APPROVED BY THE COMMISSION ON NOVEMBR 21, 1949, EFFECTIVE DECEMBER 8, 2003.
2. AUTHORIZE ISSUANCE TO THE CITY OF LATHROP OF A NEW GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING DECEMBER 9, 2003, FOR A TERM OF 25 YEARS, FOR CONTINUED USE AND MAINTENANCE OF THE EXISTING MANTHEY ROAD BRIDGE AND PROPOSED CONSTRUCTION OF A BIKE/PEDESTRIAN BRIDGE ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST.

PEDESTRIAN BRIDGE
PROPOSED LEASE AREA
FOR CITY OF LATHROP

SITE



NO SCALE

LOCATION

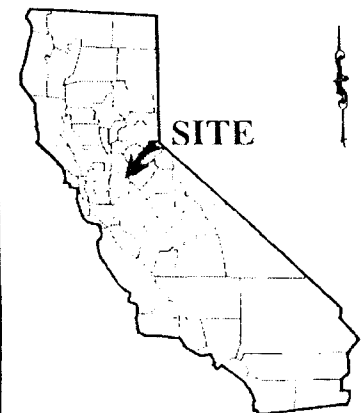


MAP SOURCE: USGS DOQQ LATHROP

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit A

W 25933
GENERAL LEASE
PUBLIC AGENCY USE
MANTHEY ROAD BRIDGE
SAN JOAQUIN RIVER
SAN JOAQUIN COUNTY



000029
CALENDAR PAGE

002494
MINUTE PAGE

JED 11/06/2001

EXHIBIT B

NOTICE OF DETERMINATION

TO:

☒ Office of Planning and Research
1400 10th Street, Room 121
Sacramento CA 95814

From: City of Lathrop
16775 Howland Road, Suite 1
Lathrop, CA 95330

☒ County Clerk
County of San Joaquin

ASSESSOR'S RECORD
COUNTY OF SAN JOAQUIN
GARY J. ...

03 JUN -4 AM 10:11

SAN JOAQUIN COUNTY
BY Patricia ...
DEPUTY

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Name: San Joaquin Bike Bridge

2003042157	Ramon Batista IV	209) 858-2860
State Clearinghouse Number (if submitted to Clearinghouse)	Contact Person	Area Code/Telephone/Extension

Project Location (include County): The proposed project site is located north of Interstate 5 and the existing Manthey Road Bridge within the City of Lathrop, San Joaquin County, California. The footprint of the proposed bike bridge location includes portions of two parcels of land on both the east and west sides of the San Joaquin River (San Joaquin County Assessor Parcel Numbers 213-320-02 and 241-020-17).

Project Description: The City of Lathrop is proposing a bike bridge to be constructed across the San Joaquin River. The proposed bike bridge will provide a safe and reliable crossing for pedestrians and cyclists over the San Joaquin River in accordance with the City of Lathrop Bicycle Transportation Plan (1995) and the City of Lathrop Capital Improvement Project.

This is to advise that the **City of Lathrop** has approved the above described project on June 3, 2003 and has made the following determination regarding the above described project:

1. The project ☐ will ☒ will not have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation Measures ☒ were ☐ were not made a condition of the approval of the project.
4. A Statement of Overriding Considerations ☐ was ☒ was not adopted for this project.
5. Findings ☐ were ☒ were not made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at the City of Lathrop, 16775 Howland Road, Suite 1, Lathrop, California 95330.

Patricia R. Carde
Signature (Public Agency)

6/3/03
Date

City Manager
Title

000030
CALENDAR PAGE

002495
MINUTE PAGE

EXHIBIT C

MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

The California Environmental Quality Act (CEQA, Section 21081.6 of the Public Resources Code requires public agencies, as part of the adoption of a Mitigated Negative Declaration (MND), to prepare and approve a reporting or monitoring program. This program should be structured to ensure that changes to the project that the lead agency has adopted to mitigate or avoid significant environmental impacts are carried out during project implementation.

The Mitigation Monitoring Program (MMP) contained herein is intended to satisfy the requirements of CEQA as they relate to the San Joaquin Bike Bridge Project MND. The MMP is intended to be used by the City of Lathrop staff, participating agencies, and mitigation monitoring personnel during implementation of the project. The intent of the MMP is to ensure the effective implementation and enforcement of adopted mitigation measures. The MMP will consist of the following components:

COMPLIANCE CHECKLIST

Table 1 contains a compliance monitoring checklist that provides a synopsis of all adopted mitigation measures, the entity responsible for their implementation, the entity responsible for monitoring, and the timing of implementation. All the mitigation measures presented in **Table 1** will be incorporated into the Proposed Project.

IMPLEMENTATION AND MONITORING OF MITIGATION MEASURES

Since the mitigation measures will be incorporated into the Project, implementation and monitoring of mitigation measures will occur at various stages of implementation of the Project, which may include, but are not limited to, the following:

- Implementation of development and design standards, guidelines, and programs for the Proposed Project.
- Reviewing construction plans and equipment staging/access plans to ensure conformance with adopted mitigation measures.
- Grading, site preparation; and construction of the Proposed Project.
- On-site, day-to-day monitoring of construction activities.

- Ensuring contractor knowledge of and compliance with all appropriate permit conditions and the MMP.
- Verifying the accuracy and adequacy of contract wording.
- Having the authority to require correction of activities that violate project permit conditions or mitigation measures.
- Acting in the role of contact for property owners or any other affected persons who wish to register observations of violations of project permit conditions or mitigation. Upon receiving any complaints, the inspector shall immediately contact the construction representative. The inspector shall be responsible for verifying any such observations and for developing any necessary corrective actions in consultation with the construction representative and the City of Lathrop.
- Obtaining assistance as necessary from technical experts, such as archaeologists, botanists, and wildlife biologists in order to develop site-specific procedures for implementing the mitigation measures.
- Maintaining a log of all significant interactions, violations of permit conditions or mitigation measures, and necessary corrective measures.

Responsibility of implementation and monitoring of mitigation measures will typically reside with the City of Lathrop staff as described in **Table 1**.

TABLE 1
MITIGATION MONITORING PROGRAM

CALENDAR PAGE	000033 NOISE	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
MINUTE PAGE	000033 AIR QUALITY	<p>The City of Lathrop Noise Ordinance, Section 8.20.110, limits construction activities within a residential zone or within 500 feet radius of a residential zone to the hours between 7:00 a.m. and 10:00 p.m. on Mondays through Thursdays, between 9:00 a.m. and 10:00 p.m. on Fridays and Saturdays, and prohibited on Sundays, unless a permit is obtained. The construction contractor shall obtain a permit from the City of Lathrop prior to conducting any construction activities outside of the Noise Ordinance limitations.</p>	City of Lathrop Community Development Director or designee	City of Lathrop	Verification of contract wording on construction plans. Verification of required permit. Periodic site inspection to ensure mitigation measures are being applied	Final construction plans	
		<p>Construction equipment noise shall be minimized during project construction by muffling and shielding intakes and exhaust on construction equipment (per the manufacturers' specifications) and by shrouding or shielding impact tools.</p>	City of Lathrop Community Development Director or designee	City of Lathrop	Verification of contract wording on construction plans. Periodic site inspection to ensure mitigation measures are being applied	Final construction plans, and during construction	
		<p>The City of Lathrop shall ensure, through contractual agreements, that construction contractors implement a dust-abatement program that complies with the SJVAPCD Regulation VIII - Fugitive PM-10 Prohibitions control measures to reduce the contribution of local respirable particulate matter concentrations during construction. This program shall include, but not be limited to, the following measures:</p> <ul style="list-style-type: none"> Water site prior to any construction, excavation or other earthmoving activities. Phase work to reduce the amount of disturbed surface area at any one time. 	Community Development Director or designee	The City of Lathrop in coordination with the San Joaquin Valley Air Pollution Control District	Verification of compliance with SJVAPCD Regulation VIII. Verification of contract wording on construction plans. Periodic site inspection to ensure mitigation measures are being applied	Final construction plans, and during construction.	

TABLE 1 (CONTINUED)
MITIGATION MONITORING PROGRAM

CALENDAR PAGE	000034	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
MINUTE PAGE	002499	<ul style="list-style-type: none"> Water, chemical/organic soil stabilizers/suppressants, or vegetative ground cover shall be used to control fugitive dust from all disturbed areas, including storage piles, which are not being actively used at the construction site. Water or chemical/organic soil stabilizers/suppressants shall be used to control fugitive dust from all unpaved roads on-site and all off-site unpaved access roads to the construction site. Applications of water or presoaking shall be performed to control fugitive dust from all land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities. Cover and wet all materials transported off-site or require all trucks to maintain at least six feet of freeboard from the top of the container. Remove accumulated mud or dirt from adjacent public streets at least once every 24 hours during construction periods. (The use of dry rotary brushes is expressly prohibited, except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. The use of blower devices is also expressly forbidden.) Water or chemical soil stabilizers/suppressants shall be used to control fugitive dust after each addition of materials to or removal of materials from all storage piles. 					

TABLE 1 (CONTINUED)
MITIGATION MONITORING PROGRAM

CALENDAR PAGE 000035

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<ul style="list-style-type: none"> Limit the speed of all construction vehicles to 15 miles per hour on unpaved roads. 					
BIOLOGICAL RESOURCES					
<p>To compensate for the potential reduction in spawning habitat for delta smelt with the placement of piers 1 and 2, the City of Lathrop shall purchase 1,740 square feet (approximately 0.04 acre) of delta smelt and Sacramento splittail habitat from a USFWS-approved mitigation bank. This mitigation credit may be purchased from Wildlands, Inc. from their Kimball Island mitigation bank, or other USFWS approved mitigation banks.</p>	City of Lathrop Community Development Director or designee	City of Lathrop in coordination with the U.S. Fish and Wildlife Service	U.S. Fish and Wildlife Service	Prior to site development / construction	
<p>A pre-construction survey for burrowing owls and Swainson's hawks and other raptors will be conducted by a qualified biologist within the 30 days prior to construction activities to establish the status of this species on the project site in the time period between March 1st and July 31st of a given season. If ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction survey, the site will be resurveyed. The surveys will adhere to CDFG protocols for burrowing owls and Swainson's hawks.</p>	City of Lathrop Community Development Director or designee	City of Lathrop in coordination with the California Department of Fish and Game	California Department of Fish and Game	Prior to site development / construction	
<p>If active raptor nest(s) are found, construction activities shall be avoided around active nest trees during the breeding season (March 1 to August 31) or while nests are occupied. In addition, nest activity shall be monitored during tree removal activities and construction, and a 500-foot buffer zone shall be provided around active nests (depending on the species and in consultation with CDFG), if construction in that area is absolutely necessary.</p>					

MINUTE PAGE 000035

TABLE 1 (CONTINUED)
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>Prior to construction, the project applicant should obtain a Section 404 permit from the Corps. Based on the area projected to be impacted, the Proposed Project may qualify for a Nationwide Permit. Section 404 establishes a permit program for the discharge of dredge or fill material into waters of the United States.</p>	City of Lathrop Community Development Director or designee	City of Lathrop in coordination with the U.S. Army Corps of Engineers	US Army Corps of Engineers	Prior to site development / construction	
<p>Prior to construction, the project applicant should obtain a Section 401 water quality certification from the RWQCB. Section 401 requires an applicant for any federal permit that proposes an activity which may result in a discharge to waters of the United States to obtain certification from the state that the discharge will comply with state water quality standards.</p>	City of Lathrop Community Development Director or designee	City of Lathrop in coordination with the California Regional Water Quality Control Board	California Regional Water Quality Control Board	Prior to site development / construction	
<p>Prior to construction, the project applicant should enter into a Streambed Alteration Agreement with the CDFG. Any obstruction or alteration of drainage features requires a CDFG Stream Alteration Agreement.</p>	City of Lathrop Community Development Director or designee	City of Lathrop in coordination with the California Department of Fish and Game	California Department of Fish and Game	Prior to site development / construction	
<p>All temporarily disturbed areas will be restored to original grade and revegetated with native species (willow, box elder, and Fremont's cottonwood) to minimize erosion. The replanting process will be ongoing throughout construction, with planting beginning as construction related activities end in a given area. Rapidly sprouting plants, such as willows, should be cut off at the ground line and root systems left in tact, when removal is necessary. Riprap will not be used as a substitute for revegetation except in areas where the project Engineer has deemed that vegetation will not likely become reestablished and channel erosion protection is necessary. Additional erosion control measures, such as straw mulch, may be used if vegetation cannot be immediately established during the wet season.</p>	City of Lathrop Community Development Director or designee	City of Lathrop	Verification of contract wording on construction plans. Periodic site inspection to ensure mitigation measures are being applied	Final construction plans, during construction, and after site development.	

TABLE 1 (CONTINUED)
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
The project applicant shall develop a compensation ratio of 2:1 preservation and 1:1 creation or provide a fee at the rate of \$1,500.00 per acre for the permanently impacted riparian habitat (0.001 acres) as described as Natural Lands within the SJMSCP.	City of Lathrop Community Development Director or designee	City of Lathrop in coordination with the Joint Powers Authority for the SJMSCP	Joint Powers Authority for the San Joaquin County Multi-Species Habitat Conservation Plan (SJMSCP)	Prior to site development / construction	
CULTURAL RESOURCES					
Pursuant to CEQA Guidelines 15064.5 (f), "provisions for historical or unique archaeological resources accidentally discovered during construction" should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the City of Lathrop shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the City of Lathrop and the qualified archaeologist and/or paleontologist would meet to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards.	City of Lathrop Community Development Director or designee	City of Lathrop in coordination with the U.S. Coast Guard, San Joaquin County Coroner, Native American Heritage Commission	Verification of contract wording on construction plans. Periodic site inspection to ensure mitigation measures are being applied	Final construction plans, and during construction	
The project proponent shall notify a qualified paleontologist of unanticipated discoveries, made by either the cultural resources monitor or construction personnel and subsequently document the discovery as needed. In the event of an unanticipated discovery of areas, true, and/or trace fossil during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find.	City of Lathrop Community Development Director or designee	City of Lathrop in coordination with the U.S. Coast Guard, San Joaquin County Coroner, Native American Heritage Commission	Verification of contract wording on construction plans. Periodic site inspection to ensure mitigation measures are being applied	Final construction plans, and during construction	

TABLE 1 (CONTINUED)
MITIGATION MONITORING PROGRAM

CALENDAR PAGE	MINUTE PAGE	000036 002503	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
			In the event of the discovery of human remains, CEQA Guidelines 15064.5 (e)(1) shall be followed, which is as follows:	City of Lathrop Community Development Director or designee	City of Lathrop in coordination with the U.S. Coast Guard, San Joaquin County Coroner, Native American Heritage Commission	Verification of contract wording on construction plans. Periodic site inspection to ensure mitigation measures are being applied	Final construction plans, and during construction	
			(1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:					
			(A) The Coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and					
			(B) If the coroner determines the remains to be Native American:					
			1. The coroner shall contact the Native American Heritage Commission within 24 hours. 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.					
			3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.					

TABLE 1 (CONTINUED)
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
HAZARDS AND HAZARDOUS MATERIALS					
The City of Lathrop shall ensure through enforcement of contractual obligations, that proper precautions will be taken (such as keeping a distance of at least 10 feet from aerial lines) in operating heavy equipment, moving long tools, sections of piping, the preconstructed bridge segments, the location of scaffolding, etc. to avoid contact with aerial lines.	City of Lathrop Community Development Director or designee	City of Lathrop	Verification of contract wording on construction plans. Periodic site inspection to ensure mitigation measures are being applied	Final construction plans, and during construction	
The City of Lathrop shall ensure through enforcement of contractual obligations, that prior to any construction activities, the areas planned to be disturbed would be marked in white paint and Underground Service Alert (USA) contacted. USA provides a free "Dig Alert" service to all excavators (contractors, homeowners and others), in northern California. The excavator's one call to USA will automatically notify all USA Members (utility service providers) who may have underground facilities at their work site. In response, the USA Members will mark or stake the horizontal path of their underground facilities, provide information about, or give clearance to dig. This simple safe service protects the excavator from personal injury and underground facilities from being damaged. The utility owners will be responsible for the timely removal or protection of any existing utility facilities located within construction areas.	City of Lathrop Community Development Director or designee	City of Lathrop	Verification of contract wording on construction plans. Periodic site inspection to ensure mitigation measures are being applied	Final construction plans, and during construction	
The City of Lathrop shall ensure through enforcement of contractual obligations that the construction crew maintain at least 10 feet of distance from the aboveground fuel tank and fuel pump in order to avoid an accidental construction equipment collision with these features resulting in a release of fuel onto the ground or into the San Joaquin River.	City of Lathrop Community Development Director or designee	City of Lathrop	Verification of contract wording on construction plans. Periodic site inspection to ensure mitigation measures are being applied	Final construction plans, and during construction	

TABLE 1 (CONTINUED)
MITIGATION MONITORING PROGRAM

Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Compliance Standards	Timing	Verification of Compliance (Initials and Date)
<p>If unidentified contaminated soil and/or groundwater is encountered or if suspected contamination is encountered during any construction activities, work shall be halted in the area, and the type and extent of the contamination shall be identified. A qualified professional, in consultation with appropriate regulatory agencies (i.e., RWQCB, DTSC, SJCEHD, and Manteca-Lathrop Rural Fire Protection District) shall then develop an appropriate method to remediate the contamination. If necessary, a remediation plan in conjunction with continued construction shall be implemented. All applicable federal, state and local regulatory requirements must be followed in the disposal of any hazardous materials and in the excavation and disposal of any contaminated soil.</p>	City of Lathrop Community Development Director or designee	City of Lathrop	Verification of contract wording on construction plans. Periodic site inspection to ensure mitigation measures are being applied	Final construction plans, and during construction	
<p>During construction, staging areas, and areas slated for development using spark-producing equipment shall be cleared of all dried vegetation or other materials that could serve as fire fuel. The contractor shall keep these areas clear of combustible materials in order to maintain a firebreak. Any construction equipment that normally includes a spark arrester shall be equipped with an arrester in good working order. This includes, but is not limited to, vehicles, heavy equipment, and chainsaws.</p>	City of Lathrop Community Development Director or designee	City of Lathrop	Verification of contract wording on construction plans. Periodic site inspection to ensure mitigation measures are being applied	Final construction plans, and during construction	