Mitigation Monitoring and Reporting Program for the SB 1383 Regulations Short-Lived Climate Pollutants: Organic Waste Methane Emission Reduction EIR

INTRODUCTION

This document constitutes the Mitigation Monitoring and Reporting Program (MMRP) for the Environmental Impact Report (EIR) on the SB 1383 Regulations Short-Lived Climate Pollutants: Organic Waste Methane Emission Reduction (proposed regulation). It is prepared for adoption by the Department of Resources Recycling and Recovery (CalRecycle), pursuant to Section 15097 of the California Environmental Quality Act (CEQA) Guidelines.

Section 15097 states that an MMRP must be adopted by the lead agency "when a public agency has made the findings required under paragraph (1) of subdivision (a) of Section 15091 (of the CEQA Guidelines) relative to an EIR or adopted a mitigated negative declaration in conjunction with approving a project. In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects."

This MMRP is designed to ensure that the measures identified in the EIR are fully implemented. The MMRP describes the actions that must take place as a part of each measure, the timing of these actions, the entity responsible for implementation, and the agency responsible for enforcing each action. The implementation and monitoring responsibilities, as described in this MMRP, reflect the role of local agencies in making project-level determinations regarding the applicability and feasibility of particular measures based on project-specific circumstances.

Mitigation Monitoring and Reporting Program

To assist implementation of the mitigation measures following information is included:

- **Impacts:** The impacts identified as a result of the project.
- **Mitigation Measure:** The mitigation measures are taken verbatim from the Final EIR associated with each impact identified.
- **Responsibility for Compliance**. This section indicates which entity will oversee implementation of the measure, conduct the actual monitoring and reporting, and take corrective actions when a measure has not been properly implemented.
- **Method for Compliance**. This section describes how the mitigation measure is to be implemented and/or verified.

- **Timing of Compliance.** This section specifies the point by which the measure should be completed.

Pursuant to PRC Sections 21155.2(a) and (b)(2) and Section 21159.28(a), in order to take advantage of CEQA streamlining benefits allowed under SB 375, projects that seek to tier from the PBA 2040 EIR must incorporate the mitigation measures identified in this Mitigation Monitoring and Reporting Program or, if the identified mitigation is found to be infeasible based on substantial evidence, the project must incorporate equivalent measures that avoid or mitigate potential impacts to a less than significant level.

MITIGATION MONITORING AND REPORTING PLAN

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
3.1 Aesthetics **Impact 3.1-1: Short-Term, Substantial Degradation of a Scenic Vista or Visual Character or Quality of Public Views, or Damage to Scenic Resources in a State Scenic Highway from Construction of Facilities in Response to the Proposed Regulation** Varying degrees of temporary degradation of public views would result during construction of facilities in response to the proposed regulation. Although there is uncertainty regarding the location of these facilities, construction activities and equipment associated with new facilities or modifications to existing facilities could introduce or increase the presence of visible artificial elements in areas of scenic importance, such as areas visible from State scenic highways. This impact would be potentially significant.	**3.1 Aesthetics** **Mitigation Measure 3.1-1: Implement Aesthetic Resource Protection Measures during Construction of New or Modified Facilities in Response to the Proposed Regulation** • Proponents of new facilities constructed as a result of reasonably foreseeable compliance responses would coordinate with State or local land use agencies to seek entitlements for development. This process would involve the completion of all necessary environmental review requirements (e.g., CEQA). The local or State land use agency or governing body must follow all applicable environmental regulations as part of approval of a development project. • Project proponents would implement all feasible mitigation identified during the environmental review to reduce or substantially lessen the potentially significant aesthetic impacts of the project. Actions may	1. Project Applicant 2. Lead Agency 3. Local government and other regulatory agencies that may apply conditions of approval	1. Project applicant shall submit application to the Lead Agency for approval of the project 2. Lead Agency develops and circulates CEQA document for review 3. Local government agencies review project application	1. Project application shall be submitted prior to the construction and operation 2. Lead Agency approves CEQA document 3. Local government agencies' approval prior to construction and operation

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	include equipment storage siting during construction within a property, daily clean-up of the construction site, and temporary fencing to prevent views of construction areas. • To the extent feasible, the sites selected for use as construction staging and laydown areas would be areas that are already disturbed or are in locations of low visual sensitivity. Where feasible, construction staging and laydown areas for equipment, personal vehicles, and material storage would be sited to take advantage of natural screening opportunities provided by existing structures, topography, and vegetation. Temporary visual screens would be used where helpful if existing landscape features would not screen views of the areas. • All construction and maintenance areas would be kept clean and tidy, areas where construction materials and equipment are stored would be screened from view or be located in areas generally not visible to the public, and disturbed soil would be revegetated, where feasible.			

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	• To the greatest extent feasible, alteration of the visual setting of important scenic landscape features, areas in a setting for observation from State scenic highways, national or state historic sites, public trails, and cultural resources will be avoided when siting projects and their associated elements.			
3.1 Aesthetics **Impact 3.1-2: Long-Term, Substantial Degradation of a Scenic Vista or Visual Character or Quality of Public Views, or Damage to Scenic Resources in a State Scenic Highway from Operation of Facilities in Response to the Proposed Regulation**	**3.1 Aesthetics** **Mitigation Measure 3.1-2: Implement Aesthetic Resource Protection Measures during Operation of New or Modified Facilities in Response to the Proposed Regulation** • Proponents of new facilities constructed as a result of reasonably foreseeable compliance responses would coordinate with	1. Project Applicant	1. Project applicant shall submit application to the Lead Agency for approval of the project	1. Project application shall be submitted to the Lead Agency prior to construction and operation

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
Implementation of the proposed regulation would result in operation of new or modified organic waste handling and processing facilities at or near existing facilities or in urban areas zoned for industrial or solid waste handling facilities. The new or modified facilities would be similar in visual character to other nearby industrial or solid waste facilities. Thus, operations at these facilities would not substantially degrade the character or quality of public views. Long-term effects on aesthetics could occur from operation of new or modified facilities in response to the proposed regulation. New organic waste recovery and processing facilities that are located in agricultural or other areas not previously developed for solid waste, agricultural, or wastewater treatment facilities could degrade public views from a scenic vista, degrade the visual character or quality of public views of the site, or disrupt views from a State scenic highway. The long-term operational impacts on	State or local land use agencies to seek entitlements for development. This process would involve the completion of all necessary environmental review requirements (e.g., CEQA). The local or State land use agency or governing body must follow all applicable environmental regulations as part of approval of a development project. • All feasible mitigation identified during the environmental review to reduce or substantially lessen the potentially significant scenic or aesthetic impacts of the project would be implemented. Actions may include facility or equipment siting within a property, visual screening by vegetation, fencing or walls to prevent views of operating areas, exterior paint colors that blend with landscapes, and lowest feasible height of visible equipment and structures. • The color and finish of the surfaces of all project structures and buildings visible to the public would be carried out to (1) minimize visual intrusion and contrast by blending with the landscape and (2) comply with local	2. Lead Agency 3. Local government and other regulatory agencies that may apply conditions of approval	2. Lead Agency develops and circulates CEQA document for review 3. Local government agencies review project application	2. Lead Agency approves CEQA document 3. Local government agencies' approval prior to construction and operation

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
scenic vistas, visual character, or quality of public views or on scenic resources in a State scenic highway associated with operation of facilities in response to the proposed regulation would be potentially significant.	design policies and ordinances. The project proponent would submit a surface treatment plan to the lead agency for review and approval. • All operation and maintenance areas would be kept clean and tidy, areas where construction materials and equipment are stored would be screened from view or located in areas generally not visible to the public, and disturbed soil would be revegetated, where feasible.			
3.1 Aesthetics **Impact 3.1-4: Temporary or Permanent New Sources of Substantial Light or Glare That Would Adversely Affect Day or Nighttime Views in Areas near Project Sites** Substantial light or glare that would adversely affect day or nighttime views could be generated by construction activities or during operation of new or expanded organic waste handling facilities developed in response to the proposed regulation. Construction activities would not be anticipated to result	**3.1 Aesthetics** **Mitigation Measure 3.1-4: Implement Light and Glare Reduction Measures during Operation of New or Modified Facilities in Response to the Proposed Regulation** • Proponents of new facilities constructed as a result of reasonably foreseeable compliance responses would coordinate with State or local land use agencies to seek entitlements for development. This process would involve the completion of all necessary environmental review requirements (e.g., CEQA). The local or State land use agency or governing body must	1. Project Applicant 2. Lead Agency	1. Project applicant shall submit application to the Lead Agency for approval of the project 2. Lead Agency develops and circulates CEQA document for review	1. Project application shall be submitted to the Lead Agency prior to construction and operation 2. Lead Agency approves CEQA document

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
in new sources of substantial light or glare because of the short-term and temporary nature of those activities. However, operation of new or modified facilities in rural areas could include infrastructure containing reflective surfaces and could require safety lighting that would be noticeable in those areas. Implementation of the proposed project would result in potentially significant impacts related to permanent new sources of substantial light or glare that would adversely affect day or nighttime views in areas near specific organic waste handling facilities.	follow all applicable environmental regulations as part of approval of a development project. • All feasible mitigation identified during the environmental review to reduce or substantially lessen the potentially significant light and glare impacts of the project would be implemented. Actions may include low-height lighting design, window glazing design, or minimized reflective surfaces. • The color and finish of the surfaces of all project structures and buildings visible to the public would be carried out to (1) minimize glare and (2) comply with local design policies and ordinances. The project proponent would submit a surface treatment plan to the lead agency for review and approval. • The project proponent would contact the lead agency to discuss the documentation required in a lighting mitigation plan, submit to the lead agency a plan describing the measures that demonstrate compliance with lighting requirements, and notify the lead agency that the lighting has been	3. Local government and other regulatory agencies that may apply conditions of approval	3. Local government agencies review project application	3. Local governmental agencies' approval prior to construction and operation

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	completed and is ready for inspection.			
3.2 Agricultural and Forestry Resources **Impact 3.2-1: Conversion of Farmland to Nonagricultural Use or Conflict with a Williamson Act Contract or Zoning for Agricultural Use** Construction and operation of new or modified organic waste recovery facilities could result in significant temporary, long-term, or permanent conversion of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland and conflicts with Williamson Act contracts and agricultural zoning. However, the specific locations and scale of possible future facilities are not known. Therefore, the precise scale of conversion of farmland and conflicts with zoning or Williamson Act contracts cannot be determined at this time. Because there could be substantial conversion of farmland and conflicts with agricultural zoning and	**3.2 Agricultural and Forestry Resources** **Mitigation Measure 3.2-1: Implement Agricultural Resource Protection Measures during Construction and Operation of New or Modified Facilities Built in Response to the Proposed Regulation** • Proponents of new facilities constructed as a result of reasonably foreseeable compliance responses would coordinate with local or State land use agencies to seek entitlements for development. This process would involve the completion of all necessary environmental review requirements (e.g., CEQA). The local or State land use agency or governing body must comply with all applicable regulations as part of approval of a development project. • Project proponents would implement all feasible mitigation identified during the environmental review to reduce or substantially lessen the potentially significant environmental impacts of the project. Examples of	1. Project Applicant 2. Lead Agency 3. Local government and other regulatory agencies that may apply conditions of approval	1. Project applicant shall submit application to the Lead Agency for approval of the project 2. Lead Agency develops and circulates CEQA document for review 3. Local government agencies review of the application	1. Project application shall be submitted to the Lead Agency prior to construction and operation 2. Local Agency approves CEQA review 3. Local government agencies' approval prior to construction and operation

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
Williamson Act contracts, this impact would be potentially significant.	types of mitigation to protect Farmland include: ▪ designing proposed projects to minimize, to the greatest extent feasible, the loss of the highest value Farmland; or ▪ for projects that will result in permanent conversion of Farmland, preserve in perpetuity other Farmland through acquisition of an agricultural conservation easement, or contributing funds to a land trust or other entity qualified to preserve Farmland in perpetuity (at a target ratio of 1:1, depending on the nature of the conversion and the characteristics of the Farmland to be converted, to compensate for permanent loss). • Any mitigation specifically required for a new or modified facility would be determined by the local lead agency, and future environmental documents by local and State lead agencies should include analysis of: ▪ avoidance of lands designated as Important Farmland as defined by the FMMP, and			

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	▪ the feasibility of using farmland that is not designated as Important Farmland before deciding on the conversion of Important Farmland. • The feasibility, proximity, and value of the proposed project sites should be balanced before a decision is made to locate a facility on land designated as Important Farmland. • Any action resulting in the conversion of Important Farmland should consider mitigation for the loss of such farmland. Any such mitigation should be completed before a grading or building permit is issued by providing the permitting agency with written evidence that the mitigation has been implemented. Mitigation may include but would not be limited to: ▪ permanent preservation of off-site Important Farmland (State-defined Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) of equal or better agricultural quality, at a ratio of at least 1:1 (preservation may include the purchase of agricultural conservation easement[s], purchase of credits from an established			

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	agricultural farmland mitigation bank, and contribution of agricultural land or equivalent funding to an organization that provides for the preservation of farmland toward the ultimate purchase of an agricultural conservation easement), and ▪ participation in any agricultural land mitigation program, including programs maintained by local governments that provide equal or more effective mitigation than the measures listed.			
3.2 Agricultural and Forestry Resources **Impact 3.2-2: Conflict with Existing Zoning for Forestland, Timberland, or Timberland Zoned Timberland Production or Loss of Forestland from Conversion to Nonforest Use** Construction and operation of new or modified organic waste recovery facilities could result in significant temporary or permanent conversion of forestland or timberland and could conflict with zoning for forestland, timberland, or lands zoned as TPZ. The specific locations and	**3.2 Agricultural and Forestry Resources** **Mitigation Measure 3.2-2: Implement Forest Resource Protection Measures during Construction and Operation of New or Modified Facilities Built in Response to the Proposed Regulation** • Proponents of new facilities constructed as a result of reasonably foreseeable compliance responses would coordinate with local or State land use agencies to seek entitlements for development. This process would involve the completion of all necessary environmental review requirements (e.g., CEQA). The local or State land	1. Project Applicant 2. Lead Agency	1. Project applicant shall submit application to the Lead Agency approval of the project 2. Lead agency develops and circulates CEQA document for review	1. Project application shall be submitted to the Lead Agency prior to construction and operation 2. Lead Agency approves CEQA document

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scale of possible future facilities are not currently known; thus, the precise scale of conversion of forestland or timberland and conflicts with zoning cannot be determined at this time. Because there could be substantial conversion of forestland and timberland and conflicts with TPZ zoning, this impact would be potentially significant.	use agency or governing body must comply with all applicable regulations as part of approval of a development project. • Project proponents would implement all feasible mitigation identified during the environmental review to reduce or substantially lessen the potentially significant environmental impacts of the project. Examples of types of mitigation to protect Farmland include: ▪ avoid land protected as forestland and timberland through site selection or project design. Where feasible, project proponents should take into account the value of the forest, not only in terms of direct products, such as wood, but also as part of the watershed ecosystem, when selecting a project site. Wherever possible, nonprotected sites should be preferred and selected instead of protected sites; and ▪ for projects that would result in permanent conversion of forestland, other forestland would be preserved in perpetuity through a conservation easement or by acquiring lands or	3. Local government and other regulatory agencies that may apply conditions of approval	3. Local government agencies review the project application	3. Local government agencies' approval prior to construction and operation

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	contributing funds to a land trust or other agency (at a target ratio of 1:1, depending on the nature of the conversion and the characteristics of the forestland to be converted, to compensate for permanent loss).			
3.2 Agricultural and Forestry Resources **Impact 3.2-3: Changes in the Existing Environment That, Because of Their Location or Nature, Indirectly Result in Conversion of Farmland to Nonagricultural Use or Conversion of Forestland to Nonforest Use** Construction of new or modified organic waste facilities built in response to the proposed regulation could result in activities that adversely affect the viability of surrounding agricultural or forest uses. Construction activities could therefore indirectly convert Farmland to nonagricultural use or forestland to nonforest use. The specific locations and scale of possible future facilities are not known; thus, the precise extent and	**3.2 Agricultural and Forestry Resources** **Mitigation Measure 3.2-3: Implement Agricultural and Forest Resource Protection Measures during Construction and Operation of New or Modified Facilities Built in Response to the Proposed Regulation** • Proponents of new facilities constructed as a result of reasonably foreseeable compliance response would coordinate with local or State land use agencies to seek entitlements for development. This process would involve the completion of all necessary environmental review requirements (e.g., CEQA). The local or State land use agency or governing body must comply with all applicable regulations as part of approval of a development project. • Project proponents would implement all feasible mitigation identified	1. Project Applicant 2. Lead Agency 3. Local government and other regulatory agencies that may apply	1. Project applicant shall submit application to the Lead Agency approval of the project 2. Lead Agency develops and circulates CEQA document for review 3. Local government agencies review the project application	1. Project application shall be submitted to the Lead Agency prior to construction and operation 2. Lead Agency approves CEQA document 3. Local government agencies' approval prior to

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nature of indirect conversion of forestland and Farmland from construction activities cannot be identified at this time. Because there could be substantial indirect conversion of Farmland and forestland from implementation of the proposed regulation, this impact would be potentially significant.	during the environmental review to reduce or substantially lessen the potentially significant environmental impacts of the project. Examples of types of mitigation to protect Farmland and forest resources include: ■ designing proposed projects to minimize, to the greatest extent feasible, the loss of the highest value Farmland; ■ for projects that will result in permanent conversion of Farmland, preserve in perpetuity other Farmland through acquisition of an agricultural conservation easement, or contributing funds to a land trust or other entity qualified to preserve Farmland in perpetuity (at a target ratio of 1:1, depending on the nature of the conversion and the characteristics of the Farmland to be converted, to compensate for permanent loss); ■ avoid land protected as forestland and timberland through site selection or project design. Where feasible, project proponents should take into account the value of the forest, not only in terms of direct	conditions of approval 4. LEA 5. CalRecycle		construction and operation

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	products, such as wood, but also as part of the watershed ecosystem, when selecting a project site. Wherever possible, nonprotected sites should be preferred and selected instead of protected sites; and ▪ for projects that would result in permanent conversion of forestland, other forestland would be preserved in perpetuity through a conservation easement or by acquiring lands or contributing funds to a land trust or other agency (at a target ratio of 1:1, depending on the nature of the conversion and the characteristics of the forestland to be converted, to compensate for permanent loss). • Project proponents would comply with local plans, policies, ordinances, rules, and regulations regarding air quality–related emissions and associated exposure (e.g., construction-related fugitive particulate matter [PM] dust regulations, indirect source review, and payment into off-site mitigation funds). • For projects located in PM nonattainment areas, project			

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	proponents shall prepare and comply with a dust abatement plan that addresses emissions of fugitive dust during construction and operation of the project. • An invasive species management plan would be developed and implemented for any project the construction or operation of which could lead to the introduction or facilitation of invasive species establishment. The plan would ensure that invasive plant species and populations are kept below preconstruction abundance and distribution levels.			
3.3 Air Quality **Impact 3.3-1: Short-Term Construction-Related Emissions of ROG, NO_X, PM_{10}, and $PM_{2.5}$** Construction of organic waste recovery facilities under the proposed regulation would result in ground-disturbing activities and require use of heavy-duty equipment. These activities would generate emissions of ROG, NO_X, PM_{10}, and $PM_{2.5}$ that could	**3.3 Air Quality** **Mitigation Measure 3.3-1: Implement All Feasible On- and Off-Site Mitigation Measures to Reduce Construction-Generated Air Pollutants to Below a Lead Agency–Approved Threshold of Significance** • Project proponents shall apply for, secure, and comply with all appropriate air quality permits for project construction from the local agencies with air quality jurisdiction and from other applicable agencies,	1. Project Applicant 2. Lead Agency	1. Project applicant shall submit application to the Lead Agency approval of the project 2. Lead Agency develops and circulates CEQA	1. Project application shall be submitted to the Lead Agency prior to construction and operation 2. Lead Agency approves the

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
exceed local air districts' thresholds of significance. Construction-generated emissions of criteria air pollutants and precursors would be potentially significant.	if appropriate, prior to construction mobilization. • Project proponents shall comply with the CAA and the CAAA (e.g., New Source Review and Best Available Control Technology criteria, if applicable). • Project proponents shall comply with local plans, policies, ordinances, rules, and regulations regarding air quality–related emissions and associated exposure (e.g., construction-related fugitive PM dust regulations, indirect source review, and payment into off-site mitigation funds). • For projects located in PM nonattainment areas, project proponents shall prepare and comply with a dust abatement plan that addresses emissions of fugitive dust during construction of the project. • Project proponents shall apply EPA Tier 3 or 4 emissions standards for projects found to generate exhaust NO_X emissions in exceedance of an applicable threshold of significance.	3. Air Pollution Control Districts (APCD) and Air Quality Management Districts (AQMD), which are also called air districts 4. Local government and other regulatory agencies that may apply conditions of approval	document for review 3. Local government agencies review the project application	CEQA document 3. Local air district issues permit or approval prior to construction and operation 4. Local government agencies' approval prior to construction and operation

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	• Project proponents shall use all feasible biodiesel, combined natural gas, and electricity-powered heavy-duty equipment for projects that generate emissions in exceedance of an applicable threshold.			
3.3 Air Quality **Impact 3.3-2: Long-Term Operational Emissions of ROG, NO_X, PM_{10}, and $PM_{2.5}$** Operation of organic waste recovery facilities under the proposed regulation would result in reductions of ROG, NO_X, PM_{10}, and $PM_{2.5}$ associated with the diversion of organic materials from landfills to facilities with the capacity to implement strategies to reduce such emissions. However, AD and composting facilities, and other organic waste recovery facilities, would also generate air pollution from the on- and off-road mobile sector. On-road vehicles (e.g., refuse and other collection trucks, commute-related automobiles) accessing organic waste recovery facilities would generate emissions of criteria air pollutants and	**3.3 Air Quality** **Mitigation Measure 3.3-2: Implement All Feasible On- and Off-Site Mitigation Measures to Reduce Operation-Related Air Pollutants to Below a Lead Agency–Approved Threshold of Significance** • Project proponents shall comply with the CAA and CAAA (e.g., New Source Review and Best Available Control Technology criteria, if applicable). • Project proponents shall comply with local plans, policies, ordinances, rules, and regulations regarding air quality–related emissions and associated exposure (e.g., indirect source review, vehicle idling limitations, and payment into off-site mitigation funds). • Project applicants shall establish a requirement pertaining to the use of	1. Project Applicant 2. Local government and other regulatory agencies that may apply conditions of approval 3. Air Pollution Control Districts (APCD) and Air Quality Management	1. Project applicant shall submit application to the Lead Agency approval of the project 2. Local government agencies review the project application 3. Local air district reviews the project	1. Project application shall be submitted to the Lead Agency prior to construction and operation 2. Local government agency review prior to permit issuance or other approval 3. Local air district issues permit or approval

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
precursors. New emissions could occur at AD and composting facilities either from diesel engine grinders, flaring of biogas or both, which could contribute to an exceedance of an air quality standard. These emissions could surpass the applicable thresholds of significance of a local air district and lead to adverse health impacts related to exposure of criteria air pollutants. Therefore, operation-related air quality impacts would be potentially significant.	biogas for electricity and facility-related vehicles. • Project applicants shall establish a maximum rate at which flaring may occur at a facility. • Project applicants whose projects would generate criteria pollutants and ozone precursors in exceedance of an applicable threshold shall conduct air dispersion modeling if feasible. • Project applicants whose projects would introduce substantial transportation emissions to an air basin or county in nonattainment for any of the NAAQS or CAAQS shall: o quantify mobile-source emissions of criteria air pollutants and ozone precursors, o prepare a report demonstrating the necessity of such transportation activity, o require the use of zero or near-zero on-road, heavy-duty trucks that access future facilities, and	Districts (AQMD), which are also called air districts 4. Local government and other regulatory agencies that may apply conditions of approval	application or proposal 4. Local government agencies review the project application	4. Local government agencies' approval prior to construction and operation

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	o prepare a Voluntary Emissions Reduction Target (VERA) with the applicable district.			
3.3 Air Quality **Impact 3.3-4: Exposure of Sensitive Receptors to TAC Emissions** Construction of organic waste recovery facilities built in response to the proposed regulation would generate short-term emissions of diesel PM; however, emissions would be temporary. Given the timeline established by SB 1383, construction phasing likely would not exceed 5 years (i.e., it would be operational by 2025). Operation of organic waste recovery facilities under the proposed regulation would result in reductions in emissions of TACs as compared to existing conditions at landfills. TACs generated by the reasonably foreseeable organic waste recovery facilities would constitute	**3.3 Air Quality** **Mitigation Measure 3.3-4: Conduct a Health Risk Assessment and Implement On-Site TAC-Reducing Mitigation Measures** In cases where TAC emission thresholds are exceeded, future project proponents should conduct an HRA prior to commencing operation. The HRA should be prepared pursuant to the most recent guidance published by OEHHA. The HRA should estimate TAC emissions from both existing and proposed TAC sources including on- and off-site mobile and stationary sources. The HRA should determine the maximum incremental increase in cancer risk from the long-term operation of organic waste recovery facilities. Future project proponents should evaluate this incremental increase against an applicable threshold of significance as determined by the relevant air district. In cases where the incremental increase exceeds these thresholds, on-site	1. Project Applicant 2. Local government and other regulatory agencies that may apply conditions of approval 3. Air Pollution Control Districts (APCD) and Air Quality Management	1. Project applicant shall submit application to the Lead Agency approval of the project 2. Local government reviews the application 3. Local air district reviews the project application or proposal	1. Project applicant submit prior to the operation 2. Local government agency review prior to permit issuance or other approval 3. Local air district issues permit or approval

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
a stationary source and would be subject to the permitting requirements set by the appropriate air district. However, it is foreseeable that emissions of diesel PM could result in localized air quality impacts from the operational of diesel-powered on- and off-road equipment. This impact would be potentially significant.	mitigation shall be applied. The following are operation-related mitigation measures that are typically applied to projects on site to reduce TAC emissions: • Project proponents shall install diesel particulate filters or implement other CARB-verified diesel emission control strategies for heavy-duty equipment. • Project proponents shall apply EPA Tier 3 or 4 emissions standards to off-road heavy-duty equipment. • Project proponents shall use haul trucks with on-road engines instead of off-road engines for on-site hauling. • Project proponents shall establish an electricity supply and use electric powered equipment instead of diesel-powered equipment if feasible. • Project proponents shall apply on-road diesel PM mitigation measures consistent with CARB's Diesel Certification Program. • Project proponents shall utilize renewable natural gas to power on-	Districts (AQMD), which are also called air districts 4. Office of Environmental Health Hazard Assessment (OEHHA)	4. Project applicant shall submit HRA to OEHHA for review	4. OEHHA approves the HRA prior to operation

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	road vehicles accessing future project sites.			
3.3 Air Quality **Impact 3.3-5: Exposure of Sensitive Receptors to Odors** Implementation of the proposed regulation would require the operation of new and expanded organic waste recovery facilities throughout the state. Adverse odors could be generated by activities performed at these facilities, including the handling of feedstock materials and the off-gassing of odors generated during the decomposition of organic materials. Finished compost applied to agricultural and other land uses could also create objectionable odors. Odor impacts related to the proposed regulation would be potentially significant.	**3.3 Air Quality** **Mitigation Measure 3.3-5a: Comply with Appropriate Local Land Use Plans, Policies, and Regulations** They do not have authority to require implementation of mitigation measures that would require compliance with appropriate local land use plans, policies, and regulations. Local agencies can and should require individual projects to be consistent with appropriate local land use plans, policies, and regulations, including any applicable setbacks or buffer zones around sensitive land uses for potentially odiferous processes, as part of project approval requirements **Mitigation Measure 3.3-5b: Prepare an Odor Impact Minimization Plan or Odor Management Plan** Pursuant to 14 CCR 17863.4 and 17896.31, future project proponents of compost and AD facilities shall prepare an OIMP to mitigate adverse odor impacts as a condition of approval. Project proponents of other organic waste recovery facilities (e.g., MRFs and rendering facilities) not subject to 14 CCR 17863.4 or 17896.31	1. Project Applicant 2. Lead Agency 3. Local government and other regulatory agencies that may apply conditions of approval 4. Air Pollution Control Districts	1. Project applicant shall submit application to the Lead Agency approval of the project 2. Lead Agency develops and circulates CEQA document for review 3. Local government agencies review the project application 4. Local air district reviews the	1. Project application shall be submitted to the Lead Agency prior to construction and operation 2. Lead Agency approves of the CEQA document 3. Local government agencies' approval prior to construction and operation 4. Local air district issues

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	shall develop and implement an Odor Management Plan that includes odor control strategies similar to those that would be included in an OIMP, such as the following possible strategies: • Prepare a list of potential odor sources. • Identify and describe the most likely sources of odor. • Identify the potential for, probable intensity of, and frequency of odor from likely sources. • Prepare a list of odor control technologies and management practices that could be implemented to minimize odor releases. These management practices shall entail the establishment of, but shall not be limited to, the following criteria: ▪ Require that substrate hauled to facilities is within sealed containers. ▪ Provide enclosed, negative-pressure buildings for indoor receiving and preprocessing. ▪ Treat collected odiferous air in a biofilter or air scrubbing system. ▪ Establish a time limit for on-site retention of undigested substrates	(APCD) and Air Quality Management Districts (AQMD), which are also called air districts 5. LEA 6. CalRecycle	project application or proposal 5. Project applicant submits solid waste facility permit application to LEA for review 6. CalRecycle concurs with issuance of LEA's proposed solid waste facility permit if a full permit is required	permit or approval 5. LEA accepts solid waste facility application package for filling 6. LEA issues solid waste facility permit or revises current permit if required

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	(e.g., substrates must be digested within 24 hours of reaching a site). ▪ Combine organic feedstocks with coarse, dry building amendments to aerate feedstock. ▪ Blend fresh organic feedstocks with finished compost, or apply a compost blanket of finished compost to fresh piles. ▪ Manage the delivery schedule to facilitate the prompt handling of odorous substrates. ▪ Handle digestate within enclosed buildings and/or directly pump it to sealed containers for transportation. ▪ Identify a protocol for monitoring and recording odor releases. ▪ Identify a protocol for reporting and responding to odor releases.			
3.4 Archaeological, Historical, and Tribal Cultural Resources **Impact 3.4-1: Substantial Adverse Change in the Significance of Built Historical Resources** Development of new or expanded organic waste recovery facilities	**3.4 Archaeological, Historical, and Tribal Cultural Resources** **Mitigation Measure 3.4-1: Survey and Redesign or Avoid Significant Historical Resources** • Applicants of projects shall identify and evaluate all historic-age (over 45 years in age) buildings and	1. Project Applicant	1. Project applicant shall submit application to the Lead Agency approval of the project	1. Project application shall be submitted to the Lead Agency prior to construction and operation

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
to comply with SB 1383 requirements could occur on lands that contain built historical resources. Because proposed individual development projects have the potential to significantly affect historical resources on a regional and localized level, thereby eliminating important examples of periods of California's history, this impact would be potentially significant.	structures that are proposed to be removed and modified as part of the proposed regulation. This will include preparation of a historic structure report and evaluation of resources to determine their eligibility for recognition under federal, State, or local criteria. The evaluation shall be prepared by an architectural historian, or historical architect meeting the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, Professional Qualification Standards. The evaluation shall comply with State CEQA Guidelines Section 15064.5(b) and, if federal funding or permits are required, with Section 106 of the NHPA of 1966 (16 U.S. Code Section 470 et seq.). • If resources eligible for inclusion in the NRHP, CRHR, or Local Official Register of Historic Resources are identified, an assessment of impacts on those resources shall be included in the report, as well as detailed measures to avoid impacts. If avoidance of a significant architectural/built environment resource is not feasible, additional	2. Lead agency 3. Local, State, or Federal government agencies and other regulatory agencies that may apply conditions of approval	2. Lead agency develops and circulates CEQA document for review 3. Local, State, or Federal government agencies review the project application or proposal	2. Lead Agency approves CEQA document 3. Local, State, or Federal government agencies' approval prior to construction and operation

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	mitigation options shall include, but not be limited to, specific design plans for historic districts or plans for alteration or adaptive reuse of a historical resource that follows *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitation, Restoring & Reconstructing Historic Buildings*.			
3.4 Archaeological, Historical, and Tribal Cultural Resources **Impact 3.4-2: Disturbance to Unique Archaeological Resources** The reasonably foreseeable development projects associated with the proposed regulation could be located on properties that contain known or unknown archaeological resources, and ground-disturbing activities could result in discovery of or damage to previously undiscovered archaeological resources as defined in State CEQA Guidelines Section 15064.5. This impact would be potentially significant.	**3.4 Archaeological, Historical, and Tribal Cultural Resources** **Mitigation Measure 3.4-2: Avoid Potential Effects on Archaeological Resources** • Applicants for projects that include any ground disturbance shall retain a qualified archaeologist to conduct archaeological surveys of the site. The applicant shall follow recommendations identified in the survey, which may include activities such as subsurface testing, design and implementation of a Worker Environmental Awareness Program, construction monitoring by a qualified archaeologist, avoidance of sites, or preservation in place.	1. Project Applicant 2. Lead Agency 3. Local government and other	1. Project applicant shall submit application to the Lead Agency approval of the project 2. Lead agency develops and circulates CEQA document for review 3. Local government agencies	1. Project application shall be submitted to the Lead Agency prior to construction and operation 2. Lead Agency approves CEQA document 3. Local government agencies'

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	• All projects shall include the following requirements as a condition of approval: If evidence of any prehistoric or historic-era subsurface archaeological features or deposits are discovered during construction-related earth-moving activities (e.g., ceramic shard, trash scatters, lithic scatters), all ground-disturbing activity in the area of the discovery shall be halted and the county shall be notified immediately. A qualified archaeologist shall be retained to assess the significance of the find. If the find is a prehistoric archaeological site, the appropriate Native American group shall be notified. If the archaeologist determines that the find does not meet NRHP or CRHR standards of significance for cultural resources, construction may proceed. If the archaeologist determines that further information is needed to evaluate significance, a data recovery plan shall be prepared. If the find is determined to be significant by the qualified archaeologist (i.e., because the find is determined to constitute either a historical resource or a unique archaeological resource), the	regulatory agencies that may apply conditions of approval	review project application	approval prior to construction and operation

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	archaeologist shall work with the project applicant to avoid disturbance to the resources. If complete avoidance is not feasible in light of project design, economics, logistics, or other factors, accepted professional standards in recording any find, including submittal of the standard California Department of Parks and Recreation (DPR) Primary Record forms (Form DPR 523) and location information to the relevant information center, shall be followed.			
3.5 Biological Resources **Impact 3.5-1: Adverse Effect on Special-Status Species, Either Directly or through Habitat Modifications** It is reasonably foreseeable to expect new or expanded facilities to be located at or near existing landfills or material recovery facilities, or in urban locations zoned for industrial or heavy commercial use, so in most circumstances, adverse effects to sensitive species would not occur. However, the potential to intrude into or displace natural habitat	**3.5 Biological Resources** **Mitigation Measure 3.5-1: Incorporate Avoidance and Minimization Measures Consistent with Resource Agency Regulatory Requirements** If a proposed facility project site consists entirely of developed uses, fully disturbed land, non-native vegetation, or a combination thereof and natural habitat is not present, the proponent will report these conditions during the project's local government review process. No additional biological resource assessment or facility design responses are required. If a proposed facility project site contains or is likely to contain natural habitat, the	1. Project Applicant 2. Lead Agency	1. Project applicant shall submit application to the Lead Agency approval of the project 2. Lead Agency develops and circulates CEQA document for review	1. Project application shall be submitted to the Lead Agency prior to construction and operation 2. Lead Agency approves CEQA document

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
supporting special-status species cannot be fully dismissed, such as for project sites on urban/rural edges. Potential localized effects on special-status species could occur, including the removal or conversion of vegetation and habitat necessary for species breeding, feeding, dispersal, or sheltering. Development of organic wasted recovery facilities could result in the disturbance or loss of special-status plant and wildlife species and habitats, if they are located in areas of natural habitat. Therefore, this impact would be categorized as potentially significant.	agency with approval authority over the project must require project sponsors to incorporate avoidance and minimization measures into the facility design, so that natural habitats and special-status species do not experience significant adverse effects. If avoidance and minimization are not feasible, the proponent will coordinate with the appropriate resources agency to identify site-specific biological resource assessments to define the design features or other actions necessary to protect sensitive species and habitats, or compensate for habitat or species effects that cannot be avoided. The assessment shall be conducted by qualified professionals pursuant to adopted protocols and agency guidelines and applied to project regulatory compliance. The project proponent shall comply with the mitigation requirements needed to achieve permit approval by the appropriate resource agency, so that special-status species are adequately protected or adequate compensatory actions are included.	3. Local government and other regulatory agencies that may apply conditions of approval	3. Local government agencies review project application	3. Local government agencies' approval prior to construction and operation
3.5 Biological Resources **Impact 3.5-2: Substantial Adverse Effects on Riparian**	**3.5 Biological Resources**	1. Project Applicant	1. Project applicant shall submit	1. Project application shall be

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
Habitat, Federally Protected Wetlands, or Other Sensitive Natural Communities through Direct Removal, Filling, Hydrological Interruption, or Other Means It is reasonably foreseeable to expect new or expanded facilities to be located at or near existing landfills or material recovery facilities, or in urban locations zoned for industrial or heavy commercial use, so in most circumstances, adverse effects to sensitive habitats would not occur. However, the potential to intrude into or displace sensitive habitats cannot be fully dismissed, such as for project sites on urban/rural edges. Potential impacts could include disturbance or loss of jurisdictional waters, including wetlands; loss or degradation of stream or wetland function; incremental degradation of wetland habitats; and fragmentation of streams and wetlands. Development of organic wasted recovery facilities could result in the disturbance or loss of	**Mitigation Measure 3.5-2: Avoid or Minimize Impacts, or Compensate for Unavoidable Loss of Sensitive Habitat** If a proposed facility project site contains or is likely to contain sensitive habitats, the agency with approval authority over the project shall require project sponsors to incorporate avoidance and minimization measures into the facility design, so that natural habitats and special-status species do not experience significant adverse effects. In keeping with the "no net loss" policy for wetlands and other waters, project designs shall be configured, whenever possible, to avoid wetlands and other waters and avoid disturbances to wetlands and riparian corridors to preserve both the habitat and the overall ecological functions of these areas. Projects shall minimize ground disturbances and transportation project footprints near such areas to the extent practicable. Where avoidance of jurisdictional waters is not feasible, project sponsors must minimize fill and the use of in-water construction methods, and place fill only with express permit approval from the appropriate resources agencies (e.g., USACE, RWQCB, CDFW, BCDC, and	2. Lead Agency 3. Local and State government agencies that may apply conditions of approval 4. Resources agencies (e.g., USACE, RWQCB, CDFW,	application to the Lead Agency approval of the project 2. Lead agency develops and circulates CEQA document for review 3. Local and State government agencies review project proposals and/or application 4. Resource agencies reviews the project	submitted to the Lead Agency prior to construction and operation 2. Lead Agency approves CEQA document 3. Local and State government agencies' approval prior to construction and operation 4. Resource agencies issues permit or approval

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
sensitive habitats, if those resources are located at future project sites. Therefore, this impact would be potentially significant.	CCC) and in accordance with applicable existing regulations, such as the CWA or local stream protection ordinances. Project sponsors can arrange for compensatory mitigation subject to approval by the USACE, RWQCB, CDFW, BCDC, and CCC, as applicable.	BCDC, and CCC)	application or proposal	
3.7 Geology and Soils **Impact 3.7-6: Destruction of a Unique Paleontological Resource or Site** Many unique and important fossils have been found in California. Future projects implemented in response to the proposed regulation would require ground disturbance, which could harm or destroy undiscovered paleontological resources. It is likely that many projects would be co-located at existing solid waste-handling facilities or wastewater treatment plants or built on previously disturbed sites. However, individual development projects have the potential to alter or destroy unique paleontological resources. Therefore, this impact would be potentially significant.	**3.7 Geology and Soils** **Mitigation Measure 3.7-6: Survey and Redesign or Avoid Significant Paleontological Resources** • Applicants of projects that require grading or excavation in previously undisturbed areas shall retain a qualified geologist or paleontologist to identify and evaluate site geology relative to the potential for the presence of unique paleontological resources. The level of screening or identification efforts and the resulting documentation should consider the type and extent of excavation and proximity to fossil bearing strata. • All projects shall include the following requirements as a condition of approval: If evidence of any paleontological features or deposits are discovered during construction-related earth-moving	1. Project Applicant 2. Lead Agency 3. Local and State government agencies that may apply	1. Project applicant shall submit application to the Lead Agency approval of the project 2. Lead agency develops and circulates CEQA document for review 3. Local and State government agencies review	1. Project application shall be submitted to the Lead Agency prior to construction and operation 2. Lead Agency approves CEQA document 3. Local and State government agencies' approval prior to

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	activities (e.g., vertebrate, invertebrate, or plant fossils, traces, and/or trackways), all ground-disturbing activity in the area of the discovery shall be halted and the county shall be notified immediately. A qualified paleontologist shall be retained to assess the significance of the find. If the paleontologist determines that the find does not constitute a significant or unique resource, construction may proceed. If the paleontologist determines that further information is needed to evaluate significance, a data recovery plan shall be prepared. If the find is determined to be significant by the qualified paleontologist, they shall work with the project applicant to avoid disturbance to the resources. If complete avoidance is not feasible in light of project design, economics, logistics, or other factors, accepted professional standards for documentation of any find and recovery of important fossils shall be followed.	conditions of approval	project proposals and/or application	construction and operation
3.8 Greenhouse Gas Emissions and Climate Change	**3.8 Greenhouse Gas Emissions and Climate Change**	1. Project Applicant	1. Project applicant shall submit	1. Project application shall be

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
Impact 3.8-2: Short-Term Construction-Generated GHG Emissions Implementation of the proposed regulation would result in the construction of new or expanded organic waste recovery facilities to accommodate the increase in organic waste recovery. The construction of such facilities would generate GHG emissions that could exceed applicable local agency thresholds of significance. This impact would be potentially significant.	**Mitigation Measure 3.8-2: Implement All Feasible On- and Off-Site Mitigation Measures to Reduce Greenhouse Gas Emissions to below a Lead Agency–Approved Threshold of Significance** • Project proponents shall require its contractors to restrict the idling of on- and off-road diesel equipment to no more than 5 minutes while the equipment is on-site. • Project proponents of new facilities shall implement waste, disposal, and recycling strategies (i.e., 10 percent recycled content for Tier 1 and 15 percent recycled content for Tier 2) in accordance with the voluntary measures for non-residential land uses contained in Section A5.405 of the 2016 CALGreen Code or in accordance with any update to these requirements in future iterations of the CALGreen Code in place at the time of project construction. • Project proponents of new facilities shall achieve or exceed the enhanced Tier 2 target for nonresidential land uses of recycling or reusing 80 percent of the construction waste as described in Section A5.408 of the 2016		application to the Lead Agency approval of the project 2. Lead Agency develops and circulates CEQA document for review 3. Local government agencies review project application 4. Local air districts review project proposal and/or application	submitted to the Lead Agency prior to construction and operation 2. Lead Agency approves CEQA document 3. Local governmental agencies' approval prior to construction and operation 4. Local air districts approval prior to operation
		2. Lead Agency 3. Local government and other regulatory agencies that may apply conditions of approval 4. Air Pollution Control Districts (APCD) and Air Quality Management Districts (AQMD), also		

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	CALGreen Code or in accordance with any update to these requirements in future iterations of the CALGreen Code in place at the time of project construction. • Project proponents shall require all diesel-powered, off-road construction equipment meet EPA's Tier 3 or Tier 4 emissions standards as defined in 40 CFR 1039 and comply with the exhaust emission test procedures and provisions of 40 CFR Parts 1065 and 1068. This measure can also be achieved by using battery-electric off-road equipment as it becomes available. This measure is consistent with Mitigation Measure 3.3-1 in Section 3.3, "Air Quality." • Project proponents shall implement a program that incentivizes construction workers to carpool, and/or use public transit or electric vehicles to commute to and from the project site.	referred to as local air districts		
3.9 Hazards and Hazardous Materials **Impact 3.9-2: Significant Hazards to the Public or**	**3.9 Hazards and Hazardous Materials** **Mitigation Measure 3.9-2: Identify and Avoid Known Hazardous Waste Sites during Construction of New or Modified**	1. Project Applicant	1. Project applicant shall submit application to the Lead	1. Project application shall be submitted to the Lead

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
Environment from Disturbance to Known Hazardous Material Sites Soil disturbance caused by construction associated with new or modified organic waste–handling facilities built in response to the proposed regulation would have the potential to expose workers, the public, and the environment to risks associated with existing hazardous materials if they are present within the project site. As described in Section 3.9.2, "Environmental Setting," many hazardous waste sites are located throughout the state. Facilities implemented under the proposed regulation could be constructed across the state, and it is unknown at this time if any of those facilities would be located at a known hazardous waste site. Disturbance of contaminated sites could result in the exposure of the public and environment to health hazards from existing hazardous materials. This impact would be potentially significant.	**Facilities Built in Response to the Proposed Regulation** • Proponents of new facilities constructed as a result of reasonably foreseeable compliance responses would coordinate with local or State land use agencies to seek entitlements for development. This process would involve the completion of all necessary environmental review requirements (e.g., CEQA). The local or State land use agency or governing body must comply with all applicable regulations as part of approval of a development project. • During the environmental review process for a new or modified organic waste–handling facility project that would require ground-disturbing activities under the proposed regulation, the project proponent would coordinate with the landowner or other entity with jurisdiction (e.g., city or county) to determine whether hazardous materials are known to have been used, stored, or disposed of on the project site. The project proponent would also conduct a DTSC	2. Lead Agency 3. Local government and other regulatory agencies that may apply conditions of approval	Agency approval of the project 2. Lead Agency develops and circulates CEQA document for review 3. Local government agencies review project application	Agency prior to construction and operation 2. Lead Agency approves CEQA document 3. Local government agencies' approval prior to construction and operation

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	EnviroStor web search (https://www.envirostor.dtsc.ca.gov/public/) and consult DTSC's Cortese List to identify any known contamination sites on the project site. If the site of a new or modified organic waste facility is known to contain hazardous waste or is included on the DTSC Cortese List and identified as containing potential soil contamination that has not been cleaned up and deemed closed by DTSC, the area of contamination will be avoided, if feasible, or remediated before ground-disturbing activities begin within the site boundaries. If it is determined through coordination with landowners or after review of the Cortese List that no potential or known contamination is located on a project site, the project may proceed as planned. • Before final project design and any earth-disturbing activities, the applicant or agencies responsible would conduct a Phase I Environmental Site Assessment (ESA). The Phase I ESA would be prepared by a Registered Environmental Assessor or other			

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	qualified professional to assess the potential for contaminated soil or groundwater conditions at the project site—specifically in the area proposed for construction of new or modified organic waste–handling facilities. If no contaminated soil or groundwater is identified or if the Phase I ESA does not recommend any further investigation, then the project applicant or LEA would proceed with final project design and construction. If existing soil or groundwater contamination is identified, and if the Phase I ESA recommends further review, the applicant or agencies responsible would retain a Registered Environmental Assessor to conduct follow-up sampling to characterize the contamination and to identify any required remediation that shall be conducted consistent with applicable regulations before any earth-disturbing activities. The environmental professional would prepare a report that includes, but would not be limited to, description of activities performed for the assessment, a summary of anticipated contaminants and			

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	contaminant concentrations at the proposed construction site, and recommendations for appropriate handling of any contaminated materials during construction. • Project proponents would implement all feasible mitigation identified during the environmental document review to reduce or substantially lessen the potentially significant environmental impacts of the project.			
3.9 Hazards and Hazardous Materials **Impact 3.9-5: Safety Hazard from Siting an Organic Waste–Handling Facility within 5 Miles of an Airport** Organic waste–handling facilities would process food materials that could attract increased numbers of scavenging birds to sites located near airports, thus increasing the risk of bird strikes for aircraft departing or approaching any nearby airports. FAA Advisory Circular 150/5200-33B recommends a minimum distance of 5 miles between	**3.9 Hazards and Hazardous Materials** **Mitigation Measure 3.9-5: Reduce Safety Hazards from Siting an Organic Waste–Handling Facility within 5 Miles of an Airport** • For any compost or AD facility proposed within 5 statute miles of an airport's air operations area, the project proponent shall notify the FAA Regional Airports Division office and the airport operator of the proposal for a new compost or AD facility as early in the process as possible. Such compost or AD facilities with any open air (outdoor) activities must receive an FAA	1. Project Applicant 2. Lead Agency	1. Project applicant shall submit application to the Lead Agency approval of the project 2. Lead Agency develops and circulates CEQA document for review	1. Project application shall be submitted to the Lead Agency prior to construction and operation 2. Lead Agency approves CEQA document

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
various land uses practices that attract wildlife, such as MSWLFs, and airports. Because the locations of compost and AD facilities are not explicitly governed by the same locational requirements established by federal regulations for MSWLFs to minimize wildlife hazards, this impact would be potentially significant.	Determination of No Hazard before project approval.	3. Local government and other regulatory agencies that may apply conditions of approval 4. Federal Aviation Administration (FAA)	3. Local government agencies review project application 4. FAA review the project proposal	3. Local government agencies' approval prior to construction and operation 4. FAA approval of project prior to operation
3.9 Hazards and Hazardous Materials **Impact 3.9-6: Impaired Implementation of or Physical Interference with an Adopted Emergency Response Plan or Emergency Evacuation Plan** New or modified organic waste–handling facilities and operations of collection routes would be	**3.9 Hazards and Hazardous Materials** **Mitigation Measure 3.9-6: Implement Measures during Construction Activities to Avoid Impairment of an Emergency Response Plan or Emergency Evacuation Plan** • Proponents of new facilities constructed as a result of reasonably foreseeable compliance responses would coordinate with	1. Project Applicant 2. Local Lead Agency	1. Project applicant shall submit application to the Lead Agency approval of the project 2. Lead Agency develops and	1. Project applicant submit prior to the operation 2. Lead Agency approves

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
spread throughout the state. Operation of new or modified organic waste–handling facilities and collection routes would not be located such that there would be physical interference with an adopted emergency response plan or emergency evacuation plan. Construction activities related to new or modified organic waste–handling facilities would be short term and temporary; however, heavy equipment accessing project sites from public roads during construction and installation of biogas pipelines in public rights-of-way has the potential to impair implementation of emergency response and evacuation plans. This impact would be potentially significant.	local or State land use agencies to seek entitlements for development. This process would involve the completion of all necessary environmental review requirements (e.g., CEQA). The local or State land use agency or governing body must comply with all applicable regulations as part of approval of a development project. • Project proponents would implement all feasible mitigation identified during the environmental review to reduce or substantially lessen the potentially significant impacts from constructing the project related to impairment of an emergency response plan or emergency evacuation plan. • The contractor(s) would obtain any necessary road encroachment permits before pipelines are installed within the existing roadway right-of-way. As part of the road encroachment permit process, the contractor(s) would submit a traffic safety/traffic management plan (for work in the public right-of-way) to the agencies having jurisdiction over the affected roads. The plan would	3. Local government and other regulatory agencies that may apply conditions of approval	circulates CEQA document for review 3. Local government agencies review project application	CEQA document 3. Local government agencies' approval prior to construction and operation

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	likely include, but would not necessarily be limited to, the following elements. ■ Develop circulation and detour plans to minimize impacts on local street circulation. Use haul routes that minimize truck traffic on local roadways to the extent possible. Use flaggers and/or signage to guide vehicles through and/or around the construction zone. ■ To the extent feasible, and as needed to avoid adverse impacts on traffic flow, schedule truck trips outside of peak morning and evening commute hours. ■ Limit lane closures during peak traffic hours to the extent possible. Restore roads and streets to normal operation by covering trenches with steel plates outside of allowed working hours or when work is not in progress. ■ Limit, where possible, pipeline construction work zones to a width that, at a minimum, maintains alternating one-way traffic flow past the construction zone.			

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	▪ Coordinate with facility owners or administrators of sensitive land uses, such as police and fire stations, hospitals, and schools. Provide advance notification to the facility owner or operator of the timing, location, and duration of construction activities. ▪ To the maximum extent feasible, maintain access to private driveways located within construction zones. ▪ Coordinate with the local public transit providers so that bus routes or bus stops in work zones can be temporarily relocated as the service provider deems necessary.			
3.10 Hydrology and Water Quality **Impact 3.10-3: Violation of Any Water Quality Standards or Waste Discharge Requirements or Conflict with the Implementation of a Water Management Plan through Land Application of Uncomposted Organic Materials** The proposed regulation limits the volume of organic waste that can	**3.10 Hydrology and Water Quality** **Mitigation Measure 3.10-3: Develop Land Application Enforcement Strategy** CalRecycle shall develop an enforcement strategy for preventing illegal land application. This strategy includes regulatory requirements that specify that LEAs shall directly observe any material at designated solid waste facilities destined for land application. If physical contaminants, based on visual observation, clearly exceed the limits for legal land application in 14 CCR Section	1. CalRecycle 2. LEA	1. CalRecycle shall develop an enforcement strategy 2. LEA to review records at solid waste facilities and	1. After SB 1383 Regulations are approved by Office of Administrative Law. 2. LEA verifies the compostable material meets requirements

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
be sent to landfills, which could result in increased land application of materials that are difficult to compost. When properly managed, land application can be accomplished without adversely affecting water quality. However, illegal land application has been documented as a threat to water quality and could increase with implementation of the proposed regulation. Because the proposed regulation could indirectly result in an increase in illegal land application of organic wastes, this impact would be potentially significant.	17852(a)(24.5)(A)(1), the LEA may require the operator to further process such material as a preventative measure to avoid illegal land application. Enforcement strategies may additionally include encouragement of secondary processing to reduce the volume of compost overs, community outreach regarding the potential adverse effects of illegal land application, identification of sites (such as remote canyons) that may be more at risk for illegal dumping of organic wastes, development of avenues of receiving public complaints, and coordination with LEAs and RWQCB enforcement staff.	3. Regional Water Quality Control Board (RWQCB)	perform visual inspection of compostable material destined for land application 3. RWQCB to consult with Local Enforcement Agencies regarding land application sites when applicable	of section 17852(a)(24.5)(1) at time of inspection.
3.12 Noise **Impact 3.12-1: Short-Term Construction-Related Noise Effects** Implementation of the proposed regulation would result in the construction of new or expanded waste recovery facilities and related infrastructure that would generate temporary construction-	**3.12 Noise** **Mitigation Measure 3.12-1: Implement Noise-Reduction Measures during Project Construction** • Proponents of new facilities constructed under the reasonably foreseeable compliance responses would coordinate with local or State land use agencies to seek entitlements for development	1. Project Applicant 2. Lead Agency	1. Project applicant shall submit application to the Lead Agency approval of the project 2. Lead Agency develops and	1. Project applicant submit prior to the operation 2. Lead Agency approves

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
related noise. Based on noise emissions levels from typical types of equipment used during construction and accounting for typical usage factors of individual pieces of equipment activities and attenuation, on-site construction could result in construction noise that exceeds noise standards established in local general plans and noise ordinances or that are substantially greater than the ambient noise environment. Thus, implementation of reasonably foreseeable compliance responses could result in the generation of short-term construction noise in excess of applicable standards or result in a substantial increase in ambient noise levels at nearby sensitive receptors, and exposure to excessive vibration levels. This impact would be potentially significant.	including the completion of all necessary environmental review requirements (e.g., CEQA). The local or State land use agency or governing body must comply with applicable regulations and would approve the project for development. • Based on the results of project level environmental review, project proponents would implement all feasible mitigation identified in the environmental document to reduce or substantially lessen the environmental impacts of the project The definition of actions required to mitigate potentially significant noise impacts may include the following; however, any mitigation specifically required for a new or modified facility would be determined by the local lead agency. • Ensure noise-generating construction activities (including truck deliveries, pile driving, and blasting) are limited to the least noise-sensitive times of day (e.g., weekdays during the daytime hours) for projects near sensitive receptors. • Consider use of noise barriers, such as berms, to limit ambient noise at	3. Local government and other regulatory agencies that may apply conditions of approval	circulates CEQA document for review 3. Local government agencies review project application	CEQA document 3. Local government agencies' approval prior to construction and operation

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	property lines, especially where sensitive receptors may be present. • Ensure all project equipment has sound-control devices no less effective than those provided on the original equipment. • All construction equipment used would be adequately muffled and maintained. • Consider use of battery-powered forklifts and other facility vehicles. • Ensure all stationary construction equipment (i.e., compressors and generators) is located as far as practicable from nearby sensitive receptors or shielded. • Properly maintain mufflers, brakes and all loose items on construction and operation related vehicles to minimize noise and address operational safety issues. Keep truck operations to the quietest operating speeds. Advise about downshifting and vehicle operations in sensitive communities to keep truck noise to a minimum.			

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	• Use noise controls on standard construction equipment; shield impact tools. • Consider use of flashing lights instead of audible back-up alarms on mobile equipment. • Install mufflers on air coolers and exhaust stacks of all diesel and gas-driven engines. • Equip all emergency pressure relief valves and steam blow-down lines with silencers to limit noise levels. • Contain facilities within buildings or other types of effective noise enclosures. • Employ engineering controls, including sound-insulated equipment and control rooms, to reduce the average noise level in normal work areas.			
Impact 3.12-2: Long-Term Operation Effects on Noise Implementation of the proposed regulation would result in the operation of new or expanded waste recovery facilities and related infrastructure that would generate on-going noise	**Mitigation Measure 3.12-2: Implement Noise-Reduction Measures during Project Operation** CalRecycle shall require LEAs to incorporate the following conditions into permits, as appropriate, based on the facts at the proposed facility site, before approving a solid waste facility permit or	1. Project Applicant	1. Project applicant shall submit application to the Lead Agency approval of the project	1. Project application shall be submitted to the Lead Agency prior to

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
associated with these facilities. Based on noise emissions levels from typical types of equipment used during the operation of organic waste recovery facilities and accounting for typical usage factors of individual pieces of equipment and attenuation, the operation of these facilities could result in noise that exceeds noise standards established in local general plans and noise ordinances or that is substantially greater than the ambient noise environment. Thus, implementation of reasonably foreseeable compliance responses could result in the generation of long-term operational noise in excess of applicable standards or result in a substantial increase in ambient noise levels at nearby sensitive receptors, and exposure to excessive vibration levels. This impact would be potentially significant.	registration permit for organic waste recovery projects developed to comply with the proposed regulation. For individual projects not under the jurisdiction of LEAs, site-specific, project impacts and mitigation would be identified during a project's local review process. • Public notice of activities shall be provided to nearby noise-sensitive receptors of potential noise-generating activities. • All motorized equipment shall be shut down when not in use. • Idling of equipment or trucks shall be limited to 5 minutes. • All heavy equipment and equipment operation areas shall be located as far as possible from nearby noise-sensitive land uses (e.g., residential land uses, schools, hospitals, places of worship, recreation resources). • To achieve an interior noise level less than applicable noise standards, the installation of double pane windows and building insulation shall be offered to residences directly affected by significant operational noise levels generated by the noise-generating facility. If accepted by the	2. Lead Agency 3. Local government and other regulatory agencies that may apply conditions of approval 4. LEA	2. Lead Agency develops and circulates CEQA document for review 3. Local government agencies review project application 4. Project applicant submits solid waste facility permit application to LEA for review	construction and operation 2. Lead Agency approves CEQA document 3. Local government agencies' approval prior to construction and operation 4. LEA accepts solid waste facility permit application package for filling

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	homeowner, the project applicant shall provide the funding necessary to install the appropriate noise-reducing building improvements.	5. CalRecycle	5. CalRecycle concurs with issuance of LEA's proposed solid waste facility permit, if necessary	5. LEA issues solid waste facility permit or revises solid waste facility permit, if necessary
3.13 Transportation **Impact 3.13-1: Construction-Related Traffic Impacts** Reasonably foreseeable compliance responses associated with the proposed regulation include development of new and expanded facilities to process organic waste, including compost, anaerobic digestion, and chip and grind facilities, among others. Depending on the number of trips generated and the location of new facilities, implementation could conflict with applicable programs, plans, ordinances, or policies	**3.13 Transportation** **Mitigation Measure 3.13-1: Prepare a Transportation Construction Plan** Prepare a transportation construction plan for all phases of construction. • Establish a construction phasing/staging schedule and sequence that minimizes impacts of a work zone on traffic by using operationally sensitive phasing and staging throughout the life of the project. • Identify arrival/departure times for trucks and construction workers to avoid peak periods of adjacent	1. Project Applicant 2. Lead Agency	1. Project applicant shall submit application to the Lead Agency approval of the project 2. Lead Agency develops and circulates CEQA document for review	1. Project application shall be submitted to the Lead Agency prior to construction and operation 2. Lead Agency approves CEQA document

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
(e.g., performance standards, congestion management) or result in hazardous design features and emergency access issues from road closures, detours, and obstruction of emergency vehicle movement, especially from project-generated heavy-duty truck trips. Thus, this impact would be potentially significant.	street traffic and minimize traffic effects. • Identify optimal delivery and haul routes to and from the sites to minimize impacts on traffic, transit, pedestrians, and bicyclists. • Identify appropriate detour routes for bicycles and pedestrians in areas affected by construction. • Coordinate with local transit agencies, and provide for relocation of bus stops and ensure adequate wayfinding and signage to notify transit users. • Preserve emergency vehicle access. • Implement public awareness strategies to educate and reach out to the public, businesses, and the community concerning the project and work zone (e.g., brochures and mailers, press releases/media alerts). • Provide a point of contact for residents, employees, property owners, and visitors to obtain construction information and submit comments and questions.	3. Local government and other regulatory agencies that may apply conditions of approval	3. Local government agencies review project application	3. Local government agencies' approval prior to construction and operation

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
	• Provide current and/or real-time information to road users regarding the project work zone (e.g., changeable message sign to notify road users of lane and road closures and work activities, temporary conventional signs to guide motorists through the work zone). • Encourage construction workers to use transit, carpool, and other sustainable transportation modes when commuting to and from the sites.			
3.13 Transportation **Impact 3.13-4: Reasonably Anticipated Increase in VMT** Under the proposed regulation, the amount of organic waste delivered to landfills would be reduced through changes to the way food waste and other organic materials are collected and handled. Organic waste would be transported to a qualifying recovery facility, such as a food recovery center, compostable material handling facility, AD facility, a recycling center, or a biomass conversion facility. In	**3.13 Transportation** **Mitigation Measure 3.13-4: Employ Remote Monitoring Technology to Measure Remaining Container Capacity and Monitor Container Contamination** Mitigation measures to reduce VMT can and should be implemented by local jurisdictions with land use authority. Site-specific, project impacts and mitigation would be identified during a project's local review process. A proposed project would be approved by a local government and potentially another permitting agency that can apply conditions of approval. • Require placement of remote monitoring technology in collection	1. Solid Waste Haulers 2. Local Jurisdictions	1. Inclusion of terms in solid waste franchise hauler agreements 2. Inclusion of requirements in local ordinances to implement SB 1383 regulations	1. Following execution of new or revised franchise hauler agreements 2. At time of adoption of local ordinance to implement SB 1383 regulatory requirements

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
some cases, material produced at recovery facilities would be delivered to customers for use as a soil amendment or for direct land application after chipping and grinding. A greater quantity of edible food would also be collected and distributed to people rather than being disposed in a landfill. While collection modifications would not substantially change the amount of travel needed, the post-recovery activities would be reasonably expected to increase vehicle trips within the state and, therefore, vehicle miles traveled (VMT). There is uncertainty in predicting the location of new and expanded organic waste recovery facilities and the locations where rescued food and finished compost would be distributed. Thus, recognizing the expectation of increased travel and uncertainty in future predictions, to meet CEQA's mandate of good-faith disclosure and to not risk understating potential future VMT impacts in light of the uncertainties, this impact is	containers or on collection vehicles that are capable of identifying underused container capacity (e.g. whether a bin is partially full) and the presence of contaminants in a container, on a regular basis or when a container is tipped in into a collection vehicle. • Establish practices to identify optimization of vehicle routes in a manner that reduces the collection of partially full containers and/or informs customers that could down size their container size. • Identify opportunities to reduce VMT by limiting the collection of contaminated containers in a manner that commingles the container contents with clean material. • Encourage businesses and residents to right-size their container to reduce unnecessary vehicle trips.			

Impacts	Mitigation Measure	Responsibility for Compliance	Method for Compliance	Timing of Compliance
classified as potentially significant.				