



**Mt. Diablo Resource Recovery  
Maintenance Facility Project**

Mitigation Monitoring and Reporting  
Program

March 18, 2021

Lead Agency:

City of Antioch  
Community Development Department  
Planning Division  
200 H Street  
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Technical Assistance:

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## **ACRONYMS AND ABBREVIATIONS**

Applicant	Mt. Diablo Resource and Recovery
BAAQMD	Bay Area Air Quality Management District
BMPs	Best Management Practices
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
City	City of Antioch
CRHR	California Register of Historical Resources
DPR	Department of Parks and Recreation
HMBP	Hazardous Materials Business Plan
ISMND	Initial Study Mitigated Negative Declaration
MLD	Most Likely Descendant
MMRP	Mitigation, Monitoring, and Reporting Program
NAHC	Native American Heritage Commission
PRC	Public Resources Code
proposed project	Mt. Diablo Resource Recovery Truck Maintenance Facility Project
RWQCB	Regional Water Quality Control Board
SWPPP	Stormwater Pollution Prevention Program



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## **1.0 MITIGATION MONITORING AND REPORTING PROGRAM**

The purpose of the Mitigation, Monitoring, and Reporting Program (MMRP) is to provide the City of Antioch Community Development Department (City) with a comprehensive list of the mitigation measures identified in the Initial Study Mitigated Negative Declaration (ISMND) for the Mt. Diablo Resource Recovery Truck Maintenance Facility Project (proposed project).

### **1.1 INTRODUCTION**

The City is acting as the Lead Agency, as defined by the California Environmental Quality Act (CEQA). In accordance with Public Resources Code section 21081.6, a Lead Agency that approves or carries out a project with potentially significant environmental effects shall adopt a “reporting or monitoring program for the changes to the project which it has adopted or made a condition of a project approval to mitigate or avoid significant effects on the environment.”

The CEQA Guidelines provide direction for clarifying and managing the complex relationships between a Lead Agency and other agencies with respect to implementing and monitoring mitigation measures. In accordance with CEQA Guidelines section 15097(d), “each agency has the discretion to choose its own approach to monitoring or reporting; and each agency has its own special expertise.” This discretion will be exercised by implementing agencies at the time they consider any of the activities identified in the environmental document.

This MMRP is a working guide to facilitate both the implementation of the mitigation measures and the monitoring, compliance, and reporting activities by the City and any monitors it may designate. If the City adopts the ISMND for the proposed project, it will adopt the MMRP.

### **1.2 OVERVIEW OF THE MITIGATION MONITORING AND REPORTING PROGRAM**

The MMRP is presented in the following table and includes the following components:

- The list of mitigation measures contained in the ISMND, as adopted by the City;
- The party responsible for implementing the mitigation measure;
- The timing for implementation of the mitigation measure;
- The agency responsible for monitoring implementation of the mitigation measure; and
- The monitoring action and frequency.

The City and its contractors will be required to comply with this MMRP in all respects. In any instance where non-compliance occurs, the City-designated environmental monitors will issue a warning to the construction supervisor and the City’s Project Manager. Any decisions to halt work due to non-compliance will be made by the City. The City’s designated environmental monitors will keep records of any incidents on non-compliance with mitigation measures. Copies of these documents will be supplied to the City.



Once construction has begun and is underway, the City will carry out monitoring of the mitigation measures associated with construction. The MMRP will be maintained in the City's files for use in construction and operation of the proposed project.



Mitigation Measures	Implementation Party	Timing of Implementation	Monitoring Party and Monitoring Action	Monitoring Frequency	Verification of Implementation	
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<b>Section 3.3: Air Quality</b>						
<p><b>MM AIR-1: Implement Construction Best Management Practices.</b> The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by the Bay Area Air Quality Management District (BAAQMD) to reduce fugitive dust emissions. Emission reduction measures will include, at a minimum, the following measures. Additional measures may be identified by the BAAQMD or contractor as appropriate:</p> <ul style="list-style-type: none"> <li>a) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day;</li> <li>b) All haul trucks transporting soil, sand, or other loose material offsite will be covered;</li> <li>c) All visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited;</li> <li>d) All vehicle speeds on unpaved roads will be limited to 15 miles per hour;</li> <li>e) All roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used.</li> <li>f) Idling times shall be minimized either by shutting equipment off when not in use or by reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of the California Code of Regulations. Clear signage shall be provided for construction workers at all access points.</li> <li>g) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.</li> <li>h) Post a publicly visible sign with the telephone number and person to contact at the City regarding dust complaints. This person will respond and take corrective action within 48 hours. The BAAQMD's phone number will also be visible to ensure compliance with applicable regulations.</li> </ul>	<ul style="list-style-type: none"> <li>• Construction Contractor</li> </ul>	<p>Prior to issuance of grading permit and during construction.</p>	<p><b>Monitoring Party:</b></p> <ul style="list-style-type: none"> <li>• City of Antioch Community Development Department</li> </ul> <p><b>Monitoring Action:</b></p> <ul style="list-style-type: none"> <li>• Confirm BMPs are included in project specifications and Grading Plan.</li> <li>• Confirm BMPs are implemented throughout the construction phase.</li> </ul>	<p>Prior to issuance of grading permit and throughout construction as needed.</p>		



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<b>Section 3.4: Biological Resources</b>						
<p><b>MM BIO-1: Avoid Disturbance of Nesting Birds.</b> If project activities occur during the nesting season for native birds (February 1 to August 31), a nesting survey shall be conducted within <u>5 45</u> days of starting construction work or tree removal activities. The nesting survey shall include an examination of the entire project site including existing buildings and all trees onsite and within 200 feet of the project site (e.g., within a zone of influence of nesting birds). The zone of influence includes those areas outside of the project site where earth-moving vibrations and/or other construction-related noise could disturb birds. If birds are identified nesting on or within the zone of influence of the proposed project, a qualified biologist shall establish a temporary protective nest buffer around the nest(s). The nest buffer shall be staked with orange construction fencing. The buffer must be of sufficient size to protect the nesting site from construction-related disturbance. Typically, adequate nesting buffers are 50 feet from the nest site or nest tree dripline for small birds and up to 300 feet for sensitive nesting birds that include several raptor species known to the region of the project site but that are not expected to occur on the project site. Upon completion of nesting surveys, if nesting birds are identified on or within a zone of influence of the project site, a qualified biologist shall prescribe adequate nesting buffers to protect the nesting birds from harm while the proposed project is constructed.</p> <p><u>If there is a pause in construction activities of seven days or more during the nesting season, an additional nesting bird survey will be conducted to ensure that there are no new nests that need buffering.</u></p> <p>No construction or earth-moving activity shall occur within any established nest protection buffer prior to September 1 unless it is determined by a qualified biologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones, or that the nesting cycle is</p>	<ul style="list-style-type: none"> <li>• Construction Contractor</li> <li>• Qualified Biologist</li> </ul>	<p>Nesting survey will be conducted within <u>5 45</u> days of starting construction work or tree removal activities.</p>	<p><b>Monitoring Party:</b></p> <ul style="list-style-type: none"> <li>• City of Antioch Community Development Department</li> </ul> <p><b>Monitoring Action:</b></p> <ul style="list-style-type: none"> <li>• Confirm selection of qualified biologist</li> <li>• Confirm nesting bird surveys are conducted within <u>5 45</u> days of starting construction work or tree removal activities.</li> <li>• Confirm pre-construction clearance by qualified biologist</li> <li>• Confirm pre-construction clearance for work stoppage of seven days or greater during nesting season</li> </ul>	<p>Prior to issuance of grading permit and throughout the construction phase as needed.</p>		





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<p>otherwise completed. In the region of the project site, most species complete nesting by mid-July. This date can be significantly earlier or later and would have to be determined by the qualified biologist. At the end of the nesting cycle and fledging from the nest by its occupants, as determined by a qualified biologist, temporary nesting buffers may be removed, and construction may commence in established nesting buffers without further regard for the nest site.</p>						
<p><b>MM BIO-2: Avoid Disturbance of Roosting Bats.</b> Prior to construction and tree removal activities, a qualified biologist shall conduct preconstruction surveys for roosting bats within 14 days of starting work. Tree removal and construction activities shall be conducted during specific seasonal periods of bat activity: between August 31 and October 15, when bats would be able to fly and feed independently, and between March 1 and April 1 to avoid hibernating bats and prior to the formation of maternity colonies. If the qualified biologist finds evidence of bat presence during the surveys, then a plan for removal and exclusion shall be prepared in conjunction with CDFW.</p> <p>If construction activities and tree removal must occur outside of the seasonal activity periods (e.g., between October 16 and February 28-29, or between April 2 and August 30), then a qualified biologist shall conduct preconstruction surveys within 14 days of starting work. If roosts are found, a determination shall be made whether there are young. If a maternity site is found, impacts to the maternity site shall be avoided by establishment of a non-disturbance buffer until the young have reached independence. The size of the buffer zone shall be determined by the qualified biologist at the time of the surveys. If the qualified biologist finds evidence of bat presence during the surveys, then a plan for removal and exclusion when there are not dependent young present shall be prepared in conjunction with CDFW.</p>	<ul style="list-style-type: none"> <li>• Construction Contractors</li> <li>• Qualified Biologist</li> </ul>	<p>Preconstruction surveys will be conducted within 14 days of starting work.</p>	<p><b>Monitoring Party:</b></p> <ul style="list-style-type: none"> <li>• City of Antioch Community Development Department</li> </ul> <p><b>Monitoring Action:</b></p> <ul style="list-style-type: none"> <li>• Confirm selection of qualified biologist</li> <li>• Confirm preconstruction surveys are conducted within 14 days of starting work</li> </ul>	<p>Prior to issuance of grading permit and throughout the construction phase as needed.</p>		



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<b>Section 3.5: Cultural Resources</b>						
<p><b>MM CUL-1: Cultural Materials Discovered During Construction.</b> If any cultural resource is encountered during ground disturbance or subsurface construction activities (e.g., trenching, grading), all construction activities within a 50-foot radius of the identified potential historical resource shall cease until an archaeologist who meets the Secretary of the Interior’s Standards and Guidelines for Professional Qualifications in archaeology and/or history evaluates the resource for its potential significance and determines whether the resource requires further study. If the qualified archaeologist determines that the cultural resource does not appear to be eligible for inclusion on the CRHR, it will be appropriately documented on Department of Parks and Recreation (DPR) 523 series forms and project activity may resume. If the qualified archaeologist determines that the cultural resource appears eligible for inclusion on the CRHR, the archaeologist shall make recommendations to the City of Antioch on the measures to be implemented to protect the discovered resources. The measures may include avoidance, preservation in place, data recovery excavation, or other appropriate measures outlined in PRC Section 21083.2. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate DPR forms and evaluated for significance in terms of CEQA criteria. The applicant shall be responsible for the costs of retaining a qualified archaeologist and the recording of resources on DPR forms.</p> <p>No further grading shall occur within a 50-foot radius of the discovery until the City of Antioch approves the measures to protect these resources. Any archaeological artifacts recovered because of mitigation shall be donated to a qualified scientific institution approved by the City where they would be afforded long-term preservation to allow future scientific study.</p>	<ul style="list-style-type: none"> <li>• Construction Contractor</li> <li>• Qualified Archaeologist</li> </ul>	During the construction phase.	<p><b>Monitoring Party:</b></p> <ul style="list-style-type: none"> <li>• City of Antioch Community Development Department</li> </ul> <p><b>Monitoring Action:</b></p> <ul style="list-style-type: none"> <li>• Confirm a qualified archaeologist is under contract prior to the start of any ground disturbing activities.</li> <li>• If cultural resources are discovered during construction confirm activities are halted until appropriate treatment measures are implemented.</li> </ul>	Prior to issuance of grading permit and throughout the construction phase as needed.		
<p><b>MM CUL-2: Worker Awareness Training.</b> Prior to the start of any ground disturbance, all field personnel shall receive worker’s environmental awareness training on cultural resources. The training, which may be conducted with other environmental or safety trainings, will provide a description of cultural resources that may</p>	<ul style="list-style-type: none"> <li>• Construction Contractor</li> <li>• Qualified Archaeologist</li> </ul>	Pre-construction: Prior to ground disturbing activities.	<p><b>Monitoring Party:</b></p> <ul style="list-style-type: none"> <li>• City of Antioch Community Development Department</li> </ul> <p><b>Monitoring Action:</b></p>	Prior to issuance of grading permit and throughout the construction phase as needed.		



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be encountered during construction and outline the steps to follow in the event that a discovery is made.			<ul style="list-style-type: none"> <li>Confirm a qualified archaeologist is under contract prior to the start of any ground disturbing activities.</li> <li>Confirm a qualified archaeologist provides worker awareness training prior to start of any ground disturbing activities.</li> </ul>			
<p><b>MM CUL-3: Human Remains Discovered During Construction.</b> If ground-disturbing activities uncover previously unknown human remains, Section 7050.5 of the California Health and Safety Code applies, and the following procedures shall be followed:</p> <p>There shall be no further excavation or disturbance of the area where the human remains were found or within 50 feet of the find until the Contra Costa County Coroner and the appropriate City representative are contacted. Duly authorized representatives of the Coroner and the City shall be permitted onto the project site and shall take all actions consistent with Health and Safety Code Section 7050.5 and Government Code Sections 27460, et seq. Excavation or disturbance of the area where the human remains were found or within 50 feet of the find shall not be permitted to re-commence until the Coroner determines that the remains are not subject to the provisions of law concerning investigation of the circumstances, manner, and cause of any death. If the Coroner determines that the remains are Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the most likely descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of the human remains and any associated grave goods with appropriate dignity, as provided in PRC Section 5097.98. If the MLD does not make recommendations within 48 hours, the landowner shall reinter the remains in an area of the property secure from further disturbance. If the landowner does not accept the MLD's recommendations, the owner or the MLD may request mediation by NAHC.</p>	<ul style="list-style-type: none"> <li>Construction Contractor</li> <li>Qualified Archaeologist</li> </ul>	During the construction phase.	<p><b>Monitoring Party:</b></p> <ul style="list-style-type: none"> <li>City of Antioch Community Development Department</li> </ul> <p><b>Monitoring Action:</b></p> <ul style="list-style-type: none"> <li>Confirm a qualified archaeologist is under contract prior to the start of any ground disturbing activities.</li> <li>Confirm a qualified archaeologist is onsite monitoring ground disturbing activities</li> <li>If human remains are discovered during construction confirm activities are halted until appropriate treatment measures are implemented.</li> </ul>	Prior to issuance of grading permit and throughout the construction phase as needed.		



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<b>Section 3.7: Geology and Soils</b>						
<b>MM GEO-1: Implement Geotechnical Design Recommendations.</b> Prior to issuance of grading permits, the applicant shall incorporate all design specifications and recommendations contained within the Geotechnical Investigation, dated January 21, 2020, into relevant project plans and specifications. These specifications and recommendations pertain to but are not limited to the project's earthwork activities, foundation support, and pavement design. The project site plans shall be prepared by a civil and structural engineer and submitted to the City for review during the building permit process.	<ul style="list-style-type: none"> <li>Applicant</li> </ul>	Prior to issuance of grading permits.	<b>Monitoring Party:</b> <ul style="list-style-type: none"> <li>City of Antioch Community Development Department</li> </ul> <b>Monitoring Action:</b> <ul style="list-style-type: none"> <li>Confirm specifications of the geotechnical report are implemented into the project and conform the City requirements.</li> </ul>	Once during the City's review of the project site plans.		
<b>MM GEO-2: Procedures for Paleontological Resources Discovered During Construction.</b> If any paleontological resources are encountered during ground-disturbing or subsurface construction activities (e.g., trenching, grading), all construction activities within a 50-foot radius of the identified resource shall cease and the City shall immediately be notified. The applicant shall retain a qualified paleontologist (as approved by the City) to evaluate the find and recommend appropriate treatment if the inadvertently discovered paleontological resource. The appropriate treatment of an inadvertently discovered paleontological resource shall be implemented to ensure that impacts to the resource is avoided.	<ul style="list-style-type: none"> <li>Construction Contractor</li> <li>Qualified Paleontologist</li> </ul>	During the construction phase.	<b>Monitoring Party:</b> <ul style="list-style-type: none"> <li>City of Antioch Community Development Department</li> </ul> <b>Monitoring Action:</b> <ul style="list-style-type: none"> <li>Confirm selection of qualified paleontologist</li> <li>If paleontological resources are encountered during construction confirm construction activities are halted until appropriate treatment measures are implemented.</li> </ul>	Prior to issuance of grading permit and throughout the construction phase as needed.		
<b>Section 3.9: Hazards and Hazardous Materials</b>						
<b>MM HAZ-1: Prepare and Implement a Hazardous Materials Business Plan.</b> The applicant shall prepare a HMBP in accordance with CFR, Title 40. The HMBP shall include inventory of any individual hazardous material or mixture in excess of any of the following quantities: 55 gallons (liquid); 500 pounds (solid); or 200 cubic feet (gases). The HMBP would include measures for safe storage, transportation, use, and handling of hazardous materials. The HMBP shall also include a contingency plan that describes the facility's response procedures in the event of a hazardous materials release. The HMBP shall be submitted to Contra Costa Health Services prior to occupancy.	<ul style="list-style-type: none"> <li>Applicant</li> </ul>	Prior to occupancy.	<b>Monitoring Party:</b> <ul style="list-style-type: none"> <li>City of Antioch Community Development Department</li> </ul> <b>Monitoring Action:</b> <ul style="list-style-type: none"> <li>Confirm HMBP was submitted to Contra Costa Health Services</li> </ul>	Once prior to occupancy.		
Refer to Mitigation Measures HYD-1 and HYD-2 below.						



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<b>Section 3.10: Hydrology and Water Quality</b>						
<p><b>MM HYD-1: Prepare and Implement a SWPPP.</b> Coverage shall be obtained for the project under the Construction General Permit (Order No. 2009-009-DWQ, as amended by 2010-0014-DWQ and 20152-006-DWQ). Per the requirements of the State Water Resources Control Board, a SWPPP shall be prepared for the project to reduce the potential for water pollution and sedimentation from proposed project activities. The SWPPP shall address site runoff, assuring that project runoff shall not affect or alter the drainage patterns on the project site. The SWPPP shall comply with the Waste Discharge Requirements of the Central Valley RWQCB Permit.</p>	<ul style="list-style-type: none"> <li>Applicant</li> <li>Construction Contractor</li> </ul>	Prior to issuance of grading permits and during construction.	<p><b>Monitoring Party:</b></p> <ul style="list-style-type: none"> <li>City of Antioch Community Development Department</li> </ul> <p><b>Monitoring Action:</b></p> <ul style="list-style-type: none"> <li>Confirm requirements of the approved SWPPP are included in project specifications and implemented throughout the construction phase.</li> </ul>	Once at the time of contractor specifications review and throughout the construction phase as needed.		
<p><b>MM HYD-2: Obtain Industrial General Permit.</b> Prior to operation, the applicant shall obtain coverage under the Industrial General Permit (Order No. 2014-0057-DWQ). Per the requirements of the State Water Resources Control Board, the applicant and facility operators would be required to prepare an operational SWPPP, eliminate unauthorized non-stormwater discharges, and perform monitoring of stormwater discharges and authorized non-stormwater discharges. The post-operational SWPPP shall also include a spill prevention and countermeasure plan that identifies the proper storage, collection, and disposal measures for potential pollutants used onsite, including the use and disposal of petroleum products associated with the onsite truck fueling station. The operational SWPPP shall comply the City's sewer discharge requirements, as specified in Chapter 6-4, of the Antioch Municipal Code, and the Waste Discharge Requirements of the Central Valley RWQCB Permit.</p>	<ul style="list-style-type: none"> <li>Applicant</li> <li>Facility Operators</li> </ul>	Prior to operation.	<p><b>Monitoring Party:</b></p> <ul style="list-style-type: none"> <li>City of Antioch Community Development Department</li> </ul> <p><b>Monitoring Action:</b></p> <ul style="list-style-type: none"> <li>Confirm requirements are met and implemented prior to operation.</li> </ul>	Once prior to operation.		
<b>Section 3.13: Noise</b>						
<p><b>MM NOI-1: Fixed-Source Noise Attenuation.</b> The noise from all mechanical equipment associated with the proposed project shall comply with Paragraph 11.61.1 "Noise Objective" in the General Plan and Article 19 "Noise Attenuation Requirements" in the Antioch Municipal Code.</p>	<ul style="list-style-type: none"> <li>Applicant</li> </ul>	Prior to issuance of grading permits.	<p><b>Monitoring Party:</b></p> <ul style="list-style-type: none"> <li>City of Antioch Community Development Department</li> </ul> <p><b>Monitoring Action:</b></p> <ul style="list-style-type: none"> <li>Confirm fixed noise sources associated with the project conform to the General Plan and City's Municipal Code requirements.</li> </ul>	Once during the City's review of the project site plans.		



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<p><b>MM NOI-2: Operation Noise Reduction.</b> To reduce worst-case instantaneous operations noise levels from the maintenance buildings to the closest residential receptors, the doors on the south side of the maintenance buildings would need to remain closed. If it is desired to leave the doors open, a qualified acoustical consultant could perform a more detailed noise study of the maintenance buildings taking into account actual measured noise levels from an existing company maintenance building and accounting for the conditions and finishes within the buildings themselves. The detailed noise study may recommend absorptive finishes or shielding inside or outside the building which would allow the doors to remain open.</p>	<ul style="list-style-type: none"> <li>Applicant</li> <li>Facility Operators</li> </ul>	<p>Prior to construction and during operational phase.</p>	<p><b>Monitoring Party:</b></p> <ul style="list-style-type: none"> <li>City of Antioch Community Development Department</li> </ul> <p><b>Monitoring Action:</b></p> <ul style="list-style-type: none"> <li>Confirm implementation of mitigation measure during operation or completion of a noise study with implementation of recommendations.</li> </ul>	<p>Once during the City's site plan review and throughout the operational phase as needed.</p>		
<p><b>MM NOI-3: Construction Noise Reduction.</b> Follow all construction noise requirements listed in the General Plan and Paragraphs 5.17.04 "Heavy Construction Equipment Noise" and 5.17.05 "Construction Activity Noise" within the Antioch Municipal Code.</p>	<ul style="list-style-type: none"> <li>Construction Contractor</li> </ul>	<p>During construction phase.</p>	<p><b>Monitoring Party:</b></p> <ul style="list-style-type: none"> <li>City of Antioch Community Development Department</li> </ul> <p><b>Monitoring Action:</b></p> <ul style="list-style-type: none"> <li>Confirm requirements listed in the General Plan and the City's Municipal Code are met during construction.</li> </ul>	<p>Prior to issuance of grading permit and throughout the construction phase as needed.</p>		
<p><b>Section 3.18: Tribal Cultural Resources</b></p>						
<p>Refer to Mitigation Measures CUL-1, CUL-2, and CUL-3 above.</p>						

