

RESOLUTION NO. 2016-091

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CORONA, CALIFORNIA, ADOPTING A MITIGATED
NEGATIVE DECLARATION FOR THE PROPOSITION 1
RECLAIMED WATER DISTRIBUTION FACILITIES
PROJECT**

WHEREAS, the City of Corona is pursuing financial assistance from the Water Recycling Funding program (WRFP) which is administered by State Water Resources Control boards Division of Financial Assistance (DFA) for a portion of its Reclaimed Water Distribution Facilities project; and

WHEREAS, the DFA regulations require the City of Corona to complete the California Environmental Quality Act (CEQA) process prior to funds being awarded through the WRFP; and

WHEREAS, the WRFP is partially funded by the Clean Water Revolving Fund which is partially funded by the U.S. Environmental Protection Agency (EPA) and therefore also subject to federal environmental regulations which established specific "CEQA Plus" requirements in the Operating Agreement with the State Water Resources Control Board for administering the CWSRF Program; and

WHEREAS, on the basis of the initial study, which indicated that all potential environmental impacts from this Project were less than significant or could be mitigated to a level of insignificance, a Mitigated Negative Declaration ("MND") was prepared pursuant to California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"), the State CEQA Guidelines; and the City of Corona Local CEQA Guidelines, and CEQA Plus; and

WHEREAS, the MND was made available to the public and to all interested agencies for review and comment between June 30, 2016 and August 5, 2016, pursuant to CEQA, the State CEQA Guidelines, and the City of Corona Local CEQA Guidelines, and CEQA Plus; and

WHEREAS, on September 7, 2016, the City Council, at its regularly scheduled public meeting, heard all persons wishing to testify in connection with the Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Corona, California, as follows:

SECTION 1. CEQA Findings. The City Council has reviewed and considered the information contained in the MND, the initial study and the administrative record for this Project, including all written and oral evidence provided during the comment period. Based

upon the facts and information contained in the whole record before it, including the MND, the initial study and the administrative record, including all written and oral evidence presented to the City Council, the City Council finds as follows:

A. The MND, initial study and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines and the City of Corona Local CEQA Guidelines.

B. The MND and initial study contain a complete and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment and analysis of the City Council.

C. There is no substantial evidence in the administrative record supporting a fair argument that the Project may result in significant environmental impacts.

D. All environmental impacts of the Project are either insignificant or can be mitigated to a level of insignificance pursuant to the mitigation measures outlined in the MND, the Mitigation Monitoring and Reporting Program and the initial study.

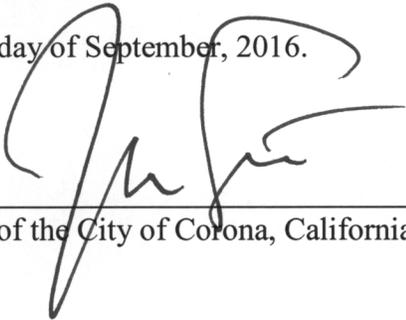
SECTION 2. Adoption of Mitigated Negative Declaration. The City Council hereby approves and adopts the MND prepared for this Project.

SECTION 3. Adoption of the Mitigation Monitoring and Reporting Program. The City Council hereby approves and adopts the Mitigation Monitoring and Reporting Program prepared for this Project and attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 4. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings are based are located at the Office of the City Clerk, located at City of Corona City Hall, 400 South Vicentia Avenue, Corona, California 92882.

SECTION 5. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 7th day of September, 2016.



Mayor of the City of Corona, California

ATTEST:



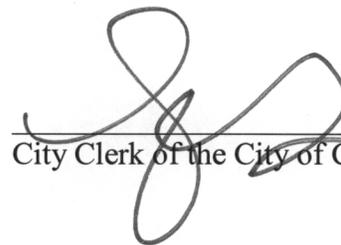
City Clerk of the City of Corona, California

CERTIFICATION

I, Lisa Mobley, City Clerk of the City of Corona, California, do hereby certify that the foregoing Resolution was regularly passed and adopted by the City Council of the City of Corona, California, at a regular meeting thereof held on the 7th day of September 2016, by the following vote:

AYES:	FOX, HALEY, MONTANEZ, SCOTT, SPIEGEL
NOES:	NONE
ABSENT:	NONE
ABSTAINED:	NONE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this 7th day of September 2016.

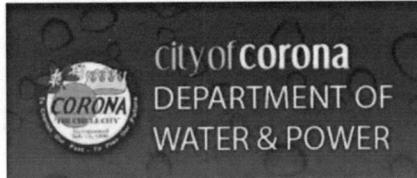


City Clerk of the City of Corona, California

(SEAL)

EXHIBIT "A"

MITIGATION MONITORING AND REPORTING PROGRAM



Mitigation Monitoring

and

Reporting Program

Proposition 1 - Reclaimed Water Distribution Facilities

State Clearinghouse No. 2016071005

Prepared for:

Department of Water and Power
City of Corona
755 Public Safety Way
Corona, California 92880

Prepared by:

K.S. Dunbar & Associates, Inc.
Environmental Engineering
45375 Vista Del Mar
Temecula, California 92590-4314
(951) 699-2082
Cell: (949) 412-2634
ksdpe67@gmail.com

September 2016



Mitigation Monitoring and Reporting Program Proposition 1 – Reclaimed Water Distribution Facilities

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring program. This requirement ensures that environmental impacts found to be significant will be mitigated. The reporting or monitoring program must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

In compliance with Public Resources Code Section 21081.6, the following MITIGATION MONITORING AND REPORTING CHECKLIST has been prepared for the Proposition 1 – Reclaimed Water Distribution Facilities project. This Mitigation Monitoring and Reporting Checklist is intended to provide verification that all applicable Conditions of Approval relative to significant environmental impacts are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented, 2) recordation of the actions taken to implement each mitigation, and 3) retention of records in the Proposition 1 – Reclaimed Water Distribution Facilities project file.

This Mitigation Monitoring and Reporting Program delineates responsibilities for monitoring the Project, but also allows the City of Corona Department of Water and Power (DWP) flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented.

Reporting consists of establishing a record that a mitigation measure is being implemented and generally involves the following steps:

- ❖ DWP distributes reporting forms to the appropriate persons for verification of compliance.
- ❖ Departments/agencies with reporting responsibilities will review the Initial Study and Mitigated Negative Declaration, which provides general background information on the reasons for including specified mitigation measures.
- ❖ Problems or exceptions to compliance will be addressed to DWP as appropriate.
- ❖ Periodic meetings may be held during project implementation to report on compliance of mitigation measures.
- ❖ Responsible parties provide DWP with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented. Monitoring compliance may be documented through existing review and approval programs such as field inspection reports and plan review.
- ❖ DWP prepares a reporting form periodically during the construction phase and an annual reporting summarizing all project mitigation monitoring efforts.

- ❖ Appropriate mitigation measures will be included in construction documents and/or conditions of permits/approvals.

Minor changes to the Mitigation Monitoring and Reporting Program, if required, would be made in accordance with CEQA and would be permitted after further review and approval by the City of Corona. Such changes could include reassignment of monitoring and reporting responsibilities, program redesign to make any appropriate improvements, and/or modification, substitution or deletion of mitigation measures subject to conditions described in CEQA Guidelines Section 15162. No change will be permitted unless the Mitigation Monitoring and Reporting Program continues to satisfy the requirements of Public Resources Code Section 21081.6.

Mitigation Monitoring and Reporting Program Checklist

Proposition 1 – Reclaimed Water Distribution Facilities

Mitigation Measure	Monitoring Process	Monitoring Timing	Responsible Person(s)	Date Completed
Air Quality DWP shall not construct more than five individual pipelines at any one time.	Site Inspection.	During Construction.	Field Engineering Inspector.	By: _____ Date: _____
DWP will appoint a construction relations officer to act as a community liaison concerning on-site construction activities including resolution of issues related to PM ₁₀ generation.	Project Records.	Prior to Construction.	Project Manager.	By: _____ Date: _____
DWP will include the following mitigation measures in its standard construction specifications: The contractor shall:				
❖ Utilize electricity from power poles instead of from temporary diesel or gasoline power generators, when feasible.	Site Inspection.	During Construction.	Field Engineering Inspector.	By: _____ Date: _____
❖ Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NO _x emissions requirements.	Site Inspection.	During Construction.	Field Engineering Inspector.	By: _____ Date: _____
❖ Require that all on-site construction equipment meet EPA Tier 3 or higher emissions standards according to the following: <ul style="list-style-type: none"> ✓ All construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. ✓ A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of 	Site Inspection.	During Construction.	Field Engineering Inspector.	By: _____ Date: _____

*Mitigation Monitoring and Reporting Program Checklist
 Proposition 1 – Reclaimed Water Distribution Facilities
 City of Corona Department of Water and Power*

Mitigation Measure	Monitoring Process	Monitoring Timing	Responsible Person(s)	Date Completed
mobilization of each applicable unit of equipment.				
❖ Maintain construction equipment engines by keeping them properly tuned and maintained according to manufacturer's specifications.	Site Inspection.	During Construction.	Field Engineering Inspector.	By: _____ Date: _____
❖ Use alternative fuels or clean and low-sulfur fuel for equipment.	Site Inspection.	During Construction.	Field Engineering Inspector.	By: _____ Date: _____
❖ Idle trucks in accordance with the Airborne Toxic Control Measure (ACTM) to Limit Diesel Fueled Commercial Motor Vehicle Idling and other applicable laws.	Site Inspection.	During Construction.	Field Engineering Inspector.	By: _____ Date: _____
❖ Spread soil binders on site, where appropriate, unpaved roads and staging areas.	Site Inspection.	During Construction.	Field Engineering Inspector.	By: _____ Date: _____
❖ Water site and equipment as necessary to control dust.	Site Inspection.	During Construction.	Field Engineering Inspector.	By: _____ Date: _____
❖ Sweep all streets at least once per day using SCAQMD Rule 1186 certified street sweepers or roadway washing trucks if visible soil materials are carried to adjacent streets.	Site Inspection.	During Construction.	Field Engineering Inspector.	By: _____ Date: _____
❖ Conduct operations in accordance with SCAQMD Rule 403 requirements.	Site Inspection.	During Construction.	Field Engineering Inspector.	By: _____ Date: _____
❖ If necessary, wash off trucks leaving the site.	Site Inspection.	During Construction.	Field Engineering Inspector.	By: _____ Date: _____
❖ Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least two feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114.	Site Inspection.	During Construction.	Field Engineering Inspector.	By: _____ Date: _____
Biological Resources				
in order to comply with the conservation goals of the MSCHP and to ensure burrowing owl and nesting birds remain absent from the Project sites, DWP shall implement the following:				
❖ A burrowing owl clearance survey shall be conducted prior to any ground disturbing activities in accordance with the CDFW 2012 Staff Report on Burrowing Owl Mitigation. Two pre-construction clearance surveys shall be conducted 14-30 days and 24 hours	Project Records.	Prior to Construction.	Project Manager.	By: _____ Date: _____

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Mitigation Measure	Monitoring Process	Monitoring Timing	Responsible Person(s)	Date Completed
<p>prior to ground disturbing activities to document the continued absence of burrowing owl from the Project site.</p> <p>❖ If ground-disturbing activities or removal of any trees, shrubs, or any other potential nesting habitat are scheduled within the avian nesting season (nesting season generally extends from February 1 - August 31), a pre-construction clearance survey for nesting birds should be conducted within 10 days prior to any ground disturbing activities. The biologist conducting the clearance survey should document a negative survey with a brief letter report indicating that no impacts to active bird nests will occur. If an active avian nest is discovered during the 10-day preconstruction clearance survey, construction activities should stay outside of a 300-foot buffer around the active nest. For raptor species, this buffer is expanded to 500 feet. It is recommended that a biological monitor be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged, normal construction activities can occur.</p>	Project Records.	Prior to Construction.	Project Manager.	By: _____ Date: _____
Cultural Resources				
<p>DWP will adhere to the following:</p> <p>If there are any changes to project site design and/or proposed grades, DWP shall contact interested tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between DWP and interested tribes to discuss the proposed changes and to review any new impacts and/or potential avoidance/preservation of the cultural resources on the Project. DWP will make all attempts to avoid and/or preserve in place as many as possible of the cultural resources located on the project site in specific circumstances where existing and/or new resources are determined to be unavoidable and/or unable to be preserved in place despite all feasible alternatives, DWP shall make every effort to relocate the resource to a nearby open space or designated location on the property that is not subject to any future development, erosion or flooding.</p> <p>Prior to the start of construction of the Corona Ranch Reclaimed Water Storage Reservoir and associated pipeline, DWP shall retain a qualified archaeologist meeting the Secretary of the Interior's (SOI) Standards for archaeology to conduct a Worker's Environmental Awareness Program (WEAP) for all construction personnel working on the proposed project. The training shall include an overview of potential cultural resources that could be encountered during ground disturbing activities to facilitate worker recognition, avoidance, and notification to a qualified archaeologist in the event of unanticipated discoveries. In addition, DWP shall retain monitors from</p>	Project Records.	Prior to Construction.	Project Manager.	By: _____ Date: _____
<p>Prior to the start of construction of the Corona Ranch Reclaimed Water Storage Reservoir and associated pipeline, DWP shall retain a qualified archaeologist meeting the Secretary of the Interior's (SOI) Standards for archaeology to conduct a Worker's Environmental Awareness Program (WEAP) for all construction personnel working on the proposed project. The training shall include an overview of potential cultural resources that could be encountered during ground disturbing activities to facilitate worker recognition, avoidance, and notification to a qualified archaeologist in the event of unanticipated discoveries. In addition, DWP shall retain monitors from</p>	Project Records.	Prior to Construction.	Project Manager.	By: _____ Date: _____

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Mitigation Measure	Monitoring Process	Monitoring Timing	Responsible Person(s)	Date Completed
<p>consulting tribes to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources.</p> <p>The Project Archaeologist, in consultation with interested tribes and DWP, shall develop an Archaeological Monitoring Plan to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. Details in the Plan shall include:</p> <ul style="list-style-type: none"> a. Project grading and development scheduling; b. The development of a rotating or simultaneous schedule for designated Native American Tribal Monitors from the consulting tribes during grading, excavation and ground disturbing activities on the site; including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with the Project Archaeologists; c. The Project Archaeologist and Native American the Tribal Monitors shall ensure that the grading efforts are conducted in a manner that allows for the identification of subsurface cultural resources. Any resources observed shall be addressed in accordance with Mitigation Measures outlined below; and d. The protocols and stipulations that DWP, the Tribes and Project Archaeologist shall follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation. <p>Although there were no archeological resources as defined in §15064.5 of the State CEQA Guidelines identified within the immediate project area, there is always a possibility that buried cultural resources that were not previously identified could be unearthed during excavation activities. Therefore, DWP will include the following mitigation measures in its standard construction specifications:</p>	Project Records.	Prior to Construction.	Project Manager.	By: _____ Date: _____

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Mitigation Measure	Monitoring Process	Monitoring Timing	Responsible Person(s)	Date Completed
<p>In the event that Native American cultural resources are inadvertently discovered during the course of ground disturbing activities for this Project. The following procedures will be carried out for treatment and disposition of the discoveries:</p> <ol style="list-style-type: none"> a. Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location onsite or at the offices of the Project Archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with tribal monitor oversight of the process; and b. Treatment and Final Disposition: DWP shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. DWP shall relinquish the artifacts through one or more of the following methods: <ol style="list-style-type: none"> 1. Accommodate the process for onsite reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed. 2. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation. 3. For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center or Riverside Metropolitan Museum by default. 	<p>Site Inspection.</p>	<p>During Construction.</p>	<p>Field Engineering Inspector.</p>	<p>By: _____ Date: _____</p>

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Mitigation Measure		Monitoring Process	Monitoring Timing	Responsible Person(s)	Date Completed
❖	All sacred sites, should they be encountered within the project sites, shall be avoided and preserved as the preferred mitigation, if feasible.	Site Inspection.	During Construction.	Field Engineering Inspector.	By: _____ Date: _____
❖	In addition, DWP will relinquish ownership of all cultural resources, including sacred items, burial goods and all archeological artifacts that are found on the Project sites to the appropriate tribe for proper treatment and disposition.	Project Records.	During Construction.	Project Manager.	By: _____ Date: _____
	Should construction/development activities uncover paleontological resources, work will be moved to other parts of the Project site and a qualified paleontologist shall determine the significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented. Appropriate measures would include that a qualified paleontologist be permitted to recover and evaluate the find(s) in accordance with current standards and guidelines.	Site Inspection.	During Construction.	Field Engineering Inspector.	By: _____ Date: _____
	In the event that human remains (or remains that may be human) are discovered at the project site during grading or earthmoving, the construction contractors, project archaeologist, and/or designated Native American Monitor shall immediately stop all activities within 100 feet of the find. DWP shall then inform the Riverside County Coroner and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If human remains are determined to be those of Native American origin, DWP shall comply with the State laws relating to the disposition of Native American burials that fall within the jurisdiction of the NAHC (PRC Section 5097). The coroner shall contact the NAHC to determine the most likely descendant(s). The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The disposition of the remains shall be overseen by the most likely descendant(s) to determine the most appropriate means of treating the human remains and any associated grave artifacts.	Site Inspection.	During Construction.	Field Engineering Inspector.	By: _____ Date: _____
	The specific locations of Native American burials and reburials shall be proprietary and not disclosed to the general public. The locations shall be documented by the Project Archaeologist in conjunction with the various stakeholders and a report of findings shall be filed with the Eastern Information Center (EIC).	Project Records.	During Construction.	Project Manager.	By: _____ Date: _____

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Mitigation Measure		Monitoring Process	Monitoring Timing	Responsible Person(s)	Date Completed
Hazards and Hazardous Materials					
To reduce potentially hazardous conditions and minimize the impacts from the handling of potentially hazardous materials, DWP will include the following in its construction contract documents:					
❖	The contractor(s) shall prepare a <i>Health and Safety Plan</i> in compliance with the requirements of Chapter 6.95, Division 20 of the Health and Safety Code (§§ 25500—25532). The plan shall include measures to be taken in the event of an accidental spill.	Site Inspection.	Site Inspection.	Field Engineering Inspector.	By: _____ Date: _____
❖	The contractor(s) shall enforce strict on-site handling rules to keep construction and maintenance materials out of receiving waters and storm drains. In addition, the contractor(s) shall store all reserve fuel supplies only within the confines of a designated construction staging area, refuel equipment only within the designated construction staging area, and regularly inspect all construction equipment for leaks.	Site Inspection.	Site Inspection.	Field Engineering Inspector.	By: _____ Date: _____
❖	The construction staging area shall be designed to contain contaminants such as oil, grease, and fuel products so that they do not drain towards receiving waters or storm drain inlets.	Site Inspection.	Site Inspection.	Field Engineering Inspector.	By: _____ Date: _____
Hydrology and Water Quality					
DWP will require contractors to implement a program of best management practices (BMP's) and best available technologies to reduce potential impacts to water quality that may result from construction activities. To reduce or eliminate construction-related water quality impacts before the onset of construction activities, DWP should obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Permit. Construction activities shall comply with the conditions of this permit that include preparation of a stormwater pollution prevention plan, implementation of BMP's, and monitoring to insure impacts to water quality are minimized. As part of this process, multiple BMP's should be implemented to provide effective erosion and sediment control. These BMP's should be selected to achieve maximum sediment removal and represent the best available technology that is economically achievable. BMP's to be implemented as part of this mitigation measure should include, but not be limited to, the following:					
❖	Temporary erosion control measures such as staked straw bales/wattles and sandbag dikes shall be employed for disturbed areas.	Site Inspection.	Site Inspection.	Field Engineering Inspector.	By: _____ Date: _____

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Mitigation Measure	Monitoring Process	Monitoring Timing	Responsible Person(s)	Date Completed
❖ Storm drain inlets on the site and in downstream offsite areas shall be protected from sediment with the use of BMP's acceptable to the DWP and the California Regional Water Quality Control Board, Santa Ana Region.	Site Inspection.	Site Inspection.	Field Engineering Inspector.	By: _____ Date: _____
❖ Dirt and debris shall be swept from paved streets in the construction zone on a regular basis, particularly before predicted rainfall events.	Site Inspection.	Site Inspection.	Field Engineering Inspector.	By: _____ Date: _____
❖ No disturbed surfaces shall be left without erosion control measures in place between October 15 and April 15. DWP shall file a Notice of Intent with the Regional Board and require the preparation of a pollution prevention plan prior to commencement of construction. DWP shall routinely inspect the construction site to verify that the BMP's specified in the pollution prevention plan are properly installed and maintained. DWP shall immediately notify the contractor if there were a noncompliance issue and require immediate compliance.	Site Inspection.	During Construction.	Field Engineering Inspector.	By: _____ Date: _____
Noise				
The City of Corona will include the following in its construction contract documents:				
❖ All equipment used during construction shall be muffled and maintained in good operating condition. All internal combustion engines should be fitted with well-maintained mufflers in accordance with manufacturer's recommendations.	Site Inspection.	During Construction.	Field Engineering Inspector.	By: _____ Date: _____