

**Mitigation Monitoring and Reporting Program  
County File #'s SD18-9495 and RZ18-3244**

**5175 Laurel Drive  
Concord, CA 94521**

**June, 2019**

**SECTION 1: AESTHETICS**

**Potentially Significant Impact:** *Construction of new residential structures have potential to alter the visual character of the immediate vicinity.*

**Mitigation Measure(s):**

**AES-1:** At least 30 days prior to applying for building permits for each new residence, the applicant/property owner shall submit a Compliance Verification application (only one application needed if developer constructs entire subdivision), for review and approval of Department of Conservation and Development, Current Planning Division (CDD) staff. The application must include construction drawings (e.g., site plan, floor plans, elevations and grading plans) to verify compliance with all mitigations and conditions of approval.

Implementing Action:	Submit residential building plans to CDD staff for review.
----------------------	--

Implementing Condition:	TBD
-------------------------	-----

Method of Verification:	Review residential plans to ensure consistency with all mitigations and conditions of approval.
-------------------------	---

Timing of Verification:	At least 30 days prior to submittal for a building permit (with COA compliance review application).
-------------------------	---

Party Responsible for Verification:	Project proponent and CDD staff.
-------------------------------------	----------------------------------

Compliance Verification:	
--------------------------	--

**AES-2:** At least 30 days prior to recordation the final map, the applicant shall submit for the review and approval of CDD staff, a proposed deed restriction with the following height limitation. The approved deed restriction shall be recorded concurrently with the final map.

- a. Residential buildings on lots 1 through 8 shall be limited to 28 feet in height.

Implementing Action:	Submittal of a proposed deed restriction to CDD staff for review.
----------------------	---

Implementing Condition:	TBD
-------------------------	-----

Method of Verification:	Review of deed restriction language.
-------------------------	--------------------------------------

Timing of Verification:	At least 30 days prior to submittal of subdivision map for recordation (with COA compliance review).
-------------------------	--

Party Responsible for Verification:	Project proponent and CDD staff.
-------------------------------------	----------------------------------

Compliance Verification:	
--------------------------	--

<p><b>AES-3:</b> At least 30 days prior to applying for residential building permits, the applicant shall provide for the review and approval of CDD staff, color schemes that reflect the following:</p> <p>a. Building and roof colors shall be muted earth tone colors to blend in with the environment. A variety of colors shall be used to the extent feasible to break-up any monolithic facades.</p>	
Implementing Action:	Submittal of color schemes for CDD staff review.
Implementing Condition:	TBD
Method of Verification:	Review of color schemes.
Timing of Verification:	At least 30 days prior to submittal of building permit applications.
Party Responsible for Verification:	Project proponent and CDD staff.
Compliance Verification:	
<p><b>AES-4:</b> To the extent feasible, new residential lighting shall be low-lying and exterior lights on buildings shall be deflected so that lights shine onto the building site and not toward adjacent properties or offsite locations. The use of overly bright lighting shall be avoided.</p>	
Implementing Action:	Incorporate low-lying/low-intensity exterior lighting within all residential building plans.
Implementing Condition:	TBD
Method of Verification:	Review of residential construction plans.
Timing of Verification:	30 days prior to applying for building permits (with COA compliance review)
Party Responsible for Verification:	Project proponent and CDD staff.
Compliance Verification:	
<p><b>SECTION 2: AIR QUALITY</b></p>	
<p><b>Potentially Significant Impact:</b> <i>Exhaust emissions and particulate produced by construction activities related to the project may cause exposure of the public or sensitive receptors to significant amounts of pollutants or objectionable odors.</i></p>	
<p><b>Mitigation Measures(s):</b></p>	
<p><b>AIR-1:</b> Consistent with the Best Management Practices required by the BAAQMD, the following actions shall be incorporated into construction contracts if required and specifications for the project:</p>	

<p>a. All haul trucks transporting soil, sand, or other loose material to and from the site shall be covered.</p> <p>b. All vehicle speeds on unpaved roads shall be limited to 15 mph.</p> <p>c. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</p> <p>d. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]).</p> <p>e. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications.</p> <p>f. A publicly visible sign shall be posted with the telephone number and contact information for the designated on-site construction manager available to receive and respond to dust complaints. This person shall report all complaints to Contra Costa County and take immediate corrective action as soon as practical but not more than 48 hours after the complaint is received. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.</p>	
Implementing Action:	Implement all construction related measures.
Implementing Condition:	TBD
Method of Verification:	Review of construction drawings to ensure construction related mitigations have been added and that contractors have been informed of requirements.
Timing of Verification:	Prior to CDD approval of construction documents and throughout construction-related activity.
Party Responsible for Verification:	Project proponent, contractors and CDD staff.
Compliance Verification:	
<p><b>Potentially Significant Impact:</b> <i>Exhaust emissions and particulate produced by construction activities related to the project may cause exposure of the public or sensitive receptors to significant amounts of pollutants or objectionable odors.</i></p>	
<p><b>Mitigation Measures(s):</b></p> <p><b>AIR-2:</b> Non-emergency maintenance, construction, and other activities on the site related to this project are restricted to the hours of 7:30 A.M. to 5:00 P.M., Monday through Friday, and shall be prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:</p> <p>New Year's Day (State and Federal)      Birthday of Martin Luther King, Jr. (State and Federal)      Washington's Birthday (Federal)      Lincoln's Birthday (State)      President's Day (State and Federal)      Cesar Chavez Day (State)      Memorial Day (State and Federal)      Independence Day (State and Federal)</p>	

Abbreviations:

Condition of Approval (COA)  
 Community Development Division (CDD)

Mitigation Monitoring and Reporting Program  
 SD18-9495 and RZ18-3244

Labor Day (State and Federal)  
 Columbus Day (State and Federal)  
 Veterans Day (State and Federal)  
 Thanksgiving Day (State and Federal)  
 Day after Thanksgiving (State)  
 Christmas Day (State and Federal)

For specific details on the actual day the state and federal holidays occur, please visit the following websites:

Federal Holidays:

[http://www.opm.gov/Operating\\_Status\\_Schedules/fedhol/2019.asp](http://www.opm.gov/Operating_Status_Schedules/fedhol/2019.asp)

California Holidays:

<http://www.ftb.ca.gov/aboutFTB/holidays.shtml>

Implementing Action:	Implement all construction related measures.
Implementing Condition:	TBD
Method of Verification:	Review of construction drawings to ensure construction related mitigations have been added and that contractors have been informed of requirements.
Timing of Verification:	Prior to CDD approval of construction documents and throughout construction-related activity.
Party Responsible for Verification:	Project proponent, contractors and CDD staff.
Compliance Verification:	

**SECTION 3: BIOLOGICAL RESOURCES**

**Potentially Significant Impact:** *The development project could have a potentially significant adverse impacts on protected bird species.*

**Mitigation Measure(s):**

**BIO-1:** In order to avoid impacts to special-status bats, a biologist shall survey all trees affected by the development (not just ones slated for removal) at least 15 days prior to commencing with any tree removal or earthwork that might disturb roosting bats in nearby trees. All bat surveys shall be conducted by a biologist with known experience surveying for bats. If no special-status bats are found during the surveys, then there would be no further regard for special-status bat species.

If special-status bat species are found on the project site, a determination will be made if there are young bats present. If young are found roosting in any tree, impacts to the tree shall be avoided until the young have reached independence. A non-disturbance buffer fenced with orange construction fencing shall also be established around the roost or maternity site. The size of the buffer zone shall be determined by a qualified bat biologist at the time of the surveys. If adults are found roosting in a tree on the project site

Abbreviations:

Condition of Approval (COA)  
 Community Development Division (CDD)

Mitigation Monitoring and Reporting Program  
 SD18-9495 and RZ18-3244

but no maternal sites are found, then the adult bats can be flushed or a one-way eviction door can be placed over the tree cavity prior to the time the tree in question would be removed or disturbed. No other mitigation compensation would be required.	
Implementing Action:	Conduct bat survey as required.
Implementing Condition:	TBD
Method of Verification:	Review bat survey findings.
Timing of Verification:	At least 15 days prior to the start of construction.
Party Responsible for Verification:	Project proponent, project biologist, and CDD staff.
Compliance Verification:	

**BIO-2:** A nesting bird survey shall be conducted 15 days prior to commencing construction/grading or tree removal activities, if this work would commence between March 1 and September 15. If common passerine birds (that is, perching birds such as Anna’s hummingbird and mourning dove) are identified nesting on the project site, grading or tree removal activities in the vicinity of the nest shall be postponed until it is determined by a qualified ornithologist that the young have fledged and have attained sufficient flight skills to leave the area. The size of the nest protective buffer required to ensure that the project does not result in take of nesting birds, their eggs or young shall be determined by a qualified ornithologist. Typically, most passerine birds can be expected to complete nesting by June 15<sup>th</sup>, with young attaining sufficient flight skills by early July.

Implementing Action:	Conduct nesting bird survey as required.
Implementing Condition:	TBD
Method of Verification:	Review of bird survey.
Timing of Verification:	At least 15 days prior to the start of construction.
Party Responsible for Verification:	Project proponent, project biologist and CDD staff.
Compliance Verification:	

**SECTION 4: CULTURAL RESOURCES**

**Potentially Significant Impact:** *The proposed development will cause ground disturbance which may impact heretofore undocumented cultural resources.*

**Mitigation Measure(s):**

**CUL-1:** The following Mitigation Measures shall be implemented during project demolition/construction activities.

<ol style="list-style-type: none"> <li>1. A program of on-site education to instruct all demolition/construction personnel in the identification of prehistoric and historic deposits shall be conducted prior to the start of any grading or construction activities.</li> <li>2. If archaeological materials are uncovered during grading, trenching, or other onsite excavation, all work within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society for California Archaeology (SCA), and/or Society of Professional Archaeology (SOPA), and the Wilton Rancheria Tribe, have had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s) if deemed necessary.</li> </ol>	
Implementing Action:	Perform pre-demolition/construction training.
Method of Verification:	Review of training program and sign-in sheet.
Timing of Verification:	Review of training program 30 days prior to construction and adherence to the mitigation measures throughout all construction activities.
Party Responsible for Verification:	Project proponent, all contractor personnel and CDD staff.
Compliance Verification:	
<p><b><u>CUL-1:</u></b> Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may be those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site make recommendations to the land owner for treatment and disposition of the ancestor's remains. The land owner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.</p>	
Implementing Action:	Stop work and contact County coroner if human remains are discovered.
Method of Verification:	Review of written report detailing the disposition of remains per code requirements and MLD recommendations if applicable.
Timing of Verification:	Throughout all phases of the project.
Party Responsible for Verification:	Project proponent, all contractor personnel and CDD staff.
Compliance Verification:	
<b>SECTION 4: GEOLOGY AND SOILS</b>	
<p><b>Potentially Significant Impact:</b> <i>In order to ensure longevity of subdivision related improvements, soils on the site need to be completely evaluated and corresponding recommendations incorporated into project designs.</i></p>	

<b>Mitigation Measure(s):</b>	
<b>GEO-1:</b> The applicant shall comply with all specific standards and criteria for use in design and construction of the project (site grading, drainage and foundation design, etc.) as identified in the February 15, 2017, BSA Design Level Geotechnical Investigation.	
Implementing Action:	Incorporation of all specific standards and criteria into project design.
Implementing Condition:	TBD
Method of Verification:	Review of construction plans.
Timing of Verification:	At least 30 days prior to applying for building/grading permits.
Party Responsible for Verification:	Applicant and CDD staff.
Compliance Verification:	
<b>GEO-2:</b> Prior to issuance of construction permits or installation of improvements, the project proponent shall submit a geotechnical update report that references proposed grading, drainage and foundation plans and provides specific criteria and standards for site grading, drainage and foundation design based on adequate subsurface data. The scope of the update geotechnical investigation should address the following potential hazards: (i) expansive soils, (ii) corrosive soils, (iii) design of bio-retention facilities and their effect on planned improvements, and (iv) provide California Building Code seismic parameters that are based on the adopted CBC at the time that residential building permits are requested. It is anticipated that the geotechnical engineer's scope of work will demonstrate (v) that the expansivity and corrosivity of soils have been taken into account in grading and foundation design; (vi) that R-value testing has been utilized for design of pavements, and (vii) include measures to protect pad areas from excessive moisture/ponding/surface runoff.	
Implementing Action:	Submittal of updated geotechnical report.
Implementing Condition:	TBD
Method of Verification:	Review of updated report.
Timing of Verification:	At least 30 days prior to applying for construction/grading permits.
Party Responsible for Verification:	Applicant and CDD staff.
Compliance Verification:	
<b>GEO-3:</b> Concurrently with recordation of the Final Map, record a statement to run with deeds to the property acknowledging the BSA report by title, author (firm), and date, calling attention to conclusions, including the requirements for a design-level geotechnical investigation and noting that the report is available to prospective buyers from seller of the parcel.	
Implementing Action:	Recordation of deed concurrently with the Final Map.
Implementing Condition:	TBD
Method of Verification:	Review of deed language prior to recordation.

Abbreviations:

Condition of Approval (COA)  
Community Development Division (CDD)

Mitigation Monitoring and Reporting Program  
SD18-9495 and RZ18-3244



Timing of Verification:	Prior to recordation of the Final Map.
Party Responsible for Verification:	Applicant and CDD staff.
Compliance Verification:	
<p><b>GEO-4:</b> The update geotechnical report shall be subject to review by the County’s peer review geologist, and review/approval of the DCD staff. Improvement, grading and building plans shall carry out the recommendations of the approved report.</p>	
Implementing Action:	Submittal of updated geotechnical report.
Implementing Condition:	TBD
Method of Verification:	County geologist to review report.
Timing of Verification:	At least 30 days prior to applying for building permits.
Party Responsible for Verification:	Applicant, County geologist and CDD staff.
Compliance Verification:	
<p><b>GEO-5:</b> The geotechnical report required by GEO-2 routinely includes recommended geotechnical observation and testing services during construction. These services are essential to the success of the project. They allow the geotechnical engineer to (i) ensure geotechnical recommendations for the project are properly interpreted and implemented by contractors, (ii) allow the geotechnical engineer to view exposed conditions during construction to ensure that field conditions match those that were the basis of the design recommendations in the approved report, and (iii) provide the opportunity for field modifications of geotechnical recommendations (with BID approval), based on exposed conditions. The monitoring shall commence during clearing, and extend through grading, placement of engineered fill, installation of recommended drainage facilities, and foundation related work. A hard hold shall be placed on the “final” grading inspection, pending submittal of a report from the project geotechnical engineer that documents their observation and testing services during grading and drainage related improvements.</p> <p>Similarly, a hard hold shall be placed on the final building inspection for each residence, pending submittal of a letter-report from the geotechnical engineer documenting the monitoring services associated with implementation of foundation-related geotechnical recommendations. The geotechnical monitoring shall include pier hole drilling/foundation preparation work/installation of drainage improvements (e.g., collection of roof gutter in a closed conduit and conveying it to a suitable discharge point; and possibly installation of a sub-drain system around the perimeter of the foundation to control moisture beneath the foundation).</p>	
Implementing Action:	Submittal of letter-report.
Implementing Condition:	TBD
Method of Verification:	Review of letter-report.
Timing of Verification:	Prior to issuance of a “final” building inspection.
Party Responsible for Verification:	Applicant, County geologist and CDD staff.
Compliance Verification:	

**GEO-6:** All grading, excavation and filling shall be conducted during the dry season (April 15 through October 15) only, and all areas of exposed soils shall be revegetated to minimize erosion and subsequent sedimentation. After October 15, only erosion control work shall be allowed by the grading permit. Any modification to the above schedule shall be subject to review by the County Grading Inspector, and the review/approval of the CDD staff.

Implementing Action:	Perform grading related activities during “dry season”.
Implementing Condition:	TBD
Method of Verification:	Review of grading permit application.
Timing of Verification:	During all phases of the project.
Party Responsible for Verification:	Applicant, Grading Inspection staff, CDD staff.
Compliance Verification:	

Abbreviations:

Condition of Approval (COA)  
Community Development Division (CDD)