

Mitigation Monitoring Reporting Program

**Lafayette Oaks
Tract 9442**

County File #SD16-9442

Matt Locati (Applicant & Owner)

October 2017

Potentially Significant Impact	Mitigation Measure	Implementing Action	Timing of Verification	Responsible Department or Agency	Compliance Verification
Biological Resources					
Suitable nesting habitat for Red-tailed Hawk and Red-shouldered Hawk occurs on and adjacent to the project site. These raptors are protected under the Federal Migratory Bird Treaty Act (50 CFR 10.13) and their nest, eggs, and young are protected under California Fish and Game Code Sections 3503, 3503.5, 3800, and 3513.	<p>BIO-1: In order to avoid impacts to nesting raptors, a nesting survey should be conducted 30 days prior to commencing with tree removal or construction work if this work would commence between February 1st and August 31st. The raptor nesting surveys should include examination of all trees within 300 feet of the entire project site, not just trees slated for removal.</p> <p>If nesting raptors are identified during the surveys, the dripline of the nest tree must be fenced with orange construction fencing (provided the tree is on the project site), and a 300-foot radius around the nest tree must be staked with bright orange lath or other suitable staking. If the tree is adjacent to the project site, then the buffer should be demarcated per above where the buffer occurs on the project site. The size of the buffer may be altered if a qualified raptor biologist conducts behavioral observations and determines the nesting raptors are well acclimated to disturbance. If this occurs, the raptor biologist may prescribe a modified buffer that allows sufficient room to prevent undue disturbance/harassment to the nesting raptors. No construction or earth-moving activity should occur within the established buffer until it is determined by a qualified raptor biologist that the young have fledged (i.e. left the nest) and have attained sufficient flight skills to avoid project construction zones. This typically occurs by August 1st. This date may be earlier than August 1st, or later, and would have to be determined by a qualified raptor biologist.</p>	COA	30 days prior to commencing with tree removal or construction work if this work would commence between February 1st and August 31st.	CDD	Submittal of letter/report from a qualified raptor biologist documenting the pre-construction survey and presenting the biologist's findings to the CDD.
Nesting passerine birds could be impacted by the proposed project. Birds and their nests are protected under California Fish and Game Code (Sections 3503, 3503.5), and the Federal Migratory Bird Treaty Act.	<p>BIO-2: If tree removal or site disturbance would occur between February 1 and August 31, a nesting survey should be conducted on the project site prior to the disturbance. The nesting surveys should be completed 15 days prior to commencing with the work. If nesting passerine birds are identified nesting on or near the project site, a 75-foot radius around the nest must be demarcated with construction fencing. If an active nest is found offsite, the portion of the buffer that is onsite must be staked. The size of the buffer may be altered if a qualified ornithologist conducts behavioral observations and determines the birds are well</p>	COA	15 days prior to commencing with tree removal, if it occurs between February 1 and August 31.	CDD	A qualified biologist conducting the nesting surveys should prepare a report that provides details about the nesting outcome and submit to the CDD.

Abbreviations: Condition of Approval (COA); Department of Conservation & Development, Community Development Division (CDD); Building Inspection Division (BID)

Potentially Significant Impact	Mitigation Measure	Implementing Action	Timing of Verification	Responsible Department or Agency	Compliance Verification
	<p>acclimated to disturbance or are otherwise geographically shielded from disturbance. If this occurs, the ornithologist may prescribe a modified buffer that allows sufficient room to prevent undue disturbance/harassment to the nesting birds. No construction or earth-moving activity should occur within the staked buffer until it is determined by a qualified ornithologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones.</p> <p>Typically, most birds in the region of the project site are expected to complete nesting by August 1st. However, in the region many species can complete nesting by mid-June to mid-July. Regardless, nesting buffers should be maintained until August 1st unless a qualified ornithologist determines that young have fledged and are independent of their nests at an earlier date. If buffers are removed prior to August 1st, the qualified biologist conducting the nesting surveys should prepare a report that provides details about the nesting outcome and the removal of buffers. This report should be submitted to the County's Department of Conservation and Development prior to the time that buffers are removed if the date is before August 1st.</p>				
Geology and Soils					
In June 26, 2014, the project geotechnical engineer performed a geologic and geotechnical investigation of the site that provided an assessment of potential hazards and provided preliminary geotechnical recommendations for the project. In 2016 the geotechnical engineer performed a supplemental slope stability analysis that evaluated the stability of the proposed grading plan for the project. The geotechnical engineer provided criteria to gauge satisfactory performance of slopes, and their analysis of	<p>GEO-1: An updated geotechnical report will be submitted prior to recordation of the parcel map to confirm that the factors of safety for engineered slopes will comply with the standards established for the project. The report must provide updated recommendations for site grading, drainage, and foundation design that is based on the approved project. It should also address the following:</p> <ul style="list-style-type: none"> • The recommendations should include addressing special foundation conditions (i.e. differential fill thickness, cut/fill transition pad, etc.) • There is an unknown, but potentially significant, risk that soils on the site are corrosive. • Geotechnical review of retention basins. Seven (7) relatively small water quality/bio-retention basins are currently indicated in the project. The project geotechnical reports do not currently evaluate the basins. The primary concerns with 	COA	At least 30 days prior to submittal for building or construction permits.	CDD	Professional reports to be submitted to the CDD for review by the Peer Review Geologist along with a \$750 review fee.

Abbreviations: Condition of Approval (COA); Department of Conservation & Development, Community Development Division (CDD); Building Inspection Division (BID)

Potentially Significant Impact	Mitigation Measure	Implementing Action	Timing of Verification	Responsible Department or Agency	Compliance Verification
slope stability indicated that not all slopes in the project had an adequate factor of safety against sliding. The report concluded that special engineering would be required to meet project objectives (e.g. use of reinforced earth in critical areas of the site was needed for the proposed grading to meet the factor of safety adopted for the project).	<p>bio-retention structures are (i) providing suitable support for foundations, curbs and other improvements constructed near the bio-retention facilities, and (ii) potential for subsurface water from the bio-retention areas to migrate (and possibly build up) beneath pavements and the proposed building. Specific criteria and standards for the siting and design of such facilities should be provided prior to issuance of construction permits, including the effect of infiltration on stability of the adjacent bank of the drainage ditch, and potential for uncontrolled overflow if the spillway of the basin is obstructed (e.g. by woody vegetation, litter, soil).</p> <ul style="list-style-type: none"> • The slope stability analysis should be repeated for any areas of the site where the project design has been modified from conditions evaluated in the Supplemental Slope Stability Report, dated November 4, 2016. • Provide further details on the recommended plan review prior to issuance of construction permits as well as details on the monitoring to be performed during clearing, site grading, of installation of drainage facilities and foundation construction. It should also explain the role of the project engineering geologist during construction (e.g. inspection and mapping of all cut slopes and cut pads). • The required geotechnical update report and all grading and drainage plans are subject to review and approval of the Community Development Division and the County Peer Review Geologist at a review cost of \$750. The documents submitted shall be prepared by appropriately licensed professionals. 				
Slope stability cont.	<p>GEO-2: All of the following mitigation measures are required to reduce the impacts of potential geotechnical slope stability hazards to less than significant levels:</p> <ol style="list-style-type: none"> 1. Prior to issuance of construction permits the project proponent shall provide evidence of plan review and approval by the project geotechnical engineer. The recommendations for site grading 	COA	Prior to issuance of building/grading permits and prior to final building inspections.	BID	Professional reports to be submitted to the BID grading section as required by the project grading permits.

Abbreviations: Condition of Approval (COA); Department of Conservation & Development, Community Development Division (CDD); Building Inspection Division (BID)

Potentially Significant Impact	Mitigation Measure	Implementing Action	Timing of Verification	Responsible Department or Agency	Compliance Verification
	<p>contained in the approved grading plans shall be followed during construction unless modifications are specifically approved in writing by the Building Inspection Division of the Department of Conservation and Development.</p> <p>2. During grading, the geotechnical engineer shall observe and approve all keyway excavations, removal of weak surficial deposits down to stable bedrock or in-place material, and installation of all subdrains, including their connections. All fill slope construction shall be observed and tested by the project geotechnical engineer, and the density test results and reports submitted to the County to be kept on file. Cut slopes and keyways shall be observed and mapped by the project engineering geologist who will provide recommendations for modifications based on actual geologic conditions encountered during grading. Approval from the Building Division shall be obtained prior to any modification.</p> <p>3. Prior to requesting a final building inspection, the project proponent shall submit a letter-report from the geotechnical engineer to the Building Inspection Division, Grading Section documenting the observation and testing services performed during final grading, foundation work, and lot drainage. The report of the geotechnical engineer shall also provide a professional opinion on the consistence of the as-graded/as-built project with recommendations in the approved geotechnical report.</p>				
The soils native to the project site are possibly corrosive in nature and could damage concrete and steel on structures in contact with the ground.	GEO-3: A report from a Corrosion Engineer or equally qualified technical professional shall be provided to the Department of Conservation and Development prior to requesting residential building permits. Testing shall be performed after rough grading and shall test pad soils.	COA	At least 30 prior to requesting residential building permits.	CDD	Professional reports to be submitted to the CDD for review by the Peer Review Geologist along with a \$750 review fee.

Abbreviations: Condition of Approval (COA); Department of Conservation & Development, Community Development Division (CDD); Building Inspection Division (BID)

Potentially Significant Impact	Mitigation Measure	Implementing Action	Timing of Verification	Responsible Department or Agency	Compliance Verification
--------------------------------	--------------------	---------------------	------------------------	----------------------------------	-------------------------

Noise

<p>The project may cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project due to noise generated from construction activities.</p>	<p>NOISE-1: Construction activities are limited to the hours of 7:30 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on weekends and the calendar dates that the following State and Federal holidays are observed:</p> <ul style="list-style-type: none"> • 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) • 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) 	COA	Required throughout all project grading and construction activities.	CDD	In response to complaints.
	<p>NOISE-2: Transport of heavy equipment and trucks is limited to weekdays between the hours of 9:00 A.M. and 4:00 P.M., and is prohibited on weekends and the State and Federal holidays identified in NOISE-1.</p>	COA	Required throughout all project grading and construction activities.		In response to complaints.
	<p>NOISE-3: Contractors and subcontractors shall fit all internal combustion engines on construction equipment with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors and generators as far away from existing residences as possible.</p>	COA	Required throughout all project grading and construction activities.		In response to complaints.

Land Use and Planning

<p>The project proposes lot areas in excess of 40,000 square feet, which would allow further potential subdivision of the proposed lots, which could</p>	<p>LAND-1: Prior to filing of the Final Map, the applicant shall designate and record/dedicate/disclose a restricted development/scenic easement over the proposed subdivision for review and approval of the</p>	COA	Prior to filing the Final Map	CDD	Recorded deed restrictions / dedications / disclosures
--	--	-----	-------------------------------	-----	--

Abbreviations: Condition of Approval (COA); Department of Conservation & Development, Community Development Division (CDD); Building Inspection Division (BID)

Potentially Significant Impact	Mitigation Measure	Implementing Action	Timing of Verification	Responsible Department or Agency	Compliance Verification
encourage additional future development on the steeper hillside slopes. Such development would be inconsistent with the policies and goals of the General Plan for properties where gradients exceed 26%.	<p>Community Development Division that shall include the following:</p> <ol style="list-style-type: none"> 1. A surveyed map by a qualified professional that delineates the restricted development/scenic easement. 2. A detailed legal description of the restricted development/scenic easement. 3. Language clearly indicating that no development activity may occur within the easement area, though grading and related activity is permitted to complete any slope stabilization or mitigations necessary to satisfy Mitigation Measures GEO-1 and GEO-2, and to construct the necessary drainage devices for compliance with Division 914 of the Ordinance Code and Section C.3 of the Municipal Regional Permit; and necessary appurtenances, such as retaining walls, for future building, drainage, and slope stability purposes; and that the property owner is responsible for the maintenance of the easement area; and any tree removal shall be subject to the review and approval of the Community Development Division. 				

Abbreviations: Condition of Approval (COA); Department of Conservation & Development, Community Development Division (CDD); Building Inspection Division (BID)