

**Mitigation Monitoring Program
County File LP16-2031**

**4000 Evora Road
Bay Point, CA 94520**

April 27, 2021

SECTION 1: AESTHETICS

Potentially Significant Impacts: Views of the warehouse would be screened by landscaping; however, if landscaping is not fully implemented, there could be significant adverse environmental impacts on: (b) scenic resources along Highway 4, and (c) the visual character of the site and its surroundings.

Mitigation Measures:

Aesthetics 1: The following measures are intended to ensure full implementation of the Afghan pine landscaping along the southern edge of the driveway south of the warehouse structure.

1. **Final Landscaping and Irrigation Plan:** Prior to issuance of a grading or building permit, whichever occurs first, the applicant shall submit a final landscaping and irrigation plan prepared by a licensed arborist or landscape architect for review and approval by the Contra Costa County Department of Conservation and Development, Community Development Division (CDD). The plan shall provide for the planting of a minimum of 35 Afghan pine trees of a minimum 24-inch box size. Consideration shall be given to adequate screening of the future warehouse from offsite viewpoints. The plan shall comply with the State's Model Water Efficient Landscape Ordinance or the County's Water Efficient Landscape Ordinance, if the County's Ordinance has been adopted. Verification of compliance with the Water Efficient Landscape Ordinance shall accompany the plan. The plan shall also include an estimate prepared by a licensed landscape architect, arborist, or landscape contractor of the materials and labor costs to complete the improvements (accounting for supply, delivery, and installation of trees and irrigation). The plan shall be implemented prior to final building inspection.
2. **Required Security to Assure Completion of Plan Improvements:** A security deposit shall be required to ensure that the approved landscaping and irrigation plan is implemented and that the Afghan pines become established. Prior to the issuance of a grading or building permit, whichever occurs first, the applicant shall submit a security that is acceptable to the CDD. The security shall be the amount of the approved cost estimate described in mitigation measure #1 above plus a 20% inflation surcharge.
3. **Initial Deposit for Processing of Security:** The applicant shall pay fees to cover all staff time and materials costs for processing the required security. At the time of submittal of the security, the applicant shall pay an initial processing fee deposit of \$100.00.
4. **Duration of Security:** When the landscaping and irrigation have been installed, the applicant shall submit a letter to the CDD to be composed by the landscape architect, arborist, or landscape contractor, verifying that the installation has been completed in accordance with the approved landscaping and irrigation plan. The County may retain the security for up to 24 months beyond the date of receipt of this letter.

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<p>At 12 and 24 months following completion of implementation of the plan, the applicant shall arrange for the consulting arborist to inspect the trees and to prepare a report on the trees' health. The report shall be submitted for review by the CDD and shall include any additional measures necessary for preserving the health of the trees. These measures shall be implemented by the applicant. Any Afghan pine tree that dies within the first two years of being planted shall be replaced by another Afghan pine tree of the same size.</p>	
Implementing Action:	COA
Timing of Verification:	Prior to CDD approval of construction documents (with COA compliance review).
Responsible Department or Agency:	Project sponsor, project landscape architect or contractor, project arborist, and CDD.
Compliance Verification:	CDD review and approval of construction documents. Verification by project arborist.

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SECTION 4: BIOLOGICAL RESOURCES

Potentially Significant Impacts: The project could have a significant adverse environmental impact (a) through habitat modification on candidate, sensitive, or special status species (western burrowing owls).

Mitigation Measures:

Biology 1: The following measures are required to preclude or reduce to less than significant levels, adverse impacts on western burrowing owls.

1. A preconstruction survey for western burrowing owls shall be conducted if work onsite will take place between February 1 and August 31. CDFW Staff Report 2012 (California Department of Fish and Game, Staff report on burrowing owl mitigation. March 7, 2012. 15 pages plus appendices.) states that take avoidance (preconstruction) surveys shall be conducted 14 days prior or less to initiating ground disturbance. As burrowing owls may recolonize a site after only a few days, time lapses between project activities trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance to ensure absence. If no owls are found during these surveys, no further regard for the burrowing owl would be necessary.
2. Burrowing owl surveys shall be conducted by walking the entire project site and (where possible) in areas within 150 meters (approx. 500 feet) of the project impact zone. The 150-meter buffer zone is surveyed to identify burrows and owls outside of the project area which may be impacted by factors such as noise and vibration (heavy equipment) during project construction. Pedestrian survey transects shall be spaced to allow 100 percent visual coverage of the ground surface. The distance between transect center lines should be 7 meters to 20 meters and should be reduced to account for differences in terrain, vegetation density, and ground surface visibility. Poor weather may affect the surveyor's ability to detect burrowing owls thus, avoid conducting surveys when wind speed is greater than 20 kilometers per hour and there is precipitation or dense fog. To avoid impacts to owls from surveyors, owls and/or occupied burrows shall be avoided by a minimum of 50 meters (approx. 160 ft.) wherever practical to avoid flushing occupied burrows. Disturbance to occupied burrows shall be avoided during all seasons.
3. If burrowing owls are detected on the site, the following restricted activity dates and setback distances are required, as recommended in CDFW Staff Report 2012.
 - a. From April 1 through October 15, low disturbance and medium disturbance activities shall have a 200-meter buffer while high disturbance activities shall have a 500-meter buffer from occupied nests.

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<p>b. From October 16 through March 31, low disturbance activities shall have a 50-meter buffer, medium disturbance activities shall have a 100-meter buffer, and high disturbance activities shall have a 500-meter buffer from occupied nests.</p> <p>c. No earth-moving activities or other disturbance shall occur within the afore-mentioned buffer zones of occupied burrows. These buffer zones shall be fenced as well. If burrowing owls were found in the project area, a qualified biologist shall delineate the extent of burrowing owl habitat on the site.</p> <p>4. In accordance with CDFW Staff Report 2012, if burrowing owls were found nesting onsite, credits shall have to be purchased from a mitigation bank to offset the project's habitat loss on the burrowing owl. This shall be developed in coordination with CDFW and the Contra Costa County Department of Conservation and Development, Community Development Division (CDD).</p>	
Implementing Action:	COA
Timing of Verification:	Prior to CDD approval of construction documents (with COA compliance review); prior to active construction phases.
Responsible Department or Agency:	Project sponsor, project biologist/ornithologist, and CDD.
Compliance Verification:	CDD review and approval of construction documents; review and approval of survey reports prior to commencing active construction phases.
<p>Potentially Significant Impacts: The project could have a significant adverse environmental impact (a) through habitat modification on candidate, sensitive, or special status species (California horned larks, loggerhead shrikes).</p>	
<p>Mitigation Measures:</p>	
<p>Biology 2: The following measures are required to preclude or reduce to less than significant levels, adverse impacts on California horned larks and loggerhead shrikes.</p> <ol style="list-style-type: none"> 1. If project site grading or construction will take place during the nesting season (February 1 through August 31), a nesting survey should be conducted on the project site and within a zone of influence around the project site 15 days prior to commencing with the work. The zone of influence includes those areas off the project site where birds could be disturbed by earth-moving vibrations or noise (for example, along the pond and detention basin and adjacent slopes). 2. If the California horned lark and/or loggerhead shrike are identified nesting on the project site or within a zone of influence, a non-disturbance buffer of 100 feet shall be established or as otherwise prescribed by a qualified ornithologist after observing the birds and determining how acclimated they are to disturbance. The buffer shall be demarcated with orange construction 	

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<p>fencing. The ornithologist shall prepare a report on the finding(s) and implementation of mitigation(s) to CDD.</p> <p>3. Nesting buffers shall 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 1, the qualified ornithologist conducting the nesting surveys should prepare a report that provides the details about the nesting outcome and the removal of the buffers. This report should be submitted to the CDD prior to the time that nest protection buffers are removed.</p>	
Implementing Action:	COA
Timing of Verification:	Prior to prior to active construction phases.
Responsible Department or Agency:	Project sponsor, project biologist/ornithologist, and CDD.
Compliance Verification:	CDD review and approval of survey reports prior to commencing active construction phases.
<p>Potentially Significant Impacts: Project landscaping could include invasive species that could cause a significant adverse environmental impact (a) through habitat modification on candidate, sensitive, or special status species.</p>	
<p>Mitigation Measures:</p> <p>Biology 3: Prior to issuance of a grading or building permit, whichever occurs first, the applicant shall submit a final landscaping and irrigation plan prepared by a licensed arborist or landscape architect for review and approval by the CDD. The plan shall not include any plant species identified as invasive. The plan shall comply with the State's Model Water Efficient Landscape Ordinance or the County's Water Efficient Landscape Ordinance, if the County's Ordinance has been adopted. Verification of compliance with the Water Efficient Landscape Ordinance shall accompany the plan. The plan shall be implemented prior to final building inspection.</p>	
Implementing Action:	COA
Timing of Verification:	Prior to CDD approval of construction documents (with COA compliance review).
Responsible Department or Agency:	Project sponsor, project landscape architect or contractor, and CDD.
Compliance Verification:	CDD review and approval of construction documents.
<p>Potentially Significant Impacts: The project could have a significant adverse environmental impact on (b) the onsite riparian habitat associated with the grassy swales, and (c) the potentially federally protected onsite riparian habitat.</p>	

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Mitigation Measures:	
<p>Biology 4: The following measures are required to preclude or reduce to less than significant levels, adverse impacts on the onsite riparian habitat associated with the grassy swales.</p> <ol style="list-style-type: none"> 1. Prior to issuance of a grading or building permit, whichever occurs first, the applicant shall submit a final landscaping and irrigation plan prepared by a licensed arborist or landscape architect for review by the County's Peer Review Biologist and review and approval by the CDD. The plan shall be designed to protect and preserve the onsite riparian habitat associated with the grassy swales, including the established riparian trees. 2. Prior to the issuance of a grading or building permit, whichever occurs first, the applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review and approval by the CDD and by the Department of Public Works. The SWPPP shall include, at a minimum, placement of silt fencing and wildlife friendly hay wattles (i.e., wattles without monofilament netting) around the perimeter of the project site wherever the grassy swales occur prior to initiating site work. Orange construction fencing shall also be installed between the grassy swales, offsite detention basin and mitigation pond and the project site to ensure that construction equipment is not driven into these sensitive habitats. The construction fencing shall be shown on all construction documents. 	
Implementing Action:	COA
Timing of Verification:	Prior to CDD approval of construction documents (with COA compliance review).
Responsible Department or Agency:	Project sponsor, project landscape architect or contractor, County Peer Review Biologist, and CDD.
Compliance Verification:	CDD review and approval of construction documents.
<p>Potentially Significant Impacts: The project could have a significant adverse environmental impact on (d) wildlife nursery sites (nesting birds).</p>	
Mitigation Measures:	
<p>Biology 5: The following measures are required to preclude or reduce to less than significant levels, adverse impacts on nesting birds. The measures may be implemented concurrently with the measures in Biology 2 above.</p> <ol style="list-style-type: none"> 1. If project site grading or construction will take place during the nesting season (February 1 through August 31), a nesting survey should be conducted on the project site and within a zone of influence around the project site 15 days prior to commencing with the work. The zone of influence includes those areas off the project site where birds could be disturbed by earth-moving vibrations or noise (for example, along the pond and detention basin and adjacent slopes). 2. If common (non-special status) birds are identified nesting on or adjacent to the project site, a non-disturbance buffer of 75 feet shall be established or as otherwise prescribed by a qualified ornithologist. The buffer should be demarcated with orange construction fencing. The 	

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<p>ornithologist shall prepare a report on the finding(s) and implementation of mitigation(s) to CDD.</p> <p>3. If special-status passerine birds are identified nesting on the project site or within a zone of influence, a non-disturbance buffer of 100 feet shall be established or as otherwise prescribed by a qualified ornithologist after observing the birds and determining how acclimated they are to disturbance. The buffer shall be demarcated with orange construction fencing. The ornithologist shall prepare a report on the finding(s) and implementation of mitigation(s) to CDD.</p> <p>4. Nesting buffers shall 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 1, the qualified ornithologist conducting the nesting surveys should prepare a report that provides the details about the nesting outcome and the removal of the buffers. This report should be submitted to the CDD prior to the time that nest protection buffers are removed.</p>	
Implementing Action:	COA
Timing of Verification:	Prior to prior to active construction phases.
Responsible Department or Agency:	Project sponsor, project biologist/ornithologist, and CDD.
Compliance Verification:	CDD review and approval of survey reports prior to commencing active construction phases.

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SECTION 6: ENERGY

Potentially Significant Impact: The warehouse project would (b) conflict with a local plan for renewable energy or energy efficiency.

Mitigation Measures:

Greenhouse Gas 1: Prior to the issuance of a building permit, the applicant shall show on the plans or otherwise demonstrate how the project design would, at a minimum, meet all applicable standards of the 2016 California Building Standards Code including the installation of high-efficiency appliances and insulation, to satisfy Reduction Measures EE1 and RE1 of the County's Climate Action Plan. The plan shall be subject to review and approval by the CDD.

Implementing Action:	COA
Timing of Verification:	Prior to CDD approval of construction documents (with COA compliance review).
Responsible Department or Agency:	Project sponsor, project architect, and CDD.
Compliance Verification:	Submit report to CDD for review; CDD review and approval of construction documents.

Greenhouse Gas 2: Prior to the final building inspection, the applicant shall demonstrate on the site plans that the project's anticipated emissions of GHGs would be reduced by at least 31.54 MTCO₂e/yr. The required reduction may be achieved through the inclusion of additional measures, which may include, but not be limited to the following:

- Exceed the energy efficiency measures of the current Title 24 Building Energy Efficiency Standards Code or CALGreen;
- Electrify loading docks and/or require idling-reduction systems for heavy-duty trucks;
- Provide end of trip facilities such as showers and changing spaces to encourage community by bicycle;
- Install and operate on-site renewable energy (such as solar panels);
- Install low-flow water fixtures in exceedance of applicable local standards;
- Incorporate measures from the Bay Area Commuter Benefits Program, such as providing a subsidy to reduce or cover employee's monthly transit or vanpool costs, providing a free or low cost transit service for employees, or incorporating an alternative commuter benefit that would effectively reduce single-occupancy commute trips.

The calculations shall be provided to the CDD for review and approval.

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Timing of Verification:	Prior to final building inspection.
Responsible Department or Agency:	Project sponsor, project architect or contractor, and CDD.
Compliance Verification:	Submit report to CDD, Building Inspection Division for review.

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SECTION 6: GEOLOGY AND SOILS

Potentially Significant Impact: The warehouse structure would (d) be located on expansive soil, creating substantial risks to life or property.

Mitigation Measures:

Geology 1: Prior to issuance of construction permits the project sponsor shall provide evidence of plan review and approval by the project geotechnical engineer. The recommendations for site grading 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.

Implementing Action:	COA
Timing of Verification:	Prior to CDD approval of construction documents (with COA compliance review).
Responsible Department or Agency:	Project sponsor, project geotechnical engineer, and CDD.
Compliance Verification:	Submit report to CDD for review; CDD review and approval of construction documents.

Geology 2: Borehole logs indicate the existing pad soils consist of medium stiff to stiff clays containing variable amounts of silt, sand and gravel. These materials are characterized by slow permeability. The applicant shall submit a follow-up geotechnical report that specifically addresses the planned design of the bio-retention basins, and their proximity to planned improvements.

Implementing Action:	COA
Timing of Verification:	Prior to CDD approval of construction documents (with COA compliance review).
Responsible Department or Agency:	Project sponsor, project geotechnical engineer, and CDD.
Compliance Verification:	Submit report to CDD for review; CDD review and approval of construction documents.

Geology 3: During grading and soils preparation work (i.e. lime treatment of soils) the geotechnical engineer shall provide observation and testing services. The intent of this geotechnical monitoring is to (i) verify that geotechnical recommendations are properly interpreted and implemented by the contractor, (ii) view exposed conditions during grading/ soil preparation work to ensure that field conditions match those that were the basis of the geotechnical design report, and (iii) provide supplement recommendations during construction, should they be warranted.

Implementing Action:	COA
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Timing of Verification:	Prior to final inspection of grading.
Responsible Department or Agency:	Project sponsor, project geotechnical engineer, and CDD.
Compliance Verification:	Submit report to CDD, Building Inspection Division for review.
<u>Geology 4:</u> (1) Prior to the issuance of the first building permit, the geotechnical engineer shall certify that all site preparation work is in compliance with recommendations in the approved geotechnical report. (2) During foundation and drainage-related work the geotechnical engineer shall provide observation services to ensure the geotechnical recommendations are properly implemented by the contractor.	
Implementing Action:	COA
Timing of Verification:	(1) Prior to CDD approval of construction documents. (2) Prior to final inspection of grading.
Responsible Department or Agency:	Project sponsor, project geotechnical engineer, and CDD.
Compliance Verification:	Submit report to CDD, Building Inspection Division for review.
<u>Geology 5:</u> Prior to requesting a final building inspection of the warehouse structure, the project sponsor shall submit a letter-report from the geotechnical engineer documenting the observation and testing services performed during final grading/ foundation work/ 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.	
Implementing Action:	COA
Timing of Verification:	Prior to final building inspection.
Responsible Department or Agency:	Project sponsor, project geotechnical engineer, and CDD.
Compliance Verification:	Submit report to CDD, Building Inspection Division for review.
<u>Geology 6:</u> The report of the Corrosion Engineer shall also be provided prior to requesting the final building inspection of the warehouse.	
Implementing Action:	COA
Timing of Verification:	Prior to final building inspection.
Responsible Department or Agency:	Project sponsor, project geotechnical engineer, and CDD.
Compliance Verification:	Submit report to CDD, Building Inspection Division for review.

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SECTION 7: GREENHOUSE GAS EMISSIONS

Potentially Significant Impact: The warehouse project would (a) generate greenhouse gas emissions that may have a significant impact on the environment, and (b) would conflict with an applicable plan adopted for the purpose of reducing the emissions of greenhouse gases.

Mitigation Measures:

Greenhouse Gas 1: Prior to the issuance of a building permit, the applicant shall show on the plans or otherwise demonstrate how the project design would, at a minimum, meet all applicable standards of the 2016 California Building Standards Code including the installation of high-efficiency appliances and insulation, to satisfy Reduction Measures EE1 and RE1 of the County's Climate Action Plan. The plan shall be subject to review and approval by the CDD.

Implementing Action:	COA
Timing of Verification:	Prior to CDD approval of construction documents (with COA compliance review).
Responsible Department or Agency:	Project sponsor, project architect, and CDD.
Compliance Verification:	Submit report to CDD for review; CDD review and approval of construction documents.

Greenhouse Gas 2: Prior to the final building inspection, the applicant shall demonstrate on the site plans that the project's anticipated emissions of GHGs would be reduced by at least 31.54 MTCO₂e/yr. The required reduction may be achieved through the inclusion of additional measures, which may include, but not be limited to the following:

- Exceed the energy efficiency measures of the current Title 24 Building Energy Efficiency Standards Code or CALGreen;
- Electrify loading docks and/or require idling-reduction systems for heavy-duty trucks;
- Provide end of trip facilities such as showers and changing spaces to encourage community by bicycle;
- Install and operate on-site renewable energy (such as solar panels);
- Install low-flow water fixtures in exceedance of applicable local standards;
- Incorporate measures from the Bay Area Commuter Benefits Program, such as providing a subsidy to reduce or cover employee's monthly transit or vanpool costs, providing a free or low cost transit service for employees, or incorporating an alternative commuter benefit that would effectively reduce single-occupancy commute trips.

The calculations shall be provided to the CDD for review and approval.

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Implementing Action:	COA
Timing of Verification:	Prior to final building inspection.
Responsible Department or Agency:	Project sponsor, project architect or contractor, and CDD.
Compliance Verification:	Submit report to CDD, Building Inspection Division for review.

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SECTION 12: NOISE

Potentially Significant Impact: Construction of the warehouse project would (d) cause a substantial temporary increase in ambient noise levels in the project vicinity above levels existing without the project.

Mitigation Measures:

Noise 1: The following noise reduction measures shall be implemented during project construction and shall be included on all construction plans.

1. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors.
2. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.
3. Large trucks and heavy equipment are subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00 AM to 4:00 PM.
4. All construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on state and federal holidays on the calendar dates that these holidays are observed by the state or federal government as listed below:
 - o New Year's Day (State and Federal)
 - o Birthday of Martin Luther King, Jr. (State and Federal)
 - o Washington's Birthday (Federal)
 - o Lincoln's Birthday (State)
 - o President's Day (State and Federal)
 - o Cesar Chavez Day (State)
 - o Memorial Day (State and Federal)
 - o Independence Day (State and Federal)
 - o Labor Day (State and Federal)
 - o Columbus Day (State and Federal)
 - o Veterans Day (State and Federal)
 - o Thanksgiving Day (State and Federal)
 - o Day after Thanksgiving (State)

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o Christmas Day (State and Federal)	
Implementing Action:	COA
Timing of Verification:	Prior to CDD approval of construction documents (with COA compliance review) and throughout construction-related activity.
Responsible Department or Agency:	Project sponsor, all contractors, and CDD.
Compliance Verification:	CDD review and approval of construction documents. Verification in field by Building Inspection Division.

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