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# 6<sup>th</sup> Cycle Housing Element Update

Contra Costa County

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# **1. Introduction**

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## **1.1 PURPOSE OF MITIGATION MONITORING PROGRAM**

This Mitigation Monitoring Program has been developed to provide a record of monitoring mitigation measures and conditions of approval outlined in the Draft Environmental Impact Report (DEIR). The Mitigation Monitoring Program has been prepared in conformance with Section 21081.6 of the Public Resources Code. Section 21081.6 states:

- (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:
  - (1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.
  - (2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

## **1.2 EIR SUMMARY**

### **1.2.1 PROJECT LOCATION**

Contra Costa County covers 716 square miles, making it the eighth smallest county in California by land area. It borders Alameda County to the south and San Joaquin County to east. It is also adjacent to Solano County to the north, separated by the San Pablo Bay, Carquinez Strait and Suisun Bay. The San Francisco Bay borders the County to the west, which is followed by Marin County and San Francisco Counties to the west. Regional connectivity to the County is provided by Interstate 580 (I-580) via the Richmond-San Rafael Bridge, Interstate 80 (I-80), Interstate 680 (I-680), State Route 4 (SR-4) and State Route 24 (SR-24).

## 1.2.2 PROJECT SUMMARY

### Housing Element Update

The State requires that the County Update its Housing Element Update every eight years on established cycles so the Housing Element, once adopted, will be effective until the end of the cycle period. This Housing Element Update covers the 6th Cycle Housing Element planning period from 2023 to 2031. The Housing Element Update identifies policy direction to meet the housing needs of the County by preserving existing homes and prioritizing housing creation. In addition to including goals, policies, and implementation programs regarding housing issues, Housing Elements must include an inventory or list of housing sites at sufficient densities to accommodate a specific number of units at various levels of affordability assigned to the County by the Association of Bay Area Governments (ABAG). This assignment is referred to as a Regional Housing Needs Allocation (RHNA), and the County must identify space for 7,610 units. The County also intends to comply with No-Net-Loss (Gov. Code Section 65863) through identifying a surplus of sites available to meet its RHNA allocation. In total, the County’s surplus unit capacity is 2,485 units.

The County’s Housing Element Update would require changes in land use designations for sites in order to meet the county’s RHNA and comply with No-Net-Loss . Residential Sites with Increasing Allowable Density are currently designated for residential uses and proposed to be redesignated to accommodate increased densities. These sites cover 473 acres across 330 parcels and have a maximum buildout of 15,572 residential units. Non-Residential Sites Proposed to Allow Residential Units are currently designated for non-residential uses and are proposed to be redesignated to allow residential uses. This category encompasses 86 acres across 46 parcels, with a maximum buildout of 4,053 residential units. Suitably Designated/Zoned Sites are sites in the Housing Element sites inventory that do not require a designation or zone change to contribute to the County's RHNA, encompassing 153 parcels with a maximum buildout of 791 residential units.

## 1.3 ENVIRONMENTAL IMPACTS

### 1.3.1 IMPACTS CONSIDERED LESS THAN SIGNIFICANT

The DEIR identified various thresholds from the CEQA Guidelines among a number of environmental categories that would not be significantly impacted by the proposed project and therefore have no mitigation measures to monitor. Impacts to the following were found to be less than significant:

- AESTHETICS
- AGRICULTURE AND FORESTRY RESOURCES
- AIR QUALITY
- BIOLOGICAL RESOURCES
- ENERGY
- GEOLOGY AND SOILS
- GREENHOUSE GAS EMISSIONS
- HAZARDS AND HAZARDOUS MATERIALS
- HYDROLOGY AND WATER QUALITY
- LAND USE AND PLANNING
- NOISE
- POPULATION AND HOUSING
- PUBLIC SERVICES AND RECREATION
- TRANSPORTATION
- UTILITIES AND SERVICE SYSTEMS
- WILDFIRE

### **1.3.2 POTENTIALLY SIGNIFICANT ADVERSE IMPACTS THAT CAN BE MITIGATED, AVOIDED, OR SUBSTANTIALLY LESSENERD**

The DEIR identified various thresholds from the CEQA Guidelines among a number of environmental categories that could be reduced, avoided, or substantially lessened through the implementation of mitigation measures.

- AIR QUALITY
- BIOLOGICAL RESOURCES
- CULTURAL AND TRIBAL RESOURCES
- GEOLOGY AND SOILS
- HAZARDS AND HAZARDOUS MATERIALS
- MINERAL RESOURCES
- NOISE
- TRANSPORTATION
- WILDFIRE

### **1.3.3 UNAVOIDABLE SIGNIFICANT ADVERSE IMPACTS**

The following impacts would remain significant and unavoidable after implementation of the required mitigation, as identified in the DEIR:

- AIR QUALITY
- BIOLOGICAL RESOURCES
- CULTURAL AND TRIBAL RESOURCES
- GREENHOUSE GAS EMISSIONS
- HAZARD AND HAZARDOUS MATERIALS
- NOISE
- WILDFIRE

## 2. *Mitigation Monitoring Process*

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### 2.1 MITIGATION MONITORING PROGRAM

As the lead agency, the County is responsible for the review of all monitoring reports, enforcement actions and document disposition. The County will rely on information provided by individual monitors (e.g., CEQA consultant, etc.) as accurate and up to date, and will field check mitigation measure status, as required.

### 2.2 MITIGATION MONITORING TEAM

The mitigation monitoring team, consisting of the designated Project Manager and Technical Consultants (CEQA consultant, etc.) are responsible for monitoring implementation and compliance with all adopted mitigation measures and conditions of approval. A major portion of the team's work is in-field monitoring and compliance report preparation. Implementation disputes are brought to the Project Manager/City Planning Director.

#### 2.2.1 MONITORING TEAM

The following summarizes key positions in the MMRP and their respective functions:

- **Project Manager:** Responsible for coordination of mitigation monitoring team, technical consultants, report preparation, and overall program administration and document/report clearinghouse. The overall Project Manager is the Planning Director who may delegate responsibilities as required to efficiently monitor the project mitigation measures.
- **Construction Contractor:** Responsible for coordination of mitigation monitoring team; technical consultants; report preparation; and implementation the monitoring program, including overall program administration, document/report clearinghouse, and first phase of dispute resolution.
- **Technical Consultants:** Responsible for monitoring in respective areas of expertise (CEQA consultant, project engineer, noise analyst/specialist). Report directly to the Project Manager.

#### 2.2.2 RECOGNIZED EXPERTS

The use of recognized experts on the monitoring team is required to ensure compliance with scientific and engineering mitigation measures. The mitigation monitoring team's recognized experts assess compliance with required mitigation measures, and recognized experts from responsible agencies consult with the Project Manager regarding disputes.

## **2.3 ARBITRATION RESOLUTION**

If the mitigation monitor determines that a mitigation measure, in the opinion of the monitor, has not been implemented or has not been implemented correctly, the problem will be brought before the Project Manager for resolution. The decision of the Project Manager is final unless appealed to the City's Planning Director. The Project Manager will have the authority to issue stop-work order until the dispute is resolved.

## **2.4 ENFORCEMENT**

Public agencies may enforce conditions of approval through their existing police power, using stop-work orders, fines, infraction citations, or in some cases, notice of violation for tax purposes.



## **3. Mitigation Monitoring Requirements**

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### **3.1 PRE-MITIGATION MEETING**

A pre-monitoring meeting will be scheduled to review mitigation measures, implementation requirements, schedule conformance, and mitigation monitoring committee responsibilities. Committee rules are established, the entire mitigation monitoring program is presented, and any misunderstandings are resolved.

### **3.2 CATEGORIZED MITIGATION MEASURES/MATRIX**

Project-specific mitigation measures have been categorized in matrix format, as shown in Table 3-1, *Mitigation Monitoring Requirements*. The matrix identifies the environmental factor, specific mitigation measures, schedule, and responsible monitor. The matrix identifies the environmental factor, specific mitigation measures, schedule, and responsible monitor. The mitigation matrix will serve as the basis for scheduling the implementation of, and compliance with, all mitigation measures. These mitigation measures are also contained in the Conditions of Approval matrix for the Project.

### **3.3 IN-FIELD MONITORING**

Project monitors and technical subconsultants shall exercise caution and professional practices at all times when monitoring implementation of mitigation measures. Protective wear (e.g. hard hat, glasses) shall be worn at all times in construction areas. Injuries shall be immediately reported to the Project Manager.

### **3.4 DATA BASE MANAGEMENT**

All mitigation monitoring reports, letters, and memos shall be prepared utilizing Microsoft Word software on IBM-compatible PCs.

### **3.5 COORDINATION WITH CONTRACTORS**

The construction manager is responsible for coordination of contractors and for contractor completion of required mitigation measures.

## **3.6 LONG-TERM MONITORING**

Long-term monitoring related to several mitigation measures will be required, including fire safety inspections. Post-construction fire inspections are conducted on a routine basis by the City's Fire Department.

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**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<b>5.3 Air Quality</b>				
<p><b>Mitigation Measure AQ-1</b></p> <p>Prior to discretionary approval by the unincorporated County for development projects subject to CEQA (California Environmental Quality Act) review (i.e., nonexempt projects), future project applicants shall prepare and submit a technical assessment evaluating potential project construction-related air quality impacts to the County Department of Conservation and Development for review and approval. The evaluation shall be prepared in conformance with the Bay Area Air Quality Management District (BAAQMD) methodology for assessing air quality impacts identified in their CEQA Air Quality Guidelines. If construction-related criteria air pollutants are determined to have the potential to exceed the BAAQMD–adopted thresholds of significance, the Department of Conservation and Development shall require feasible mitigation measures to reduce air quality emissions. Potential measures may include:</p> <p>Require implementation of the BAAQMD Best Management Practices for fugitive dust control, such as:</p> <ul style="list-style-type: none"> <li>■ Water all active construction areas at least twice daily or as often as needed to control dust emissions. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.</li> <li>■ Apply water twice daily or as often as necessary to control dust or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.</li> </ul>	<p>Project Applicant</p>	<p>Prior to discretionary approval of the project by the Contra Costa County the Department of Conservation and Development</p>	<p>Contra Costa County the Department of Conservation and Development</p>	

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>▪ Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).</li> <li>▪ Sweep public streets daily (with water sweepers using reclaimed water if possible) in the vicinity of the project site, or as often as needed, to keep streets free of visible soil material.</li> <li>▪ Hydro-seed or apply non-toxic soil stabilizers to inactive construction areas.</li> <li>▪ Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (e.g., dirt, sand).</li> <li>▪ Limit vehicle traffic speeds on unpaved roads to 15 mph.</li> <li>▪ Replant vegetation in disturbed areas as quickly as possible.</li> <li>▪ Install sandbags or other erosion control measures to prevent silt runoff from public roadways.</li> </ul> <p>Emissions control measures such as:</p> <ul style="list-style-type: none"> <li>▪ Using construction equipment rated by the United States Environmental Protection Agency as having Tier 4 interim or higher exhaust emission limits.</li> <li>▪ Ensuring construction equipment is properly serviced and maintained to the manufacturer’s standards.</li> <li>▪ Limiting nonessential idling of construction equipment to no more than five consecutive minutes.</li> </ul>				

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>▪ Using zero- or low-VOC paints for coating of architectural surfaces whenever possible.</li> <li>▪ Measures shall be incorporated into appropriate construction documents (e.g., construction management plans) submitted to the County and shall be verified by the Department of Conservation and Development.</li> </ul>				
<p><b>Mitigation Measure AQ-2</b> Prior to discretionary approval by the County for development projects subject to CEQA (California Environmental Quality Act) review (i.e., nonexempt projects), future project applicants shall prepare and submit a technical assessment evaluating potential project operation-phase-related air quality impacts to the Department of Conservation and Development for review and approval. The evaluation shall be prepared in conformance with Bay Area Air Quality Management District (BAAQMD) methodology in assessing air quality impacts identified in their CEQA Air Quality Guidelines. If operation-related air pollutants are determined to have the potential to exceed the BAAQMD– adopted thresholds of significance, the Department of Conservation and Development shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities. The identified measures shall be included as part of the conditions of approval. Possible mitigation measures to reduce long-term emissions could include, but are not limited to the following:</p> <ul style="list-style-type: none"> <li>▪ For site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical</li> </ul>	Project Applicant	Prior to discretionary approval of the project by the Contra Costa County the Department of Conservation and Development	Contra Costa County the Department of Conservation and Development	

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>service connections at loading docks for plug-in of the anticipated number of refrigerated trailers to reduce idling time and emissions.</p> <ul style="list-style-type: none"> <li>▪ Applicants for manufacturing and light industrial uses shall consider energy storage and combined heat and power in appropriate applications to optimize renewable energy generation systems and avoid peak energy use.</li> <li>▪ Site-specific developments with truck delivery and loading areas and truck parking spaces shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with California Air Resources Board Rule 2845 (13 CCR Chapter 10 sec. 2485).</li> <li>▪ Provide changing/shower facilities as specified in the Nonresidential Voluntary Measures of CALGreen.</li> <li>▪ Provide bicycle parking facilities per the Nonresidential Voluntary Measures and Residential Voluntary Measures of CALGreen.</li> <li>▪ Provide preferential parking spaces for low-emitting, fuel-efficient, and carpool/van vehicles per the Nonresidential Voluntary Measures of CALGreen.</li> <li>▪ Provide facilities to support electric charging stations per the Nonresidential Voluntary Measures and Residential Voluntary Measures of CALGreen.</li> <li>▪ Applicant-provided appliances shall be Energy Star–certified appliances or appliances of equivalent energy efficiency (e.g., dishwashers, refrigerators, clothes washers, and dryers). Installation of Energy Star–certified or equivalent appliances shall be verified by the County during plan check.</li> </ul>				

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p><b>Mitigation Measure AQ-3</b> Applicants for construction within 1,000 feet of residential and other sensitive land use projects (e.g., hospitals, nursing homes, day care centers) in the unincorporated County, as measured from the property line of the project to the property line of the source/edge of the nearest travel lane, shall submit a health risk assessment (HRA) to the County Department of Conservation and Development prior to future discretionary project approval. The HRA shall be prepared in accordance with policies and procedures of the Office of Environmental Health Hazard Assessment (OEHHA) and the BAAQMD. The latest OEHHA guidelines shall be used for the analysis, including age sensitivity factors, breathing rates, and body weights appropriate for children ages 0 to 16 years. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06), PM2.5 concentrations exceed 0.3 µg/m3 , or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level (i.e., below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms. Measures to reduce risk may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>■ Use of construction equipment rated as US EPA Tier 4 Interim for equipment of 50 horsepower or more.</li> <li>■ Use of construction equipment fitted with Level 3 Diesel Particulate Filters for all equipment of 50 horsepower or more.</li> <li>■ Measures identified in the HRA shall be included in the environmental document and/or incorporated</li> </ul>	<p>Project Applicant</p>	<p>Prior to discretionary approval of the project by the Contra Costa County the Department of Conservation and Development</p>	<p>Contra Costa County the Department of Conservation and Development</p>	



**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)	
<p>into the site development plan as a component of the proposed project. Prior to issuance of any construction permit, the construction contractor shall ensure that all construction plans submitted to the Department of Conservation and Development clearly show incorporation of all applicable mitigation measures.</p>					
<b>5.4 BIOLOGICAL RESOURCES</b>					
<p><b>Mitigation Measure BIO-1</b></p>	<p>Prior to the issuance of a building permit, any project that involves the removal of habitat must consider if any special status species (e.g., Threatened or Endangered species, CNPS List 1B and 2 plants, or species protected under Section 15380 of CEQA) are potentially present on the project site and nearby vicinity, and if the project impacts could be considered significant by the County. If potential habitat is present in an area, focused surveys shall be conducted prior to construction activities in order to document the presence or absence of a species on the project site and nearby vicinity. Botanical surveys shall be conducted during the appropriate blooming period for a species. If no special status species are found on the project site or nearby vicinity, no additional action is warranted, with the exception of projects subject to the East Contra Costa County HCP/NCCP where subsequent actions are required even if no special status species are found onsite. If special status species are found, appropriate mitigation would be required in coordination with the County, consistent with its performance criteria of mitigating lost habitat at a ratio no less than one to one (one acre restored for every acre impacted), or as required by the ECCC HCP/NCCP or the wildlife agencies. Projects shall be required to implement the mitigation</p>	<p>Project Applicant, Qualified Biologist</p>	<p>Prior to the issuance of a building permit by the Contra Costa County the Department of Conservation and Development.</p>	<p>Contra Costa County the Department of Conservation and Development</p>	

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>plan through a Mitigation Monitoring and Reporting Program.</p> <p><b>Mitigation Measure BIO-2</b></p> <p>Prior to the issuance of the first action and/or permit which would allow for site disturbance (e.g., grading permit), a detailed mitigation plan shall be prepared by a qualified biologist for approval by the County, the USFWS, and CDFW shall include: (1) the responsibilities and qualifications of personnel to implement and supervise the plan; (2) site selection; (3) site preparation and planting implementation; (4) a schedule; (5) maintenance plan/guidelines; (6) a monitoring plan; and (7) long-term preservation requirements. Projects shall be required to implement the mitigation plan as outlined within the Plan.</p> <p>Any permanent impacts to sensitive natural communities shall be mitigated for at a 3:1 ratio by acreage and temporary impacts shall be restored on-site at a 1:1 ratio by acreage. If on-site mitigation is infeasible, habitat shall be compensated by the permanent protection of habitat at the same ratio through a conservation easement and through the preparation and funding of a long-term management plan. Oak trees shall be replaced at the following ratios:</p> <ul style="list-style-type: none"> <li>▪ 3:1 replacement for trees 5 to 8 inches diameter at breast height (DBH)</li> <li>▪ 5:1 replacement for trees greater than 8 inches to 16 inches DBH</li> <li>▪ 10:1 replacement for trees greater than 16-inch DBH, which are considered old-growth oaks</li> </ul>	<p>Project Applicant, Qualified Biologist</p>	<p>Prior to the issuance of the first action and/or permit which would allow for site disturbance</p>	<p>Contra Costa County the Department of Conservation and Development</p>	

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>Habitat compensation shall also be required for wetland and stream impacts. The project shall obtain permits from the Regional Water Quality Control Board and Army Corps of Engineers pursuant to the Clean Water Act, and the California Department of Fish and Wildlife pursuant to Section 1602 of the Fish and Game Code.</p>				
<p><b>Mitigation Measure BIO-3</b></p> <p>Prior to the issuance of a building permit, the County shall require a habitat connectivity/wildlife corridor evaluation for future development that may impact existing connectivity areas and wildlife linkages. This evaluation shall be conducted by a qualified biologist. The results of the evaluation shall be incorporated into the project’s biological report required in Mitigation Measure BIO-1. The evaluation shall also identify project design features that would reduce potential impacts and maintain habitat and wildlife movement. To this end, the county shall incorporate the following measures, to the extent practicable, for projects impacting wildlife movement corridors:</p> <ul style="list-style-type: none"> <li>▪ Adhere to low density zoning standards</li> <li>▪ Encourage clustering of development</li> <li>▪ Avoid known sensitive biological resources and sensitive natural communities</li> <li>▪ Provide shield lighting adjacent to sensitive habitat areas</li> <li>▪ Encourage development plans ghat maximize wildlife movement</li> <li>▪ Provide buffers between development and wetland/riparian areas process</li> <li>▪ Protect wetland/riparian areas through regulatory agency permitting process</li> </ul>	<p>Project Applicant, Qualified Biologist</p>	<p>Prior to ground disturbance</p>	<p>Contra Costa County the Department of Conservation and Development</p>	

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p><b>Mitigation Measure BIO-4</b></p> <ul style="list-style-type: none"> <li>▪ Encourage wildlife-passable fence designs (e.g., 3-strand barbless wire fence) on property boundaries</li> <li>▪ Encourage preservation of native habitat on the underground remainder of developed parcels</li> <li>▪ Minimize road/roadway development to help prevent loss of habitat due to roadkill and habitat loss</li> <li>▪ Use native, drought-resistant plant species in landscape design</li> <li>▪ Encourage participation in local/regional recreational trail design efforts</li> </ul> <p>Implement Mitigation Measures BIO-1 and BIO-2.</p> <p>Construction activities involving vegetation removal shall be conducted between September 16 and March 14. If construction occurs inside the peak nesting season (between March 15 and September 15), a preconstruction survey (or possibly multiple surveys) by a qualified biologist is required prior to construction activities to identify any active nesting locations. If the biologist does not find any active nests within the project site, the construction work shall be allowed to proceed. If the biologist finds an active nest within the project site and determined that the nest may be impacted, the biologist shall delineate an appropriate buffer zone around the nest, and the size of the buffer zone shall depend on the affected species and the type of construction activity. Any active nests observed during the survey shall be mapped on an aerial photograph. Only construction activities (if any) that have been approved by a biological monitor shall take place within the buffer zone until the nest is vacated. The biologist shall serve as a construction monitor when</p>	<p>Project Applicant</p>	<p>Ground disturbance activities on project sites between September 16 and March 14 or March 15 and September 15 for peak nesting season.</p>	<p>Contra Costa County the Department of Conservation and Development</p>	

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
construction activities take place near active nest areas to ensure that no inadvertent impacts on these nests occur. Results of the preconstruction survey and any subsequent monitoring shall be provided to the California Department of Fish and Wildlife and the County. Implement Mitigation Measures BIO-3				
<b>5.5 CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES</b>				
<b>Mitigation Measure</b> <b>CUL-1</b> Prior to construction activities, the future project applicant shall retain a qualified historian to perform a historic resources analysis of the structures onsite. If the structures are found to be historically significant, the historian shall document the structures using the Historic American Building Survey (HABS) Level III standards as a guideline for recording the buildings through a compilation of photographs, drawings, and written description to record the historic resource: <ul style="list-style-type: none"> <li>▪ <b>Written Data:</b> The history or the property and description of the historic resource shall be prepared.</li> <li>▪ <b>Drawings:</b> A sketch plan of the interior floorplan of the building shall be prepared.</li> <li>▪ <b>Photographs:</b> Large-format photographs and negatives shall be produced to capture interior and exterior views of the structure. At least two large format pictures shall be taken to show the building’s setting in context and in relationship to its location. The photographs and negatives must be created using archival stable paper and processing procedures.</li> <li>▪ <b>Document:</b> The HABS Level III document must be produced on archival quality paper, and all</li> </ul>	Project Applicant, Qualified Historian	Prior to construction activities.	Contra Costa County the Department of Conservation and Development	

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>large format photographs and negatives labeled to HABS standards. A digital version of the HABS document shall be prepared with the hard copy. The final HABS LEVEL III document shall be donated to the Contra Costa County Historical Society and/or other responsible repository within the region</p>				
<p><b>Mitigation Measure CUL-2</b> Prior to construction activities, the future project applicant shall retain a qualified archaeologist to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. If cultural resources are discovered during ground disturbing activities, all ground disturbance activities within 50 feet of the find shall be halted until a meeting is convened between the developer, archaeologist, tribal representatives, and the Director of the Conservation and Development Department. At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representatives, developer, and archaeologist, a decision shall be made, with the concurrence of the Director of the Conservation and Development Department, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.</p>	<p>Project Applicant, Qualified Archaeologist</p>	<p>Prior to construction activities</p>	<p>Contra Costa County the Department of Conservation and Development</p>	
<p><b>Mitigation Measure CUL-3</b> It is understood by all parties that unless otherwise required by law, the site of any burial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254(r), and Lead Agencies, will be asked to withhold public disclosure information</p>	<p>Project Applicant</p>	<p>During the course of Project Construction</p>		

**Table 3-1 Mitigation Monitoring Requirements**

<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254(r).				
<b>Mitigation Measure CUL-4</b> If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to the origin. Further, pursuant to Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the County Coroner determined the remains to be Native American, the Native American Heritage Commission shall be contacted within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the “most likely descendant.” The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.	Project Applicant	During the course of the Project Construction		
<b>Mitigation Measure TCR-1</b> Prior to the issuance of grading permits for projects on previously undisturbed sites or as directed by the County, future project applicants are required to enter into a cultural resources’ treatment agreement with the culturally affiliated tribe. This agreement will address the treatment and disposition of cultural resources and human remains that may be impacted as a result of the development of a project on a Housing Element site, as well as provisions for tribal monitors. The applicant must provide a copy of the cultural resources treatment agreement to the County prior to issuance of a grading permit. If cultural resources are discovered during the project construction, all work in the area shall cease and a	Project Applicant	Prior to the issuance of grading permits		

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
qualified archaeologist and representatives of the culturally affiliated tribe shall be retained by the project sponsor to investigate the find and make recommendations as to treatment and mitigation.				
<b>Mitigation Measure TCR-2</b> A qualified archaeological monitor will be present project sites that require ground disturbance of previously undisturbed land or as required by the County and will have the authority to stop and redirect grading activities, in consultation with the culturally affiliated tribe and their designated monitors, to evaluate the significance of any archaeological resources discovered on the property.	Project Applicant	In the event of ground disturbance of previously undisturbed land during Project Construction	Contra Costa County the Department of Conservation and Development	
<b>Mitigation Measure TCR-3</b> Tribal monitors from the culturally affiliated tribe shall be allowed to monitor all grading, excavation, and groundbreaking activities, including archaeological surveys, testing, and studies, for applicable projects, including projects on previously undisturbed sites or as directed by the County. All monitoring activities are to be compensated by the project applicant	Project Applicant, Tribal monitors	In the event of ground disturbance within the construction phase of the project or any previously undisturbed land during		
<b>Mitigation Measure TCR-4</b> The landowner agrees to relinquish ownership of all cultural resources, including all archaeological artifacts that are found on the project site and project vicinity, to the culturally affiliated tribe for proper treatment and disposition	Project Applicant	In the event of any cultural resources discoveries at or near the project site		
<b>5.7 GEOLOGY AND SOILS</b>				
<b>Mitigation Measure GEO-1</b> Prior to issuance of a grading permit for any future project that requires ground disturbance (i.e., excavation, grading, trenching, etc.) to depths of 6 or more feet in previously undisturbed geologic deposits, the project will undergo a CEQA-level analysis to determine the potential	Project Applicant	Prior to issuance of a grading permit	Contra Costa County the Department of Conservation and Development	



**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>for a project to encounter significant paleontological resources, based on a review of site-specific geology and the extent of ground disturbance associated with each project. The analysis shall include, but would not be limited to:</p> <ol style="list-style-type: none"> <li>1) A paleontological records search,</li> <li>2) Geologic map review, and</li> <li>3) Peer-reviewed scientific literature review</li> </ol> <p>If it is determined that a site has the potential to disturb or destroy significant paleontological resources, a professional paleontologist (meeting the Society of Vertebrate Paleontology [SVP] standards), will be retained to recommend appropriate mitigation to reduce or avoid significant impacts to paleontological resources, based on project-specific information. Such measures could include, but would not be limited to:</p> <ol style="list-style-type: none"> <li>1) Preconstruction worker awareness training,</li> <li>2) Paleontological resource monitoring, and</li> <li>3) Salvage of significant paleontological resources</li> </ol>				
<p><b>Mitigation Measure GEO-2</b></p> <p>In the event of any fossil discovery, regardless of depth or geologic formation, ground disturbing activities shall halt within a 50-foot radius of the find until its significance can be determined by a qualified paleontologist. Significant fossils shall be recovered, prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility in accordance with the standards of the Society of Vertebrate</p>	<p>Project Applicant</p>	<p>In the event of any fossil discovery</p>		

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
Paleontology. The repository shall be identified, and a curatorial arrangement shall be signed prior to collection of the fossils				
<b>5.8 GREENHOUSE GAS EMISSIONS</b>				
<p><b>Mitigation Measures</b>  <b>GHG-1</b></p> <p>The County shall prepare a Climate Action Plan (CAP) to achieve the GHG reduction targets of Senate Bill 32 for year 2030. The CAP shall be completed within 18 months of certification of the Housing Element EIR. The CAP shall be updated every five years to ensure the County is monitoring the plan’s progress toward achieving the County’s greenhouse gas (GHG) reduction target and to require amendment if the plan is not achieving specified level. The update shall consider a trajectory consistent with the GHG emissions reduction goal established under Executive Order (EO) S-03-05 for year 2050 and the latest applicable statewide legislative GHG emission reduction that may be in effect at the time of the CAP update (e.g., Senate Bill 32 for year 2030). The CAP update shall include the following:</p> <ul style="list-style-type: none"> <li>▪ GHG inventories of existing and forecast year GHG levels for the unincorporated community.</li> <li>▪ Tools and strategies for reducing GHG emissions to achieve the GHG reduction goals of Senate Bill 32 for year 2030.</li> <li>▪ Tools and strategies for reducing GHG emissions to ensure a trajectory with the long-term GHG reduction goal of Executive Order S-03-05</li> </ul>	Contra Costa County	18 months of certification of the Housing Element EIR		

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>▪ Plan implementation guidance that includes, at minimum, the following components consistent with the proposed CAP:                             <ul style="list-style-type: none"> <li>○ Administration and Staffing</li> <li>○ Finance and Budgeting</li> <li>○ Timelines for Measure Implementation</li> <li>○ Community Outreach and Education</li> <li>○ Monitoring, Reporting, and Adaptive Management</li> <li>○ Tracking Tools</li> </ul> </li> </ul>				
<b>5.12 MINERAL RESOURCES</b>				
<p><b>Mitigation Measure MIN-1</b> Pursuant to the Public Resources Code, the Surface Mining and Reclamation Act, Chapter 9, Article 4, Section 2762(e), prior to the issuance of grading permit on lands classified by the State Geologist as MRZ-3 or MRZ-2, the County Geologist shall make a site-specific determination as to the site’s potential to contain or yield important or significant mineral resources of value to the region and the residents of the State of California.</p> <ul style="list-style-type: none"> <li>▪ If it is determined by the County Geologist that lands classified as MRZ-3 have the potential to yield significant mineral resources which may be of “regional or statewide significance” and the proposed use is considered “incompatible” (as defined by Section 3675 of Title 14, Article 6, of the California Code of Regulations) and could threaten the potential to extract said</li> </ul>	Project applicant, County Geologist	Prior to the issuance of grading permit	Contra Costa County the Department of Conservation and Development	

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>minerals, the project applicant(s) shall prepare an evaluation of the area in order to ascertain the significance of the mineral deposit located therein. These site-specific mineral resources study shall be performed to, at a minimum, document the site’s known or inferred geological conditions; describe the existing levels of development on or near the site which might preclude mining as a viable adjacent use; and analyze the state standards for designating land as having “regional or statewide significant” under the Surface Mining and Reclamation Act. The results of such evaluation shall be transmitted to the State Geologist and the State Mining and Geological Board (SMGB).</p> <ul style="list-style-type: none"> <li>▪ Should significant mineral resources be identified, the project applicant(s) shall either avoid said resource or shall incorporate appropriate findings subject to a site-specific discretionary review and CEQA process.</li> </ul>				
<b>4.10 NOISE</b>				
<p><b>Mitigation Measure NOI-1</b> The construction contractors shall implement the following measures for construction activities conducted in the County of Contra Costa. Construction plans submitted to the County shall identify these measures on demolition, grading, and construction plans submitted to the County and the County’s Planning and Building Department(s) shall verify that submitted grading, demolition, and/or construction plans include these notations prior to issuance of demolition, grading, and/or building permits:</p>	<p>Project Applicant, Construction Contractor</p>	<p>Prior to issuance of demolition, grading and/or building permits</p>	<p>Contra Costa County the Department of Conservation and Development</p>	

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>▪ Construction activity is limited to the daytime hours of 7:00 a.m. to 7:00 p.m.</li> <li>▪ During the entire active construction period, equipment and trucks used for project construction shall use the best-available noise control techniques (e.g., improved mufflers, equipment re-design, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds) available</li> <li>▪ Impact tools (e.g., jack hammers and hoe rams) shall be hydraulically or electrically powered wherever possible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools.</li> <li>▪ Stationary equipment, such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses.</li> <li>▪ Stockpiling shall be located as far as feasible from nearby noise-sensitive receptors.</li> <li>▪ Construction traffic shall be limited, to the extent feasible, to approved haul routes established by the County Planning and Building Department(s)</li> <li>▪ At least 10 days prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours, as well as the telephone numbers of the County's and contractor's authorized representatives that are assigned to</li> </ul>				

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>respond in the event of a noise or vibration complaint. If the authorized contractor’s representative receives a complaint, they shall investigate, take appropriate corrective action, and report the action to the County</p> <ul style="list-style-type: none"> <li>▪ Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than 5 minutes.</li> <li>▪ During the entire active construction period and to the extent feasible, the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. The construction manager shall use smart back-up alarms, which automatically adjust the alarm level based on the background noise level or switch off back-up alarms and replace with human spotters in compliance with all safety requirements and laws.</li> <li>▪ Erect temporary noise barriers (at least as high as the exhaust of equipment and breaking line-of-sight between noise sources and sensitive receptors), as necessary and feasible, to maintain construction noise levels at or below the performance standard of 80 dBA Leq. Barriers shall be constructed with a solid material that has a density of at least 4 pounds per square foot with no gaps from the ground to the top of the barrier.</li> </ul>				

**Table 3-1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p><b>Mitigation Measure N-2</b></p> <p>Prior to issuance of a building permit for a project requiring pile driving during construction within 135 feet of fragile structures, such as historical resources, 100 feet of non-engineered timber and masonry buildings (e.g., most residential buildings), or within 75 feet of engineered concrete and masonry (no plaster); or a vibratory roller within 25 feet of any structure, the future project applicant shall prepare a noise and vibration analysis to assess and mitigate potential noise and vibration impacts related to these activities. This noise and vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer. The vibration levels shall not exceed Federal Transit Administration (FTA) architectural damage thresholds (e.g., 0.12 inches per second [in/sec] peak particle velocity [PPV] for fragile or historical resources, 0.2 in/sec PPV for nonengineered timber and masonry buildings, and 0.3 in/sec PPV for engineered concrete and masonry). If vibration levels would exceed this threshold, alternative uses such as drilling piles as opposed to pile driving and static rollers as opposed to vibratory rollers shall be used. If necessary, construction vibration monitoring shall be conducted to ensure vibration thresholds are not exceeded.</p>	<p>Project Applicant</p>	<p>Prior to issuance of a building permit for a project requiring pile driving during construction within 135 feet of fragile structures</p>	<p>Contra Costa County the Department of Conservation and Development</p>	
<p><b>Mitigation Measure N-3</b></p> <p>New residential projects (or other noise-sensitive uses) located within 200 feet of existing railroad lines shall be required to conduct a groundborne vibration and noise evaluation consistent with Federal Transit Administration (FTA)- approved methodologies.</p>	<p>Project Applicant</p>	<p>Prior to issuance of a building permit for a project located within 200 feet of existing railroad lines</p>	<p>Contra Costa County the Department of Conservation and Development</p>	

**Table 3-1 Mitigation Monitoring Requirements**

<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<b>Mitigation Measure N-4</b> During the project-level California Environmental Quality Act (CEQA) process for industrial developments under the General Plan Update or other projects that could generate substantial vibration levels near sensitive uses, such as residential uses, a noise and vibration analysis shall be conducted to assess and mitigate potential noise and vibration impacts related to the operations of that individual development. This noise and vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer and shall follow the latest CEQA guidelines, practices, and precedents.	Project Applicant, Acoustical Consultant or Engineer	Prior to issuance of a building permit for an industrial project near residential uses	Contra Costa County the Department of Conservation and Development	
<b>5.18 WILDFIRE</b>				
<b>Mitigation Measure WILD-1</b> Project applicants for development in a Very High Fire Hazard Severity Zone or WUI area shall prepare a Traffic Control Plan to ensure that construction equipment or activities do not block roadways during the construction period. The Traffic Control Plan shall be submitted to the applicable Contra Costa County Fire Protection District for review and approval prior to issuance of building permits	Project Applicant	Prior to issuance of a building permit	Contra Costa County the Department of Conservation and Development	



## **4. Mitigation Monitoring Reports**

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Mitigation monitoring reports are required to document compliance with the Mitigation Monitoring Program and to dispute arbitration enforcement resolution. Specific reports include:

- Field Check Report
- Implementation Compliance Report
- Arbitration/Enforcement Report

### **4.1 FIELD CHECK REPORT**

Field check reports are required to record in-field compliance and conditions.

### **4.2 IMPLEMENTATION COMPLIANCE REPORT**

The Implementation Compliance Report (ICR) is prepared to document the implementation of mitigation measures on a phased basis, based on the information in Table 3-1. The report summarizes implementation compliance, including mitigation measures, date completed, and monitor's signature.

### **4.3 ARBITRATION/ENFORCEMENT REPORT**

The Arbitration/Enforcement Report (AER) is prepared to document the outcome of arbitration committee review and becomes a portion of the ICR.

### **4.4 COMMUNITY INVOLVEMENT**

Monitoring reports are public documents and are available for review by the general public. Discrepancies in monitoring reports can be taken to the arbitration committee by the general public.