

MITIGATION MONITORING AND REPORTING PROGRAM

Hidden Valley Lake Homeowner’s Association – Hartmann Complex
 Initial Study IS 14-33
 Major Use Permit UP 14-11

	Mitigation Measure	Implementation Responsibility	Monitoring & Reporting Responsibility	Timing	Date Implemented
Air Quality					
The project has the potential to create fugitive dust during construction and expose sensitive receptors to pollutant concentrations.	<p><u>AQ-1:</u> The following control measures shall be implemented during construction:</p> <ul style="list-style-type: none"> a) During construction, emissions of fugitive dust from any active operation, open storage pile, or disturbed surface area, shall be controlled so that dust does not remain visible in the atmosphere beyond the boundary line of the emission source. b) When wind speeds result in dust emissions crossing property lines, and despite the application of dust control measures, grading and earthmoving operations shall be suspended and inactive disturbed surface areas shall be stabilized. c) Fugitive dust generated by active operations, open storage piles, or from a disturbed surface area shall not result in such opacity as to obscure an observer’s view to a degree equal to or greater than does smoke as dark or darker in shade as that designated as 	Applicant; project contractor	Applicant; Community Development Department	Prior to cultivation	

	<p>No. 2 on the Ringlemann Chart (or 40 percent opacity).</p> <ul style="list-style-type: none"> d) All exposed soils shall be watered as needed to prevent dust density as described above and in order to prevent dust from visibly exiting the property. e) Any visible tracked out dirt on a paved road where vehicles enter and exit the work area must be removed at the end of the workday or at least one time per day. Removal shall be accomplished by using wet sweeping or a HEPA filter equipped vacuum device. Dirt from vehicles exiting the site shall be removed through the use of a gravel pad, a tire shaker, a wheel wash system, or a pavement extending for not less than 50 feet from the intersection with the paved public road. f) All haul trucks transporting soil, sand, or other loose material offsite shall be covered. g) All vehicle speeds on unpaved roads shall be limited to 25 mph. h) During construction the contractor shall, where feasible, utilize existing power sources (e.g., power poles) or clean fuel (i.e. gasoline, biodiesel, natural gas) generators rather than temporary diesel power generators. i) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage 				
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	shall be provided for construction workers at all access points. Signs shall be posted in the designated queuing areas of the construction site to remind off-road equipment operators that idling time is limited to a maximum of 5 minutes.				
Biological Resources					
Construction activities associated with the proposed Project have the potential to indirectly significantly impact habitat for sensitive species	<u>BIO-1</u> : Should work commence during the nesting season (February 15 to September 15), a preconstruction nesting bird survey shall be conducted by a qualified biologist no more than five days prior to the start of ground disturbing activities. Areas within 500 feet of construction shall be surveyed as possible for active nests. Should an active nest be identified, a “disturbance-free” buffer shall be established by the qualified biologist based on the needs of the species identified. The buffer shall remain in place until the biologist determines that the nest is no longer active. Should construction cease for a period of five days or more, an additional pre-construction nesting bird survey shall be conducted.	Qualified Biologist	Applicant	Throughout construction activities	
	<u>BIO-2</u> : Prior to removal of trees with a diameter at breast height (dbh) exceeding six inches, a qualified biologist shall conduct a survey of trees to determine whether trees with potential bat roosts are scheduled for removal. If trees scheduled for removal do not have roost habitat, then no further mitigation is necessary. If trees scheduled for removal are observed with roost habitat, the trees shall be removed over a two-day process as outlined below: <ul style="list-style-type: none"> Removal shall occur while bats are not actively utilizing the potential roost 	Qualified Biologist	Applicant; Qualified Biologist	Prior to ground disturbing activities	

	<p>tree. Removal shall occur as possible outside of maternity season. The maternity roosting season for bats is approximately February 1 through September 1 (but varies due to rainfall and temperature). The best time for removal of structures that may support maternity roosting is between February 1 and April 15.</p> <ul style="list-style-type: none"> • On day 1, branches and small limbs not containing potential bat roost habitat (cavities, crevices, exfoliating bark, etc.) shall be removed using chainsaws only. • On day 2, the remainder of the tree shall be removed. 				
	<p><u>BIO-3</u>: A pre-construction survey for FYLF shall be conducted by a qualified biologist within five days of initiating ground disturbing activities. Surveys shall cover between left and right bankfull at least 500 feet upstream and 500 feet downstream of the work area as accessible. Surveys shall extend up to 30 feet above bankfull within 100 feet of work areas when suitable, accessible habitat is present.</p> <p>Work within 100 feet of Coyote Creek shall occur during the dry months (July 1 through October 31) as possible. Timing shall also occur outside of the FYLF breeding season (March 1 to June 30) to the extent possible. If work must occur between October 31 and June 30, a monitor shall be present, or FYLF shall be excluded from active work areas by an exclusionary fence that is at least 24 inches tall and has a no-climb barrier installed along the top. Prior to commencement of work, a qualified biologist will inspect the fence and work area to ensure proper installation and clearance of</p>	<p>Qualified Biologist</p>	<p>Applicant; Qualified Biologist</p>	<p>Prior to ground disturbing activities</p>	

	<p>FYLF. These measures shall be implemented in the following manner:</p> <ul style="list-style-type: none"> ▪ If a work area is within 100 feet of Coyote Creek, a monitor will be present during work and will ensure that no FYLF are impacted. Observed FYLF will be avoided by construction activities by at least 50 feet unless the monitor is positioned between the FYLF and the construction activity. ▪ Work areas can alternatively be separated from Coyote Creek by exclusionary fencing as described above and no monitoring would be required. If exclusionary fencing is utilized, fencing must extend the length of the active work area plus 100 feet downstream and upstream, unless impeded by Hartmann Road. ▪ If a FYLF is found in a work area and cannot be avoided, the qualified biologist will coordinate with CDFW to develop an acceptable relocation strategy. 				
Cultural Resources and Tribal Cultural Resources					
<p>Construction of the Project has the potential for accidental discovery of unknown, undiscovered cultural resources and tribal cultural resources.</p>	<p><u>CR-1:</u> Prior to the initiation of ground-disturbing activities all construction personnel shall be trained in the protection of cultural resources, the recognition of buried cultural remains, and the notification procedures to be followed upon the discovery of archaeological materials, including Native American burials. The training shall be presented by an archaeologist who meets the Secretary of Interior’s Standards for Prehistoric and Historic Archaeology and by a Native American representative and should include recognition of both prehistoric and historic resources. Personnel shall be</p>	<p>Project contractor; Qualified archaeologist</p>	<p>Applicant</p>	<p>During site preparation and throughout construction activities</p>	

	<p>instructed that unauthorized collection or disturbance of artifacts or other cultural materials is illegal, and that violators will be subject to prosecution under the appropriate state and federal laws. Supervisors shall also be briefed on the consequences of intentional or inadvertent damage to cultural resources.</p>				
	<p><u>CR-2:</u> Impacts to surface and subsurface cultural resources not previously identified shall mitigated through the implementation of a monitoring program during demolition and construction grubbing, grading, and excavation. Native American consultation shall also be undertaken as part of this mitigation measure. The monitoring program shall include the following:</p> <ul style="list-style-type: none"> ▪ <u>Retention of a Qualified Archaeologist.</u> A qualified archaeologist shall be retained to implement a monitoring and recovery program during all ground-disturbing activity associated with the Project, including grubbing, grading, and excavation. The qualified archaeologist shall meet the Secretary of Interior’s Professional Standards for prehistoric and historic archaeology. ▪ <u>Preconstruction Briefing.</u> Construction personnel shall be briefed by the qualified archaeologist on procedures to be followed in the event that unique archaeological resources, historical resources, or human remains are encountered during construction. The qualified archaeologist shall be required to provide a telephone number where they can be reached by the construction contractor, as necessary. 	<p>Applicant, Project contractor; Qualified archaeologist</p>	<p>Applicant</p>	<p>Prior to site preparation and throughout construction activities</p>	

	<ul style="list-style-type: none"> ▪ <u>Construction Monitoring.</u> An archaeological monitor working under the supervision of the qualified archaeologist shall observe all initial ground-disturbing activities associated with the project, including grubbing, grading, and excavations. The monitor shall be authorized to halt construction, if necessary, in the immediate area where buried cultural remains are encountered. Prior to the resumption of grading activities in the immediate vicinity of the cultural remains, Lake County shall provide the qualified archaeologist with the necessary resources to identify and implement a program for the appropriate disposition of those remains. ▪ <u>Monitoring Report.</u> A complete set of the daily monitoring logs shall be kept on site throughout the earth-moving activities and be available for inspection. The daily monitoring log shall be keyed to a location map to indicate the area monitored, date, assigned personnel, and results of monitoring, including the recovery of archaeological material, sketches of recovered materials, and associated geographic site data. Within 90 days of the completion of the archaeological monitoring, a monitoring report shall be submitted to Lake County and filed with the NWIC. 				
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	<p><u>CR-3:</u> In the event of an accidental discovery or recognition of any human remains, PRC Section 5097.98 must be followed. If there is a discovery or recognition of human remains during project-related earthmoving activities, the following steps shall be taken:</p> <ol style="list-style-type: none"> 1. There shall be no further excavation or disturbance of the specific location or any nearby area reasonably suspected to overlie adjacent human remains until the Lake County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains are Native American, the coroner shall contact the NAHC within 24 hours, and the NAHC shall identify the person or persons it believes to be the “most likely descendant” of the deceased Native American. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in PRC Section 5097.98, or 2. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely 	<p>Applicant, Tribe or Qualified archaeologist</p>	<p>Applicant</p>	<p>Within 90 days of use permit issuance</p>	
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	<p>descendent or on the project area in a location not subject to further subsurface disturbance:</p> <ul style="list-style-type: none"> ▪ The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission; ▪ The descendent identified fails to make a recommendation; or ▪ The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the NAHC fails to provide measures acceptable to the landowner. 				
	<p>CR-4: The Cultural Resources Treatment and Monitoring Agreement (Attachment 3) entered into between the Middletown Rancheria of Pomo Indians of California and the Hidden Valley Lake Association shall be adhered to in order to formalize procedures for the protection and treatment of Native American cultural resources, as defined by the agreement.</p>	<p>Applicant, Middletown Rancheria Tribe</p>	<p>Applicant, Middletown Rancheria Tribe</p>	<p>During construction and all ground disturbance</p>	

Geology and Soils					
<p>There is some potential for geological-related impacts from the project; therefore mitigation measures are incorporated to mitigate noise-related impacts.</p>	<p><u>GEO-1</u>: In the event of any inadvertent discovery of paleontological resources, all work within a 50-foot radius of the find shall be halted and the County shall be notified. Workers shall avoid altering the materials until a professional paleontologist can evaluate the significance of the find and make recommendations to the County on the measures that shall be implemented to protect the discovered resources.</p>	<p>Applicant; Project contractor</p>	<p>Applicant</p>	<p>During site preparation and construction activities</p>	
Hazards and Hazardous Materials					
<p>There is some potential for hazardous material-related impacts from the project; therefore mitigation measures are incorporated to mitigate hazardous material-related impacts.</p>	<p><u>HAZ-1</u>: An accidental spill prevention and response plan shall be developed which will include a list of all hazardous materials used and/or stored on the Project Site during construction activities; appropriate information about initial spill response, containment, and cleanup strategies; and a list of appropriate County contact information. The spill prevention and response plan shall be included as a component of the SWPPP described in Mitigation Measure HYD-1. The plan shall require containment equipment and sufficient supplies to combat spills of oil or hazardous substances shall be on site at all times during construction.</p>	<p>Applicant; Project contractor</p>	<p>Applicant</p>	<p>During site preparation and construction activities; during life of project</p>	

	<p><u>HAZ-2:</u> Materials containing asbestos shall be properly removed in accordance with State OSHA and Federal regulations (CCR & CFR) by a licensed Asbestos Abatement Contractor certified by the State of California Division of Occupational Safety and Health, prior to any renovation and/or demolition that may disturb asbestos containing material. Containment and disposal of asbestos-containing material shall be in accordance with the Local EPA Air Quality Management District.</p>	Applicant, contractor	Applicant	During construction ; for the life of the project	
	<p><u>HAZ-3:</u> During construction, staging areas, welding areas, or areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. To the extent feasible, the contractor shall keep these areas clear of combustible materials in order to maintain a fire break. Any construction equipment that normally includes a spark arrester shall be equipped with an arrester in good working order. This includes, but is not limited to, vehicles, heavy equipment, and chainsaws.</p>	Applicant, contractor	Applicant	During construction ; for the life of the project	
Hydrology and Water Quality					
<p>There is some potential for impacts to hydrology and water quality; therefore the following mitigation measures are added.</p>	<p><u>HYD-1:</u> The Project Applicant shall obtain coverage under the NPDES Construction General Permit prior to initiation of construction activities. The State Water Resources Control Board (SWRCB) requires that construction sites have adequate control measures to reduce the discharge of sediment and other pollutants to streams to ensure compliance with Section 303 of the Clean Water Act (CWA). To comply with the</p>	Applicant, contractor	Applicant	During construction and for the life of the project	

	<p>NPDES permit, a Notice of Intent shall be filed with the SWRCB.</p> <p>A SWPPP shall be approved prior to construction. The SWPPP shall include a detailed, site-specific listing of the potential sources of stormwater pollution; pollution prevention measures (erosion and sediment control measures and measures to control non-stormwater discharges and hazardous spills) including a description of the type and location of erosion and sediment control BMPs to be implemented at the Project Site; and a BMP monitoring and maintenance schedule to determine the amount of pollutants leaving the Project Site. A copy of the SWPPP shall be kept on the Project Site. Water quality BMPs identified in the SWPPP may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▪ Areas where ground disturbance occurs shall be identified in advance of construction and limited to approved areas. ▪ Vehicular construction traffic shall be confined to the designated access routes and staging areas. ▪ Equipment maintenance and cleaning shall be confined to staging areas. No vehicle maintenance shall occur on-site during construction. ▪ Supervisory construction personnel shall be informed of environmental concerns, permit conditions, and final project specifications. Said personnel shall be responsible for instructing on- 				
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	<p>site work to meet the requirements of the SWPPP including making sure work is conducted outside of protected trees' drip lines to the extent possible.</p> <ul style="list-style-type: none"> ▪ Disturbed areas shall be restored to pre-construction contours to the extent possible. ▪ Hay/straw bales and silt fences shall be used to control erosion during stormwater runoff events. ▪ The highest quality soil shall be salvaged, stored, and used for native re-vegetation/seeding. ▪ Drainage gaps shall be implemented in topsoil and spoil piles to accommodate/reduce surface water runoff. ▪ Sediment control measures shall be in place prior to the onset of the rainy season and will be maintained until disturbed areas have been re-vegetated. Erosion control structures shall be in place and operational at the end of each day if work activities occur during the rainy season. ▪ Fiber rolls shall be placed along the perimeter of disturbed areas to ensure sediment and other potential contaminants of concern are not transported off-site or to open trenches. Locations of fiber rolls will be field adjusted as needed and according to the advice of the certified SWPPP inspector. ▪ Vehicles and equipment stored in the construction staging area shall be 				
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	<p>inspected regularly for signs of leakage. Leak-prone equipment will be staged over an impervious surface or other suitable means will be provided to ensure containment of any leaks. Vehicle/equipment wash waters or solvents will not be discharged to surface waters or drainage areas.</p> <ul style="list-style-type: none">▪ During the rainy season (dates to be specified in the SWPPP), soil stockpiles and material stockpiles will be covered and protected from the wind and precipitation. Plastic sheeting will be used to cover the stockpiles and straw wattles will be placed at the base for perimeter control.▪ Contractors shall immediately control the source of any leak and immediately contain any spill utilizing appropriate spill containment and countermeasures. Leaks and spills shall be reported to the designated representative of the lead contractor and shall be evaluated to determine if the spill or leak meets mandatory SWPPP reporting requirements. Contaminated media shall be collected and disposed of at an off-site facility approved to accept such media.				
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