

# MITIGATION MONITORING AND REPORTING PROGRAM

## AC HOTEL BY MARRIOTT

**Purpose of Mitigation Monitoring and Reporting Program:** The California Environmental Quality Act (CEQA), Public Resources Code Section 21081.6, requires that a Mitigation Monitoring and Reporting Program (MMRP) be established upon completing findings. CEQA stipulates that “the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval 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.”

This MMRP has been prepared in compliance with Section 21081.6 of CEQA to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during the construction and operation of the project, as required. A table (attached) has been prepared to assist the responsible parties in implementing the MMRP. The table identifies individual mitigation measures, monitoring/mitigation timing, the responsible person/agency for implementing the measure, and space to confirm implementation of the mitigation measures. The numbering of mitigation measures follows the numbering sequence found in the Initial Study and Mitigated Negative Declaration.

The City of Folsom is the lead agency for the project under CEQA and shall administer and implement the MMRP. The City is responsible for review of all monitoring reports, enforcement actions, and document disposition. The City shall rely on information provided by the project site observers/monitors (e.g., construction manager, project manager, biologist, archaeologist, etc.) as accurate and up-to-date and shall provide personnel to field check mitigation measure status, as required.

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Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
			Initials	Date
<b>BIOLOGICAL RESOURCES</b>				
<p><b>BIO-1: Avoid and Minimize Impacts to Nesting Birds</b></p> <ul style="list-style-type: none"> <li>• If project (construction) ground-disturbing and grubbing activities commence during the avian breeding season (February 1 through August 31), a qualified biologist shall conduct a pre-construction nesting bird survey no more than 14 days prior to initiation of project activities and again immediately prior to construction. The survey area shall include suitable raptor nesting habitat within 500-feet of the project boundary (inaccessible areas outside of the project site can be surveyed from the site or from public roads using binoculars or spotting scopes). Pre-construction surveys are not required in areas where project activities have been continuous since prior to February 1, as determined by a qualified biologist. Areas that have been inactive for more than 14 days during the avian breeding season must be re-surveyed prior to resumption of project activities. If no active nests are identified, no further mitigation is required. If active nests are identified, the following measure is required: <ul style="list-style-type: none"> <li>○ A suitable buffer (e.g., typically 300-500-feet for raptors; and 50-100-feet for passerines) shall be established by a qualified biologist around active nests and no construction activities within the buffer shall be allowed until a qualified biologist has determined that the nest is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest, or the nest has failed). Encroachment into the buffer may occur at the discretion of a qualified biologist. Any encroachment into the buffer shall be monitored by a qualified biologist to determine whether nesting birds are being impacted.</li> </ul> </li> </ul>	No more than 14 days prior to initiation of project activities/ construction	Qualified Biologist.		
<b>CULTURAL RESOURCES</b>				
<p><b>CUL-1: Avoid and Minimize Impacts to Previously Unknown Archaeological Resources</b> In the event that cultural resources are exposed during ground-disturbing activities,</p>	Immediately upon discovery.	City of Folsom; Qualified		

<p>construction activities should be halted in the immediate vicinity of the discovery. If the site cannot be avoided during the remainder of construction, an archaeologist who meets the Secretary of the Interior’s Professional Qualifications Standards should then be retained to evaluate the find’s significance under the California Environmental Quality Act (CEQA). If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted and should be discussed in consultation with the City.</p>		Archaeologist.		
<p><b>CUL-2: Avoid and Minimize Impacts Related to Accidental Discovery of Human Remains</b>  If suspected human remains are encountered during project implementation, the specific procedures outlined by the NAHC, in accordance with Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the Public Resources Code, would be followed:</p> <p>All excavation activities within 60-feet of the remains would immediately stop, and the area would be protected with flagging or by posting a monitor or construction worker to ensure that no additional disturbance occurs.</p> <ol style="list-style-type: none"> <li>1. The project owner or their authorized representative would contact the County Coroner.</li> <li>2. The coroner would have two working days to examine the remains after being notified in accordance with HSC 7050.5. If the coroner determines that the remains are Native American and are not subject to the coroner’s authority, the coroner would notify NAHC of the discovery within 24 hours.</li> <li>3. NAHC would immediately notify the Most Likely Descendant (MLD), who would have 48 hours after being granted access to the location of the remains to inspect them and make recommendations for treatment of them. Work would be suspended in the area of the find until the senior archaeologist approves the proposed treatment of human remains.</li> <li>4. If the coroner determines that the human remains are neither subject to the coroner’s authority nor of Native American origin, then the senior</li> </ol>	Immediately upon discovery.	City of Folsom; County Coroner.		

archaeologist would determine mitigation measures appropriate to the discovery.				
<b>GEOLOGY AND SOILS</b>				
<b>GEO-1: Avoid and Minimize Impacts to Paleontological Resources</b> In the event paleontological or other geologically sensitive resources (such as fossils or fossil formations) are identified during any phase of project construction, all excavations within 100 feet of the find shall be temporarily halted until the find is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall notify the appropriate representative at the City of Folsom who shall coordinate with the paleontologist as to any necessary investigation of the find. If the find is determined to be significant under CEQA, the City shall implement those measures which may include avoidance, preservation in place, or other appropriate measures, as outlined in Public Resources Code Section 21083.2.	Immediately upon discovery.	City of Folsom; Qualified Paleontologist		
<b>GREENHOUSE GAS</b>				
<b>GHG-1: Building Energy Sector</b> In accordance with the City General Plan Reduction Measure E-1, the project shall meet one of the four Building Energy Sector Requirements of the GHG Reduction Measures Consistency Checklist (Attachment B).	Prior to issuing any construction permits, the City shall verify that the project plans meet one of the four Building Energy Sector Requirements to meet this requirement.	City of Folsom.		
<b>GHG-2: Bicycle Parking</b> In accordance with the City General Plan GHG Reduction Measure T-3, the project shall provide a minimum of 5 percent more bicycle parking than required in the City's Municipal Code Section 17.57.090.	Prior to issuing any construction permits, the City shall verify that the project plans included sufficient bicycle parking (54 spaces) to meet this requirement.	City of Folsom.		
<b>GHG-3: High-Performance Diesel</b> In accordance with the City General Plan GHG Reduction Measure T-6, the project shall use high-performance diesel (also known as Diesel-HPR or Reg-9000/RHD) for all	Prior to issuing any construction permits, the City shall verify that	City of Folsom.		

diesel-powered equipment utilized in construction of the project.	project plans and/or construction contracts include the high-performance diesel fuel requirement.			
<b>GHG-4: Enhance Construction Waste Diversion</b> In accordance with the City General Plan GHG Reduction Measure SW-1, the project shall divert to recycle or salvage a minimum 65 of nonhazardous construction and demolition waste generated at the project site in accordance with Appendix A5 (Residential) of the as outlined in the California Green Building Standards Code (2019 CALGreen).	Prior to issuing any construction permits, the City shall verify that project construction contracts and/or plans include the construction waste diversion requirements.	City of Folsom.		
<b>GHG-5: Water Efficiency</b> In accordance with the City General Plan GHG Reduction Measure W-1, the project shall comply with all applicable indoor and outdoor water efficiency and conservation measures required under 2019 CALGreen Tier 1, as outlined in the California Green Building Standards Code.	Prior to issuing any construction permits, the City shall verify that project plans meet CALGreen Tier 1 indoor and outdoor water efficiency and conservation measures.	City of Folsom.		
<b>NOISE</b>				
<b>NOI-1: Construction Noise Reduction Measures</b> Construction Hours/Scheduling: Construction activities for all phases of construction, including servicing of construction equipment shall only be permitted during the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and between 9:00 a.m. to 5:00 p.m. on Saturdays. Construction shall be prohibited on Sundays and on all holidays. Delivery of materials or equipment to the site and truck traffic coming to and from the site shall be restricted to the same construction hours specified above.	Prior to and during project construction.	City of Folsom; Construction Contractor.		
<b>TRANSPORTATION</b>				
<b>TRA-1: Maintain Street Trees</b> The applicant shall ongoingly maintain street trees front the Project along Broadstone Parkway, southwest of the Palladio driveway to maintain a 430-foot sight distance for right turning vehicles exiting the Palladio.	Ongoing.	City of Folsom; Project Applicant.		

<p><b>TRA-2: Driveway Utilization</b> The applicant shall ongoingly ensure all commercial delivery trucks for the project would utilize the northern most Palladio driveway to Palladio Parkway.</p>	Ongoing.	City of Folsom; Project Applicant.		
<b>TRIBAL CULTURAL RESOURCES</b>				
<p><b>TCR-1: Unanticipated Discovery of Tribal Cultural Resources</b> If potentially significant TCRs are discovered during ground disturbing construction activities, all work shall cease within 50 feet of the find. A Native American Representative from traditionally and culturally affiliated Native American Tribes that requested consultation on the Project shall be immediately contacted and invited to assess the significance of the find and make recommendations for further evaluation and treatment, as necessary. If deemed necessary by the City, a qualified cultural resources specialist, who meets the Secretary of Interior’s Standards and Qualifications for Archaeology, may also assess the significance of the find in joint consultation with Native American Representatives to ensure that Tribal values are considered. Work at the discovery location cannot resume until the City, in consultation as appropriate and in good faith, determines that the discovery is either not a TCR, or has been subjected to culturally appropriate treatment, if avoidance and preservation cannot be accommodated.</p>	Immediately upon discovery.	City of Folsom; Qualified Archaeologist.		