

MITIGATION MONITORING AND REPORTING PROGRAM

**NORTH RANCH RESIDENTIAL PROJECT
MOORPARK, CA**

Prepared for:

CITY OF MOORPARK
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MITIGATION MONITORING AND REPORTING PROGRAM

Public Resources Code, Section 21081.6 (Assembly Bill 3180) requires that mitigation measures identified in environmental review documents prepared in accordance with California Environmental Quality Act (CEQA) are implemented after a project is approved. Therefore, this Mitigation Monitoring and Reporting Program (MMRP) has been prepared to ensure compliance with the adopted mitigation measures during the construction and operational phase of North Ranch Residential Project.

The City of Moorpark is the agency responsible for implementation of the mitigation measures identified in the MND. This MMRP provides the City of Moorpark with a convenient mechanism for quickly reviewing all the mitigation measures including the ability to focus on select information such as timing. The MMRP includes the following information for each mitigation measure:

- The phase of the project during which the required mitigation measure must be implemented;
- The phase of the project during which the required mitigation measure must be monitored; and
- The enforcement agency.

The MMRP includes a checklist to be used during the mitigation monitoring period. The checklist will verify the name of the monitor, the date of the monitoring activity, and any related remarks for each mitigation measure.

MITIGATION MONITORING AND REPORTING PROGRAM							
North Ranch Residential Project							
Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Level of Significance After Mitigation	Verification of Compliance		
					Initial	Date	Remarks
Air Quality							
MM-AQ-1: The developer shall ensure that all onsite vehicles and equipment with horsepower greater than 50 shall meet, at a minimum, EPA Tier IV final engine certification requirements. If Tier IV final equipment is not available, the contractor may apply other technologies available for construction equipment such that it would achieve a reduction in NOx and particulate matter emissions comparable to that of Tier IV final construction equipment. Where alternatives to EPA Tier IV are utilized, the contractor shall be required to provide evidence that these alternative technologies would achieve comparable emissions reductions. Certifications or alternative reduction strategies shall be required prior to receiving a construction permit.	Prior to construction	Construction	Planning Department	Less than Significant			
MM-AQ-2: The developer shall ensure that the architectural coating activities shall be phased such that they extend for a minimum of 150 days over the duration of the Project construction.	Prior to construction	Construction	Planning Department	Less than Significant			
Biological Resources							
MM-BIO-1: If it is feasible, the clearing of vegetation and construction activities will be conducted between August 31st and February 1st, which is outside of the typical breeding/fledging season for the sensitive bird species and migratory birds that may nest on or in the immediate vicinity of the Project site. If clearing of vegetation and construction activities within the selected projects are planned between February 1st and August 31st, then breeding bird surveys will be conducted by qualified biologists at a maximum of two (2) weeks prior to the commencement of activities. Nests and birds exhibiting breeding behavior will be identified within 500 feet of the area to be impacted and efforts will be made (including the creation of appropriate buffers around the nests and areas used by breeding birds, rerouting vehicular traffic, limiting the number of vehicles, the use of non-mechanized tools, etc.) to limit disturbances to the nests. A qualified biologist will monitor the identified nests and birds exhibiting breeding behavior during the duration of the work or until successful fledging occurs, whichever comes first. If the monitor notes that identified birds and nests are being negatively affected by the construction activity, then the buffers will be increased to an appropriate distance to ensure fledging is successful. After the completion of the construction activities or the completion of onsite breeding activities, a letter report summarizing the work and its effect on the breeding birds will be produced and submitted to the CDFW.	Prior to construction	Prior to and during construction	Planning Department / CDFW	Less than Significant			

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MM-BIO-2: Prior to the commencement of ground disturbance or vegetation removal activities, including but not limited to grubbing, grading, and fuel modification, two preconstruction surveys for special-status wildlife species, including coast horned lizard, coastal western whiptail, California glossy snake (<i>Arizona elegans occidentalis</i>), Coast patch-nosed snake, and western spadefoot, by a qualified biologist(s) to determine presence/absence of these species at the site. The first survey shall be conducted within 14 days and the second survey shall be conducted within three days of commencement of ground or vegetation disturbing activities. These surveys should coincide with weather conditions that are conducive for each species; sunny late-spring or summer days with above-average temperatures for, coast horned lizard, coastal western whiptail California glossy snake and the Coast patchnosed snake spadefoot. If the any of the four species are found to occur onsite during the additional surveys, then Mitigation Measure BIO-3 shall be instituted.	Prior to construction	Prior to construction	Planning Department/ CDFW	Less than Significant			
MM-BIO-3: If any individual of the four species are found during the survey, then a salvage program will be initiated for the site. The salvage program will consist of the capture of individuals from the area to be impacted by the Project implementation and their relocation to a predetermined offsite location, which has CDFW's approval, with appropriate habitat that will not be impacted by the Project activities or other construction activities in the vicinity. Time allowed for the salvage program will be determined by the size of the Project site and the abundance of the species that are found onsite. The salvage program will continue with the monitoring of the initial ground disturbance construction activities. The salvage program will conclude when all of the ground within the grading limits has been affected by construction activities. After the completion of the salvage program a letter report summarizing the surveys and salvage opportunities will be prepared and submitted to the CDFW.	Prior to construction	Prior to construction	Planning Department/ CDFW	Less than Significant			
MM-BIO-4: Prior to the initiation of any grading and during initial grubbing and topsoil salvage, biologists shall attempt to capture and relocate all reptiles within the impact area. Other ground dwelling wildlife, i.e. amphibians and mammals, shall be relocated if the opportunity presents itself. Wildlife shall be relocated to preserved areas of the site when appropriate or to nearby (in the same watershed) permanent open space areas. It is assumed that a two-person team can adequately salvage the reptiles on the entire site in half a day.	Prior to construction	Prior to construction	Planning Department	Less than Significant			
MM-BIO-5: To reduce impacts resulting from construction vehicle traffic, routes and trips shall be restricted to a minimum number. Earth-moving equipment shall be confined to the narrowest possible corridor during construction. Earth-moving and other construction equipment shall be confined to the Project footprint and shall not operate or maneuver in areas outside the Project footprint. The entire edge of grading shall be fenced with brightly colored "snow fence" or similar material. This shall serve to alert equipment operators of the grading limits. All vehicle access shall be via areas within the impact zone. No temporary access roads shall be made through portions of the site that shall be preserved as natural open space.	During construction	During construction	Planning Department	Less than Significant			
MM-BIO-6: The construction of litter barriers (i.e.: walls or small mesh-chain link fence) around the Project site shall be accomplished in order to limit the progression of litter into the open spaces of the Project area or surrounding areas. Continuous deflective separation units shall be installed in the storm drain inlets to remove gross pollutants from storm water.	During construction	During construction	Planning Department	Less than Significant			

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<p>MM-BIO-7 In order for any remaining unmodified natural open space within or adjacent to the Project site to continue to function as a natural part of the regional ecosystem to the greatest extent possible, the applicant shall develop a management plan for the protection and maintenance of remaining onsite open space areas. The plan shall be incorporated into the CC & R's for the tract and shall contain at least the following elements:</p> <ul style="list-style-type: none"> • Goals and Objectives • Permitted and Prohibited Uses • Exotic Plant and Animal Management • Litter Management • Responsible Parties • Funding • Enforcement and Penalties • Trespass Remediation • Contingencies <p>The Project's Homeowners Association is expected to be the long-term owner of the any remaining unmodified natural open space and would be responsible for any necessary maintenance.</p>	Prior to construction	During operation	Planning Department	Less than Significant			
<p>MM-BIO-8: To reduce coastal sage scrub loss resulting from fuel modification, a fuel modification zone shall be developed to restrict brush clearance to the minimum distance specified by the Ventura County Fire Department. Clearance distances shall take into account the presence of any block walls used between developable areas and the adjacent native habitat areas.</p>	Prior to construction	During construction and operation	Planning Department	Less than Significant			
<p>MM-BIO-9: Any coastal sage scrub that is remaining after full Project development will be preserved and enhanced. Any natural open space areas (excluding areas of mule fat scrub and southern alluvial fan scrub) and not affected by fuel modification requirements will be used for the creation of coastal sage scrub. Details of the proposed restoration and creation efforts and success criteria shall be described in a Mitigation and Monitoring Plan that is to be approved by CDFW prior to implementation.</p>	Post construction	During operations	Planning Department/ CDFW	Less than Significant			

<p>MM-BIO-10: Grading and fuel modification impacts to the California brittle bush scrub plant community shall be compensated by restoration of in-kind habitat in an area(s) to be preserved as permanent open space. To the extent possible, this shall be accomplished by the on-site restoration of disturbed habitats (e.g., non-native grassland) in-kind habitats. Restoration should be implemented only where suitable conditions exist to support viable in-kind habitats. If on-site restoration is not possible, compensation for the loss or modification of the California brittle bush scrub communities may be accomplished by off-site restoration of in-kind habitat or by a contribution to an in-lieu fee program approved by the City of Moorpark.</p> <p>A Mitigation and Monitoring Plan shall be developed by a qualified biologist, restoration ecologist, or resource specialist, and approved by the City of Moorpark prior to issuance of the grading permit for the Project. In broad terms, the plan shall at a minimum include:</p> <ul style="list-style-type: none"> • Description of the project/impact and mitigation sites • Specific objectives • Success criteria • Plant palettes • Implementation plan • Maintenance activities • Monitoring plan <p>Contingency measures/adaptive management Success criteria shall at a minimum be evaluated based on percent cover of planted native species, as well as control of invasive plant species within the restoration area. The performance standards for the Mitigation and Monitoring Plan shall be at a minimum the following:</p> <ul style="list-style-type: none"> • Within five years after introducing the native plants to the mitigation site, the acreage of restored California brittle bush scrub shall be no less than the acreage lost to project construction. • Within five years after introducing the native plants to the mitigation site, the absolute cover of native species shall be no less than 80% within the restoration area. • Non-native species in the treated area shall be less than 15% relative cover by the end of the third year of treatment and less than 5% relative cover by the end of the fifth year of treatment; and, • Restoration will be considered successful after the success criteria have been met for a period of at least 2 years without any maintenance or remediation activities other than invasive species control. <p>The restoration project shall be initiated prior to development of the Project, and shall be implemented over a five-year period. The restoration project shall incorporate an iterative process of annual monitoring and evaluation of progress, and allow for adjustments to the restoration plan, as necessary, to achieve desired outcomes and meet success criteria. Annual reports discussing the implementation, monitoring, and management of the restoration project shall be submitted to the City of Moorpark. Five years after Project start, a final report shall be submitted to the City, which shall at a minimum discuss the implementation, monitoring, and management of the restoration project over the five-year period, and indicate whether the restoration project has been successful based on established success criteria. The annual reports and the final report shall include as-built plans submitted as an appendix to the report. The project shall be extended if success criteria have not been met at the end of the five-year period to the satisfaction of the City.</p>	<p>Prior to issuance of Grading Permit</p>	<p>During operation</p>	<p>Planning Department</p>	<p>Less than Significant</p>			
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If impacts to the California brittle bush scrub are to be mitigated by a contribution of an in-lieu fee, the applicant shall provide evidence of payment of the in-lieu fee prior to issuance of the grading permit. The fee shall be based on the cost per acre to restore or create in-kind habitat and the acreage of the plant community impacted. In-lieu fees shall be used for the restoration of in-kind habitat.							
MM-BIO-11 To eliminate potential unapproved or offsite grading incidents earth-moving equipment shall be confined to within the approved limits of grading during construction. The limits of grading shall be fenced so that construction equipment does not impact areas outside the approved limits of grading.	During construction	During construction	Planning Department	Less than Significant			
MM-BIO-12 Prior to issuance of the grading permit, the Applicant shall prepare and submit a Streambed Alteration Notification package to the CDFW for alterations to CDFW jurisdictional streambed and habitat. A Streambed Alteration Agreement shall be entered into with the CDFW under Section 1602 of the California Fish and Game Code, and the Applicant shall comply with the associated conditions. Prior to issuance of the grading permit, the Applicant shall also consult with RWQCB and United States Army Corps of Engineers (USACE) to determine if permits are required from those agencies. If required, the appropriate permits shall be obtained from the RWQCB and/or USACE, and the Applicant shall comply the permit conditions. The Applicant shall provide evidence to VCDRP that the required permits have been obtained prior to issuance of a grading permit. Mitigation for unavoidable impacts to jurisdictional waters and habitat shall be provided through implementation of the Habitat Mitigation and Monitoring Plan as required by MM-BIO-13.	Prior to issuance of Grading Permit	During construction and operations (if restoration/offsite mitigation is required)	Planning Department/ CDFW/ USACE/ RWQCB	Less than Significant			

<p>MM-BIO-13 A habitat mitigation and monitoring plan shall be developed prior to issuance of any building or grading permit. The plan shall mitigate for permanent grading impacts to 0.24 acre (1,155 linear feet) of RWQCB waters of the State/CDFW streambed at a 2:1 ratio. The Habitat Mitigation and Monitoring Plan shall mitigate for the permanent impacts to jurisdictional areas via an acceptable mitigation approach that involves one or a combination of the onsite or offsite enhancement of degraded in-kind habitats subject to the approval of the City of Moorpark, CDFW, and RWQCB (if applicable). The preferred mitigation approach is enhancement of on-site or off-site habitats within the ephemeral drainage, including plantings of appropriate native species and weed removals. The final Habitat Mitigation and Monitoring Plan shall be developed by a qualified biologist, restoration ecologist or resource specialist and submitted to and approved by the City of Moorpark, CDFW, and RWQCB prior to issuance of a grading permit for the Project. In broad terms, this Program shall at a minimum include:</p> <ul style="list-style-type: none"> ▪ Description of the Project/impact and mitigation sites; ▪ Specific objectives; ▪ Success criteria; ▪ Plant palette; ▪ Implementation plan; ▪ Maintenance activities; ▪ Monitoring plan; and ▪ Contingency measures. <p>Success criteria shall at a minimum be evaluated based on appropriate survival rates and percent cover of planted native species, which shall be determined by examining reference sites, as well as eradication and control of invasive species within the restoration or enhancement area.</p> <p>The target species and native plant palette, as well as the specific methods for evaluating whether the Project has been successful at meeting the above-mentioned success criteria shall be determined by the qualified biologist, restoration ecologist, or resource specialist and included in the mitigation plan.</p> <p>The mitigation project shall be initiated prior to development of the Project. The mitigation project shall be implemented over a five-year period and shall incorporate an iterative process of annual monitoring and evaluation of progress and allow for adjustments to the program, as necessary, to achieve desired outcomes and meet success criteria. Annual reports discussing the implementation, monitoring, and management of the mitigation project shall be submitted to the City of Moorpark, RWQCB, and CDFW. Five years after Project start, a final report shall be submitted to the City of Moorpark, RWQCB, and CDFW, which shall at a minimum discuss the implementation, monitoring, and management of the mitigation project over the five-year period and indicate whether the mitigation project has been successful based on established success criteria. The annual reports and the final report shall include as-built plans submitted as an appendix to the report. Restoration or enhancement will be considered successful after the success criteria have been met for a period of at least 2 years without any maintenance or remediation activities other than invasive species control. The mitigation project shall be extended if success criteria have not been met at the end of the five-year period to the satisfaction of the City of Moorpark, RWQCB, and CDFW.</p>	<p>Prior to issuance of building or grading permits</p>	<p>During operation</p>	<p>Planning Department/ CDFW/ RWQCB</p>	<p>Less than Significant</p>			
<p>Cultural Resources</p>							

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MM-CUL-1: A qualified archaeological monitor will periodically spot-check monitor Project ground disturbance activities to ensure that sensitive archaeological artifacts, features, or deposits are not being encountered. Spot-check monitoring will take place three (3) times a week for the duration of the Project grading and subsurface disturbance within native soils. Daily monitoring reports will be generated and submitted to the City at the end of ground disturbance as proof of compliance. If prehistoric or older historic (pre-1950s) archaeological material or features are discovered, either by the archaeological monitor or by the construction team when the monitor is not present, then a project "discovery" protocol will be followed. The discovery of material will also trigger the increasing of monitoring to full-time until no more cultural material is being encountered by the construction team, at which point spot-check monitoring will resume.	During construction	During construction	Planning Department	Less than Significant			
Geology and Soils							
MM-GEO-1: Fill soils shall be compacted to a minimum of 90 percent relative compaction. In area of fill exceeding 40 feet in vertical thickness, all tests achieve a minimum relative compaction of 95 percent. An updated seismic settlement analyses shall be completed once the 40-scale grading plan is available. Removal of the upper 10 feet of Alluvium shall occur prior to placement or fill regardless if any overlying artificial fill is planned within areas of planned structures.	During construction	During construction	Planning Department	Less than Significant			
MM-PALEO-1 Prior to issuance of a Zoning Clearance for a grading permit, the applicant shall be required to obtain the services of a qualified project paleontologist to remain on-call for the duration of the proposed ground disturbing construction activity. The paleontologist selected must be approved in writing by the Community Development Director. Upon approval or request by the Community Development Director, a paleontological mitigation plan (PMP) outlining procedures for paleontological data recovery shall be prepared for the Proposed Project and submitted to the Community Development Director for review and approval. The development and implementation of the PMP shall include consultations with the Applicant's engineering geologist as well as a requirement that the curation of all specimens recovered under any scenario shall be through the Los Angeles County Museum of Natural History. All specimens become the property of the City of Moorpark unless the City chooses otherwise. If the City accepts ownership, the curation location may be revised. The PMP shall include developing a multilevel ranking system, or Potential Fossil Yield Classification (PFYC), as a tool to demonstrate the potential yield of fossils within a given stratigraphic unit. The PMP shall outline the monitoring and salvage protocols to address paleontological resources encountered during ground disturbing activities. As well as the appropriate recording, collection, and processing protocols to appropriately address any resources discovered. The cost of data recovery is limited to the discovery of a reasonable sample of available material. The interpretation of reasonableness rests with the Community Development Director.	Prior to issuance of a Grading Permit	During construction	Community Development Department	Less than Significant			
MM-PALEO-2 At the completion of all ground-disturbing activities, the project paleontologist shall prepare a final paleontological mitigation report summarizing all monitoring efforts and observations, as performed in line with the PMP, and all paleontological resources encountered, if any. As well as providing follow-up reports of any specific discovery, if necessary.	After completion of ground-disturbing activities	During construction	Community Development Department	Less than Significant			
Transportation							

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MM-TRA-1: Electric Vehicle Charging/Parking Spaces: The Project would install electric vehicle charging and parking stations within each garage for the initial 134 units.	Prior to operation	Prior to operation	Planning Department	Less than Significant			
MM-TRA-2: Metrolink Incentives: The Project shall provide incentives for the Project residents and other potential users of the station to utilize the public transit system. The Proposed Project shall include enhanced features at the Metrolink station such as bicycle storage lockers to supplement the existing bike racks at the station.	Prior to operation	Prior to operation	Planning Department	Less than Significant			
MM-TRA-3: Pedestrian Connectivity. The Project shall install on-site sidewalks and provide connections to the existing/future off-site pedestrian network.	During construction	During construction	Planning Department	Less than Significant			