

Appendix K

Mitigation Monitoring and Reporting Program

MITIGATION MONITORING AND REPORTING PROGRAM VINTAGE AT FOLSOM SENIOR APARTMENTS PROJECT

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 MONITORING AND REPORTING PROGRAM
VINTAGE AT FOLSOM SENIOR APARTMENTS PROJECT**

Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
			Initials	Date
BIOLOGICAL RESOURCES				
<p>BIO-1: Avoid and minimize impacts to white-tailed kite and other nesting birds If project (construction) ground-disturbing or vegetation clearing and grubbing activities commence during the avian breeding season (February 1 – 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-ft 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 resurveyed 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:</p> <ul style="list-style-type: none"> A suitable buffer (e.g., 500-ft for raptors; 100-ft 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. 	No more than 14 days prior to initiation of project activities/ construction	Qualified Biologist.		

<p>BIO-2: Avoid and minimize impacts to jurisdictional wetland and waters</p> <p>Prior to start of construction, the project proponent shall either prepare a formal delineation and submit it to the USACE for verification or obtain verification based on the mapping of aquatic resources in this report as well as contact the USACE, CVRWQCB, and CDFW to determine the need for permits and secure any required aquatic resources permits for impacts to waters of the U.S./State from the USACE, CVRWQCB, and CDFW, pursuant to Sections 404 and 401 of the Clean Water Act, the California Water Code, Section 1600 of the Fish and Game Code, and the State Water Resource Control Board Dredge and Fill Policy. The project proponent shall comply with all conditions of such permits including providing compensatory mitigation at a minimum 1:1 ratio as required to achieve no net loss of wetlands or other waters.</p>	<p>Prior to project construction</p>	<p>Project applicant.</p>		
<p>BIO-3: Avoid and minimize impacts to protected trees</p> <p>The applicant shall provide mitigation for directly or indirectly impacted oak trees based on having a health rating of 5,4,3, or 2. Based on the DSH equivalency ratio, the project applicant shall mitigate for the removal of approximately 47 oak trees (571.3 inches at DSH) that will be removed with development of the project. Final mitigation requirements shall be determined by the City Arborist upon receipt of final design plans prior to the issuance of a grading permit. Mitigation for trees shall be done through on-site replacement planting, payment of in-lieu fees as determined by the City, or a combination thereof.</p> <p>A Tree Permit Application containing an Application Form, Tree Protection and Mitigation Plan, and Arborist Report shall be submitted to the City of Folsom by the owner/applicant for issuance of a Tree Work Permit and Tree Removal Permit prior to commencement of any grading or site improvement activities. The tree protection and mitigation plan shall be prepared in collaboration with a qualified arborist and shall be subject to review and approval by the City. The tree protection and mitigation plan shall contain the contact information of the project arborist and shall be included in all associated plan sets for the project.</p> <p>Removal of any protected tree shall be mitigated by planting replacement trees and/or payment of “In-Lieu” fees on a diameter inch basis in accordance with FMC, Section 12.16.150. The proposed method of mitigation shall be subject to review and approval by the City.</p>	<p>Prior to and during project construction</p>	<p>City of Folsom (Arborist); Project applicant; Qualified Arborist.</p>		

<p>Prior to starting construction, oak trees to be preserved shall be fenced with high visibility fencing consistent with the city-approved tree protection and mitigation plan. Parking of vehicles, equipment, or storage of materials is prohibited within the Tree Protection Zone of Protected Trees at all times. Signs shall be posted on exclusion fencing stating that the enclosed trees are to be preserved. Signs shall state the penalty for damage to, or removal of, the protected tree.</p> <p>The owner/applicant shall retain the services of a project arborist for the duration of the development project to monitor the health of oak trees to be preserved and carry out the City-approved tree protection plan. All regulated activity conducted within the Critical Root Zone of protected trees, as that term is defined in Folsom Municipal Code (FMC) 12.16.020, shall be performed under the direct supervision of the project arborist. A copy of the executed contract for these arboricultural services shall be submitted to the City prior to the issuance of any tree or grading permits</p> <p>Certification letters by the project arborist attesting compliance with the tree protection and mitigation plan and tree permit conditions shall be submitted to the City.</p>				
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CULTURAL RESOURCES

<p>CUL-01: Inadvertent Discovery In the event that cultural resources are exposed during ground-disturbing activities, construction activities should be halted within 100-ft of the discovery. Cultural resources could consist of but are not limited to stone, bone, wood, or shell artifacts, or features including hearths, structural remains, or historic dumpsites. If the resources 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, in coordination with USACE and the City, to assess the resource and provide appropriate management recommendations. If the discovery proves to be NRHP- and/or CRHR-eligible, additional work, such as data recovery excavation, may be warranted and should be discussed in consultation with USACE and the City.</p>	<p>Immediately upon discovery</p>	<p>City of Folsom; Qualified Archaeologist.</p>		
<p>CUL-02: Worker Awareness Training Program All construction personnel involved in ground disturbing activities shall be trained in the recognition of possible cultural resources and protection of such resources. The training will inform all construction personnel of the procedures to be followed upon the discovery of archaeological materials, including Native American burials.</p>	<p>Prior to project construction</p>	<p>City of Folsom; Project applicant.</p>		

<p>Construction personnel will be instructed that cultural resources must be avoided and that all travel and construction activity must be confined to designated roads and areas. The training will include a review of the local, state, and federal laws and regulations related to cultural resources, as well as instructions on the procedures to be implemented should unanticipated resources be encountered during construction, including stopping work in the vicinity of the find and contacting the appropriate environmental compliance specialist.</p>				
<p>CUL-03: Treatment of Human Remains Although considered highly unlikely, there is always the possibility that ground disturbing activities during construction may uncover previously unknown human remains. In the event of an accidental discovery or recognition of any human remains, Public Resource Code (PRC) Section 5097.98 must be followed. Once project-related earthmoving begins and if there is a discovery or recognition of human remains, 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 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 descendent or on the project area in a location not subject to further subsurface disturbance: <ol style="list-style-type: none"> a. 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; 	<p>Immediately upon discovery</p>	<p>City of Folsom; County Coroner.</p>		

<p>b. The descendent identified fails to make a recommendation; or c. The landowner or his authorized representative rejects the recommendation of the descendent.</p>				
GEOLOGY AND SOILS				
<p>GEO-1: Implementation of Recommendations in the Geotechnical Engineering Survey A Geotechnical Engineering Survey was prepared by Youngdahl Consulting Group, Inc. in December 2021. The proposed projects’ design plans and specifications outlined in the survey shall be reviewed and approved by a California-licensed geotechnical engineer or engineering geologist prior to contract bidding. A review shall be performed to determine whether the recommendations contained within the Geotechnical Engineering Survey are still applicable to the project. Modifications to the recommendations provided in the Geotechnical Engineering Survey prepared by Youngdahl Consulting Group, Inc. or to the design may be necessary at the time of review based on the proposed plans. The project applicant shall implement all applicable recommendations approved by a California-licensed geotechnical engineer or engineering geologist prior to issuance of a grading permit.</p>	<p>Prior to contract bidding</p>	<p>City of Folsom; Project applicant; California-licensed geotechnical engineer or engineering geologist.</p>		
<p>GEO-2: Identification of Paleontological Resource During Project Construction In the event a paleontological or other geologically sensitive resources (such as fossils or fossil formations) are identified during any phase of project construction, all excavations within 100-ft 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.</p>	<p>Immediately upon discovery</p>	<p>City of Folsom; Qualified paleontologist.</p>		

GREENHOUSE GASES				
<p>GHG-01: Bicycle Parking 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.</p>	<p>Prior to issuing any construction permits, the City shall verify that the project plans included sufficient bicycle parking to meet this requirement</p>	<p>City of Folsom.</p>		
<p>GHG-02: High-Performance Diesel 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 diesel-powered equipment utilized in construction of the project.</p>	<p>Prior to issuing any construction permits, the City shall verify that project plans and/or construction contracts include the high-performance diesel fuel requirement</p>	<p>City of Folsom.</p>		
<p>GHG-03: Electric Vehicle Charging In accordance with the City General Plan GHG Reduction Measure T-8, the project shall provide 14 electric vehicle charging stations based on the 136 total parking spaces proposed for the project.</p>	<p>Prior to issuing any construction permits, the City shall verify that project plans and include the required minimum electric vehicle charging stations</p>	<p>City of Folsom.</p>		
<p>GHG-04: Enhanced Construction Waste Diversion 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 A4 (Residential) of the as outlined in the California Green Building Standards Code (2019 CALGreen).</p>	<p>Prior to issuing any construction permits, the City shall verify that project construction contracts and/or plans include the construction waste diversion requirements</p>	<p>City of Folsom.</p>		
<p>GHG-05: Water Efficiency In accordance with the City General Plan GHG Reduction Measure W-1, the project</p>	<p>Prior to issuing any construction permits,</p>	<p>City of Folsom.</p>		

<p>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.</p>	<p>the City shall verify that project plans meet CALGreen Tier 1 indoor and outdoor water efficiency and conservation measures</p>			
NOISE				
<p>NOI-01: Construction Hours/Scheduling The City shall specify on all grading, and construction permits that 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.</p>	<p>Prior to and during project construction</p>	<p>City of Folsom; Construction contractor.</p>		
<p>NOI-02: Vibratory Roller The applicant or designated contractor shall provide evidence to the City (via testing data or calculations from a qualified expert), demonstrating that vibratory rollers to be used on the project site would produce less than 80 VdB at nearby occupied residences, or all vibratory rollers shall be used in static mode only (no vibrations) when operating within 120-ft of an occupied residence. The City shall specify vibratory roller model, size, or operating mode restrictions on all demolition, grading, and construction permits.</p>	<p>Prior to and during project construction</p>	<p>City of Folsom; Project applicant; Construction contractor.</p>		
TRANSPORTATION				
<p>TRA-01: Limit Access to the Secondary (Eastern) Driveway During construction of the project, the applicant shall ensure the eastern driveway is channelized to restrict left turns from entering or existing the project via the eastern driveway. Such channelization shall be accomplished during construction by either a triangular island located within the driveway, or by extending the raised median at the East Natoma St/Cimmaron Cir intersection west-word across the eastern project driveway.</p>	<p>During project construction</p>	<p>City of Folsom; Project applicant.</p>		

TRIBAL CULTURAL RESOURCES				
<p>TCR-1: Unanticipated Discovery of Tribal Cultural Resources</p> <p>If potentially significant Tribal Cultural Resources (TCR) are discovered during ground disturbing construction activities, all work shall cease within 50-ft of the find, or an agreed upon distance based on the nature 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 meeting 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>	<p>Immediately upon discovery</p>	<p>City of Folsom; Qualified Archaeologist.</p>		