

**Mitigation Monitoring and Reporting Program
County File #CDMS20-00010**

**0 Wildhorse Rd
Knightsen, CA 94561
April, 2023**

SECTION 1: BIOLOGICAL RESOURCES

Potentially Significant Impacts:

Potential Impact BIO-1 (Burrowing Owl): *The proposed project's construction activities could result in the destruction or abandonment of nests or wintering refugia of burrowing owl.*

Potential Impact BIO-2 (San Joaquin Kit Fox): *The proposed project's construction activities could result in the destruction of burrows occupied by San Joaquin kit fox.*

Mitigation Measures(s):

Mitigation Measure BIO-1b: *Prior to any ground disturbance related to covered activities, an agency approved biologist shall conduct preconstruction (i.e., take avoidance) surveys in areas identified in the planning surveys as having potential burrowing owl habitat. Two site visits will be conducted: one within 14 days of construction start, and one within 48 hours of construction start. The surveys shall establish the presence or absence of western burrowing owl and/or habitat features and evaluate use by owls in accordance with California Department of Fish and Game (CDFG) survey guidelines (CDFG 1993). On the parcel where the activity is proposed, the biologist shall survey the proposed disturbance footprint and a 500-foot radius from the perimeter of the proposed footprint, as accessible, to identify burrows and owls. Adjacent parcels under different land ownership shall not be surveyed, but shall be assessed visually from within the Study Area. Surveys should take place near sunrise or sunset in accordance with CDFG guidelines. All burrows or burrowing owls shall be identified and mapped. During the breeding season (February 1– August 31), surveys shall document whether burrowing owls are nesting in or directly adjacent to disturbance areas. During the nonbreeding season (September 1–January 31), surveys shall document whether burrowing owls are using habitat in or directly adjacent to any disturbance area. Survey results shall be valid only for the season (breeding or nonbreeding) during which the survey is conducted.*

Mitigation Measure BIO-2: *A qualified biologist shall perform preconstruction surveys in accordance with the current USFWS-approved protocol for San Joaquin kit fox prior to ground- or vegetation-disturbing activities associated with pre-construction, geotechnical or soils investigations, construction, operations, or maintenance. Any potential or known dens*

identified during the survey shall require additional monitoring, exclusion zones, and construction site exclusion fencing.

Implementing Action:	COA
Timing of Verification:	Prior to ground disturbing activities
Party Responsible for Verification:	CDD staff, Consulting Biologist.
Compliance Verification:	Review of biologist's report

SECTION 2: CULTURAL RESOURCES

Potentially Significant Impacts:

Impact CUL-1 – CUL-4: Construction activities requiring excavation or earth movement could uncover previously unrecorded significant cultural resources and/or human remains. The following mitigation measures will ensure that, in the event cultural resources are discovered, the proper actions are taken to reduce the adverse environmental impacts to cultural resources to a less than significant level.

Mitigation Measures(s):

CUL-1: *Should archaeological materials be uncovered during grading, trenching, or other on-site excavation(s), all earthwork within 30 yards of the materials shall be stopped until a professional archeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA) and any Native American tribe(s) that have requested consultation and/or demonstrated interest in the project site has had an opportunity to evaluate the significance of the find, and, if deemed necessary, suggest appropriate mitigation(s).*

CUL-2: *If any significant cultural materials such as artifacts, human burials, or the like are encountered during construction operations, such operations shall cease within 10 feet of the find, the Community Development Division (CDD) shall be notified within 24 hours, and a qualified archaeologist contacted and retained for further recommendations. Significant cultural materials include, but are not limited to, aboriginal human remains, chipped stone, groundstone, shell and bone artifacts, concentrations of fire cracked rock, ash, charcoal, and historic features such as privies or walls and other structural remains.*

CUL-3: *Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and*

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determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may be those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the land owner for treatment and disposition of the ancestor's remains. The land owner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

CUL-4: *Appropriate mitigation of any discovered cultural resources may include monitoring of further construction and/or systematic excavation of the resources. Any artifacts or samples collected as part of the initial discovery, monitoring, or mitigation phases shall be properly conserved, catalogued, evaluated, and curated, and a report shall be prepared documenting the methods, results, and recommendations. The report shall be submitted to the Northwest Information Center and appropriate Contra Costa County agencies.*

Implementing Action:	COA
Timing of Verification:	Upon discovery of archaeological materials.
Party Responsible for Verification:	Project proponent, CDD staff, Consulting Archaeologist.
Compliance Verification:	Review of archaeologist's report

SECTION 3: GEOLOGY AND SOILS

Potentially Significant Impacts:

Potential Impact GEO-1: *The future development of Parcel A & B could expose people or property to hazards arising from seismic ground failure including liquefaction.*

Mitigation Measure(s):

GEO-1: *Prior to CDD stamp approval of plans for the issuance of building or grading permits for the development of Parcel A or Parcel B, the applicant shall provide a geotechnical update report verifying that the recommendations presented in the project geotechnical report have been properly interpreted and implemented into the design, plans, and specifications presented on construction drawings for future development on Parcel A and/or Parcel B. The report shall be subject to review and approval by the County peer-review Geologist.*

Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp approval of plans for the issuance of building/grading permits.
Party Responsible for Verification:	CDD staff, County Peer Review Geologist.
Compliance Verification:	Review of Geotechnical Update Report.
SECTION 4: NOISE	
Potentially Significant Impacts:	
<p><u>Impact NOI-1 – NOI-6:</u> <i>When Parcels A & B are developed in the future, a temporary increase in ambient noise levels would occur, and there may be periods of time when there would be ground borne vibrations or loud noise from construction equipment, vehicles, and tools. The temporary activities during the construction phase of the project have the potential for generating noise levels in excess of standards described in the Noise Element of the County General Plan. Therefore, the applicant is required to implement the following noise mitigation measures throughout the construction phase to reduce impacts from ground borne vibrations and temporary increases in ambient noise levels to less than significant levels:</i></p>	
<p>Mitigation Measure(s): <i>The following noise reduction measures shall be implemented during project construction and shall be included on all construction plans.</i></p>	
<p><u>NOI-1:</u> <i>All construction activities, including delivery of construction materials, shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below</i></p> <p style="padding-left: 40px;"><i>New Year’s Day (State and Federal)</i> <i>Birthday of Martin Luther King, Jr. (State and Federal)</i> <i>Washington’s Birthday (Federal)</i> <i>Lincoln’s Birthday (State)</i> <i>President’s Day (State)</i> <i>Cesar Chavez Day (State)</i> <i>Memorial Day (State and Federal)</i> <i>Juneteenth National Independence Holiday (Federal)</i> <i>Independence Day (State and Federal)</i> <i>Labor Day (State and Federal)</i> <i>Columbus Day (Federal)</i> <i>Veterans Day (State and Federal)</i></p>	

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*Thanksgiving Day (State and Federal)
Day after Thanksgiving (State)
Christmas Day (State and Federal)*

NOI-2: *Transportation of heavy equipment (e.g., graders, cranes, excavators, etc.) and trucks to and from the site shall be limited to weekdays between the hours of 9:00 AM and 4:00 PM and prohibited on Federal and State holidays. This restriction does not apply to typical material and equipment delivery or grading activities.*

NOI-3: *The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.*

NOI-4: *The applicant shall notify neighbors within 300 feet of the subject property at least one week in advance of grading and construction activities.*

NOI-5: *The applicant shall designate a construction noise coordinator who will be responsible for implementing the noise control measures and responding to complaints. This person's name and contact information shall be posted clearly on a sign at the project site and shall also be included in the notification to properties within 300 feet of the project site. The construction noise coordinator shall be available during all construction activities and shall maintain a log of complaints, which shall be available for review by County staff upon request.*

NOI-6: *Prior to the issuance of building permits, a preconstruction meeting shall be held with the job inspectors, designated construction noise coordinator, and the general contractor/onsite manager in attendance. The purpose of the meeting is to confirm that all noise mitigation measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed and in place prior to beginning grading or construction activities. The applicant shall provide written confirmation to CDD staff verifying the time and date that the meeting took place and identifying those in attendance.*

Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp-approval of construction documents for the issuance of building/grading permits.
Party Responsible for Verification:	CDD staff
Compliance Verification:	Review of construction plans.

SECTION 5: TRIBAL CULTURAL RESOURCES

Potentially Significant Impacts:

Potential Impact TRIBAL CUL-1: There is the possibility that buried archaeological resources and/or human remains could be present on the project site and accidental discovery could occur during grading and other earthwork on the project site, resulting in a potentially significant impact on archaeological resources or human remains.

Mitigation Measure(s): The implementation of mitigation measures **CUL-1** through **CUL-4**, as enumerated in the above Cultural Resources Section, will ensure that such impacts will occur at less than significant levels, if at all.

Implementing Action:	COA
Timing of Verification:	Upon discovery of tribal cultural resource.
Party Responsible for Verification:	Project proponent, CDD staff, Consulting archaeologist.
Compliance Verification:	Review of archaeologist's report

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