

RELIEZ TERRACES SUBDIVISION PROJECT

1. STATUTORY REQUIREMENT

When a lead agency makes findings on significant environmental effects identified in an mitigated negative declaration (MND), the agency must also adopt a “reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment” (Public Resources Code Section 21081.6(a) and California Environmental Quality Act Guidelines Section 15091(d) and Section 15097). The Mitigation Monitoring and Reporting Program (MMRP) is implemented to ensure that the mitigation measures and project revisions identified in the MND are implemented. Therefore, the MMRP must include all changes in the proposed project either adopted by the project proponent or made conditions of approval by the lead agency or a responsible agency.

2. ADMINISTRATION OF THE MITIGATION MONITORING AND REPORTING PROGRAM

The City of Pleasant Hill (City) is the lead agency responsible for the adoption of the MMRP. Mount Diablo View Associates is the project applicant and is responsible for implementing, verifying, and documenting compliance with the MMRP, in coordination with other identified agencies. According to CEQA Guidelines Section 15097(a), a public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity that accepts the delegation. However, until mitigation measures have been completed, the lead agency remains responsible for ensuring that implementation of the measures occurs in accordance with the program.

Verification of mitigation compliance and responsibility for compliance is the responsibility of the applicant-designated project manager. The project manager will be responsible for coordinating plan reviews and field verification with the appropriate City department staff or outside agencies.

3. MITIGATION MEASURES AND REPORTING PROGRAM

Table 1 is structured to enable quick reference to mitigation measures and the associated monitoring program based on the environmental resource. The numbering of mitigation measures correlates with numbering of measures found in Section 4.0 Environmental Checklist the Initial Study.

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**TABLE 1
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Responsible Party	Timing	Monitoring and Enforcement Responsibility
<i>Air Quality</i>				
AQ-1	<p>During construction activities, the project applicant and/or its contractor shall ensure that the BAAQMD’s Basic Construction Mitigation Measures are implemented:</p> <ol style="list-style-type: none"> 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. 3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 4. All vehicle speeds on unpaved roads shall be limited to 15 mph. 5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. 6. 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 the 	<ul style="list-style-type: none"> • Construction Contractor 	<ul style="list-style-type: none"> • During Construction 	<ul style="list-style-type: none"> • City of Pleasant Hill

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	<p>California Code of Regulations). Clear signage shall be provided for construction workers at all access points.</p> <p>7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified visible emissions evaluator.</p> <p>8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The air district’s phone number shall also be visible to ensure compliance with applicable regulations.</p>			
Biological Resources				
BIO-1	<p>Avoidance and Minimization Measures for Special-Status and Other Migratory Birds</p> <ul style="list-style-type: none"> • Raptor Nests. Prior to the removal or significant pruning of any trees, a qualified biologist shall perform inspections for the presence of raptor nests. These inspections are required regardless of season. If a suspected raptor nest is discovered, the CDFW shall be notified. Pursuant to California Fish and Game Code Section 3503.5, raptor nests, whether or not they are occupied, may not be removed until approval is granted by the CDFW. • Tree Removal—Breeding Season. If tree removal occurs during breeding season (February 1 through August 31), a qualified biologist shall conduct a preconstruction nesting bird survey be no more than 2 weeks prior to the initiation of work. If no nesting or breeding activity is observed, work may proceed 	<ul style="list-style-type: none"> • Applicant 	<ul style="list-style-type: none"> • Prior to Construction 	<ul style="list-style-type: none"> • City of Pleasant Hill

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	<p>without restrictions. To the extent allowed by access, all active nests identified within 250 feet for raptors and 50 feet for passerines shall be mapped.</p> <ul style="list-style-type: none"> Active Nesting. For any active nests found with 250 feet of construction, a qualified biologist shall make a determination as to whether construction activities are likely to disrupt reproductive behavior. If it is determined that construction may disrupt breeding, a no-construction buffer zone shall be designated on the grading plans. If it is determined that construction activities are likely to disrupt raptor breeding, construction activities within the no-construction buffer zone shall not proceed until a qualified biologist determines that the nest is no longer occupied. Nest Monitoring. If construction activities must occur within the optimal no-construction buffer zone, a qualified biologist shall monitor the nest(s) to document breeding and rearing behavior of the adult birds. If it is determined that construction activities are likely to cause nest abandonment, work within the no-construction buffer zone must cease immediately and the CDFW and/or the USFWS Division of Migratory Bird Management shall be contacted for guidance. 			
BIO-2	<p>Avoidance and Minimization Measures for the San Francisco Dusky-Footed Woodrat</p> <ul style="list-style-type: none"> Preconstruction Surveys. During the performance of a preconstruction survey for nesting birds, the project biologist shall survey for San Francisco dusky woodrat nests within and adjacent to the limits of grading. All nests (active or inactive) shall be mapped and flagged in the field. Nest Protection. To the extent feasible, San Francisco dusky woodrat nests shall be avoided during construction. If any existing nests can be avoided, they shall be isolated from the 	<ul style="list-style-type: none"> Applicant 	<ul style="list-style-type: none"> Prior to Construction 	<ul style="list-style-type: none"> City of Pleasant Hill

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	<p>work zone with the installation of protective barriers.</p> <ul style="list-style-type: none"> • Nest Removal—Non-Breeding Season. If a woodrat nest is detected in the work zone and it cannot be avoided, during the nonbreeding season (September 1 through November 30), nests shall be disassembled by hand and the nest materials (e.g., sticks) removed and disposed of off-site. Any adult animals present shall be permitted to disperse into adjacent habitat. This work may only be performed by a qualified biologist in coordination with the CDFW. • Nest Removal—Breeding Season. If site clearing takes place during the breeding season (i.e., December 1 through August 31), a qualified biologist shall determine whether the nest is occupied. This may be done by direct observation over the course of at least two evenings no more than 48 hours prior to nest disassembly. Direct observation may consist of installation of camera traps at the nest or by a biologist on the ground. If no animals are observed, the nest may be disassembled by hand. If, during the process of disassembling the nest, live animals are encountered, nest materials shall be replaced on top of the nest and the effort abandoned. Nests may not be disassembled if young woodrats are present. Construction must then be postponed until the end of the breeding season when juveniles are able to survive on their own. 			
Cultural Resources				
CUL-1	<p>Treatment of previously unidentified archaeological deposits. During project construction, if any archeological or paleontological resources (i.e., fossils) are found, the project applicant and/or its contractor shall immediately cease all work within 25 feet of the discovery and notify the City of Pleasant Hill Planning Division. The project applicant and/or its contractor shall retain a qualified archeologist or</p>	<ul style="list-style-type: none"> • Construction contractor 	<ul style="list-style-type: none"> • During construction 	<ul style="list-style-type: none"> • City of Pleasant Hill

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	paleontologist to evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered archeological or paleontological resources. The City and the applicant shall consider the mitigation recommendations and agree on implementation of the measure(s) that are feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, or other appropriate measures.			
CUL-2	Treatment of previously unidentified human remains. If human remains are discovered during project construction, the project applicant and/or its contractor shall cease all work within 25 feet of the find and notify the City of Pleasant Hill Planning Division and the county coroner, pursuant to California Health and Safety Code Section 7050.5. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission within 24 hours.	<ul style="list-style-type: none"> • Construction contractor 	<ul style="list-style-type: none"> • During construction 	<ul style="list-style-type: none"> • City of Pleasant Hill
Geology and Soils				
GEO-1	To evaluate the potential for direct and secondary effects pertaining to the Contra Costa Canal embankment, a qualified geotechnical engineer shall evaluate the canal embankment conditions to assess the settlement potential of the on-site natural soils and undocumented fill. This evaluation may include detailed surface reconnaissance to evaluate site conditions, and drilling of exploratory borings or test pits and laboratory testing of soils, where appropriate. Results of the canal geotechnical assessment shall be used to identify potential hazards to people or structures on the project site because of slope stability, unstable soils, stormwater flows, and the presence of hazardous waste in the canal. Canal embankment geotechnical conditions may require revisions to current project plans and design recommendations to avoid and minimize potential impacts on the project site due to the canal embankment's proximity to the project	<ul style="list-style-type: none"> • Applicant 	<ul style="list-style-type: none"> • Prior to construction 	<ul style="list-style-type: none"> • City of Pleasant Hill

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	site.			
<i>Hazards and Hazardous Materials</i>				
HAZ-1	As recommended in the Phase I Environmental Site Assessment for the project, additional soils testing shall be conducted on the project site prior to development activities to determine whether unknown compacted fill on the project poses an environmental and/or health hazard. The soils testing report shall be reviewed and approved by the City prior to construction.	<ul style="list-style-type: none"> • Applicant 	<ul style="list-style-type: none"> • Prior to construction 	<ul style="list-style-type: none"> • City of Pleasant Hill
HAZ-2	A Limited Phase II Environmental Site Assessment shall be conducted prior to any development work. The Phase II assessment shall be reviewed and approved by the City prior to construction.	<ul style="list-style-type: none"> • Applicant 	<ul style="list-style-type: none"> • Prior to construction 	<ul style="list-style-type: none"> • City of Pleasant Hill
HAZ-3	As recommended in the Agricultural Chemical Impact Assessment, approximately 400 cubic yards of soil at a depth of 1 foot shall be removed and remediated prior to any construction work. The removal and remediation plan shall be reviewed and approved by the City prior to construction.	<ul style="list-style-type: none"> • Construction contractor 	<ul style="list-style-type: none"> • During construction 	<ul style="list-style-type: none"> • City of Pleasant Hill