

TOWN OF LOOMIS NUTE ROAD SUBDIVISION PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires that all state and local agencies establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of an Initial Study/Mitigated Negative Declaration (IS/MND).

The mitigation monitoring and reporting program (MMRP) contained herein is intended to satisfy the requirements of CEQA as it relates to the Nute Road Subdivision Project (Proposed Project). This MMRP is intended to be used by Town Staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation.

The IS/MND for the Proposed Project presents a detailed set of mitigation measures applicable to implementation of the Proposed Project. The mitigation measures were initially developed during preparation of the IS/MND (August 2018) and, in some cases, were refined in response to comments on the IS/MND.

The intent of the MMRP is to ensure the effective implementation and enforcement of all adopted mitigation measures. The MMRP will provide for monitoring of construction activities, as necessary, and in the field identification and resolution of environmental concerns.

MITIGATION MONITORING PROGRAM DESCRIPTION

COMPLIANCE

The Town of Loomis will coordinate monitoring activities and document the implementation of mitigation measures. The table below identifies the mitigation measures, the monitoring actions, the implementing entities, the responsible parties for monitoring actions, and the timing of mitigation actions. The entity identified as having implementing responsibility has the primary duty to execute the mitigation measures. The "Applicant(s)" shall refer to any entity that seeks entitlements for development of a project in the project area. In some instances this may require contracting for specialized consultant services. In instances where the implementing responsibility is shared between the Town and Construction Contractors, the Town would be responsible for ensuring that the mitigation requirements are implemented. In instances where the Reviewing Party is identified as a department manager or director, the manager or director may delegate review to appropriate subordinate staff.

FIELD MONITORING OF MITIGATION MEASURES

Prior to the issuance of grading and building permits, while detailed development plans are being prepared for acceptance by Town Staff, Town Staff will be responsible for ensuring compliance with mitigation monitoring applicable to the project design phase.

During construction and following the Proposed Project, the Town's Planning Division will assign inspectors who will be responsible for monitoring the implementation of the mitigation measures. The inspectors will report to the Town's Planning Division and will be thoroughly familiar with the mitigation measures in the MMRP. In addition, the inspectors will be familiar with construction contract requirements, schedules, standard construction practices, and mitigation techniques. The Town will be responsible for onsite, day-to-day monitoring of construction activities, reviewing construction plans and equipment staging/access plans to ensure conformance with adopted mitigation measures. The Town will also have the authority to enforce mitigation measures by suspending particular construction activities.

Once construction has been completed, the Town will monitor the Proposed Project as necessary.

If any mitigation measures are not being implemented, the Town may pursue corrective action. Penalties that may be applied include, but are not limited to, the following: (1) a written notification and request for compliance; (2) withholding of permits; (3) administrative fines; (4) a stop-work order; (5) criminal prosecution and/or administrative fines; (6) forfeiture of security bonds or other guarantees; and (7) revocation of permits or other entitlements.

CHANGES TO MITIGATION MEASURES

Any substantive change in the monitoring plan made by Town Staff shall be reported in writing to the Planning Division. Modifications to the mitigation may be made by Town Staff subject to one of the following findings, documented by evidence included in the record:

- a. The mitigation measure included in the IS/MND and MMRP is no longer required because the significant environmental impact identified in the IS/MND has been found not to exist or to occur at a level which makes the impact less than significant as a result of changes in the project, changes in conditions of the environment or other factors.

Or

- b. The modified or substitute mitigation measure to be included in the MMRP provides a level of environmental protection equal to or greater than that afforded by the mitigation included in the IS/MND and the MMRP; and the modified or substitute mitigation measures do not have significant adverse effects on the environment in addition to or greater than those which were considered by the responsible hearing bodies in their decisions on the IS/MND and the Proposed Project; and the modified or substitute mitigation measures are feasible, and the Town through measures included in the MMRP or other Town procedures can ensure their implementation.

Findings and related documentation supporting the findings involving modifications to mitigation measures shall be maintained in the project file with the MMRP and shall be made available to the public upon request.

MITIGATION MONITORING PROGRAM

The table presented on the following pages provides the MMRP for the Proposed Project. The MMRP identifies:

1. The full text of the mitigation measure(s) applicable to each impact statement;
2. The method and/or process by which the mitigation measure will be implemented;
3. The timing of implementation of each mitigation measure; and
4. The party responsible for ensuring implementation of each mitigation measure.

Following completion of the monitoring and reporting process, the final monitoring results will then be entered into the Town's Mitigation Monitoring and Reporting database.

Mitigation Measure	Implementation	Timing	Reviewing Party	Initial/Date Complete
<p>Air Quality</p> <p>AQ-1: Prior to issuance of a grading permit, the contractor shall submit a dust control plan to the Town and PCAPCD for review and approval. The plan shall insure that adequate dust controls are implemented during all phases of construction through the use of the following or equally effective measures. These measures shall be included as a standard note on all grading and improvement plans:</p> <ul style="list-style-type: none"> ▪ Construction equipment exhaust emissions shall not exceed PCAPCD Rule 202 Visible Emission limitations. ▪ The prime contractor shall submit to the Air District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty offroad equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for the construction project. The inventory shall demonstrate that the off-road vehicles to be used during excavation, construction, and grading activities, including owned, leased, and subcontractor vehicles, will achieve a project-wide fleet average 20 percent NOx reduction and 45 percent particulate matter reduction compared to the most recent CARB average and shall include enforcement measures to ensure that the reductions are achieved. The PCAPCD shall be contacted for average fleet emission data. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide the District with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreperson. ▪ An enforcement plan shall be established to weekly evaluate project-related on-and-off-road heavy-duty vehicle engine emission opacities, using standards as defined in California Code of Regulations, Title 13, Sections 2180-2194. An Environmental Coordinator, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate project related off-road and heavy-duty on-road equipment emissions for compliance with this requirement. Operators of vehicles and equipment found to exceed opacity limits will be notified and the equipment must be repaired within 72 hours. ▪ No open burning of removed vegetation shall be conducted during infrastructure improvements. Vegetative material shall be chipped or delivered to waste to energy facilities. ▪ During construction the contractor shall use existing power sources (e.g., power poles) or clean fuel (e.g., gasoline, biodiesel, natural gas) generators rather than temporary diesel power generators to the extent feasible. ▪ Diesel-power equipment shall not be allowed to idle within 1,000 feet of any sensitive receptors. ▪ Diesel-power equipment shall not be allowed to idle for more than 5 minutes at any time. 	<p>These measures require a dust control plan be submitted to the Town and PCAPCD.</p>	<p>Prior to approval of grading permits.</p>	<p>Town of Loomis; PCAPCD</p>	

Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation	Timing	Reviewing Party	Initial/Date Complete
<ul style="list-style-type: none"> ▪ Earth moving construction equipment shall be cleaned with water once per day. ▪ An operational water truck shall be onsite at all times. Water to control dust shall be applied as needed to prevent dust impacts off site for active and inactive construction areas. Pursuant to District Rule 228, Section 304, streets shall be wet broomed or washed of any silt carried over to adjacent public thoroughfares during construction activities. ▪ Earth-moving contractors shall not operate pre-1996 heavy-duty diesel equipment on forecast Spare the Air Days. ▪ To the extent feasible, construction activities shall use existing power sources (e.g., power poles) or clean fuel generators rather than temporary diesel power generators. ▪ Traffic speeds on all unpaved surfaces shall be limited to a maximum speed of 15 miles per hour or less. ▪ Construction activity management techniques shall be employed, such as extending the construction period outside the ozone season of May through October; reducing the number of pieces of equipment used simultaneously; increasing the distance between emission sources; reducing or changing the hours of construction; and scheduling activity during off-peak hours. ▪ Contractors shall use low VOC architectural coatings per PCAPCD Rule 218. 				
Biological Resources				
<p>BIO-1: The project applicant shall retain a qualified biologist to conduct a preconstruction survey for the presence of American Badger within the areas to be disturbed within 14 days prior to the onset of construction activities. The results of the survey shall be summarized in a letter report and submitted to the Town. If burrows or other direct evidence of American Badger are found, then consultation with CDFW shall be initiated to determine appropriate setbacks from badger habitat.</p>	<p>A summary of survey results shall be submitted to the Town. CDFW shall be contacted as required.</p>	<p>Prior to construction.</p>	<p>Town of Loomis, CDFW</p>	
<p>BIO-2: Should construction activities occur during the breeding season (February 15 through August 31), a pre-construction survey for raptor and/or nesting birds protected under the Migratory Bird Treaty Act shall be conducted by a qualified biologist. The preconstruction survey shall take place no more than 314 days prior to initiation of construction. If there is a break in construction activity of more than 14 days (2 weeks), subsequent surveys shall be conducted. All trees and shrubs within 500 feet of the area of disturbance shall be surveyed, with particular attention to any trees or shrubs that would be removed or directly disturbed. If an active nest of a protected bird is found on site or in the vicinity of off-site improvements at any time, the biologist shall, in consultation with the California Department of Fish and Wildlife (CDFW), determine whether construction work would affect the active nest or disrupt reproductive behavior. Criteria used for this evaluation shall include presence of visual screening between the nest and construction activities, and behavior of adult raptors in response to the surveyors or other ambient human activity. If construction could affect the nest or disrupt reproductive behavior, the biologist shall, in consultation with CDFW, determine an</p>	<p>A summary of survey results shall be submitted to the Town. CDFW shall be contacted as required.</p>	<p>Prior to and during construction.</p>	<p>Town of Loomis, CDFW</p>	

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<p>appropriate construction-free buffer zone around the nest to remain in place until the young have fledged or other appropriate protective measures to ensure no take of protected species occurs. The buffer shall be sufficient to ensure that the nesting birds are not disturbed by construction activities to the extent that they might abandon the nest prematurely. Should construction activities cause the nesting birds to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the exclusionary buffer will be increased such that activities are far enough from the nest to stop this agitated behavior. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined by a qualified biologist.</p>				
<p>BIO-3:</p> <p>a. Project design shall take into account the presence of oak trees within the parcels and the spatial extent of the tree root systems. To the extent feasible, full avoidance of trees shall be required within the project design phase.</p> <p>b. If the removal of one or more protected trees is required for project implementation, the property owner of the affected parcel shall implement one or a combination of the following measures:</p> <ul style="list-style-type: none"> i. Pay an in lieu fee for removal of trees, as calculated according to the Town Tree Ordinance (Section 13.54 of the Municipal Code). The fee shall be paid at the time that Improvement Plans are approved. <p style="text-align: center;">Or</p> <ul style="list-style-type: none"> ii. Prepare a Tree Planting and Maintenance Plan that provides for the planting of trees on site or at another location within the town where maintenance to ensure survival of the trees will be guaranteed. If trees are to be planted on site, they shall be located in easements that can be protected and reviewed annually for a period of five years. <p>Trees planted to meet the provisions of this measure shall be the same species as the tree(s) that are removed. The selected method shall be adequate to ensure the long-term viability of new plantings at a level that meets or exceeds the level of tree removal, as measured at diameter at breast height.</p> <p>c. All construction shall be conducted in accordance with Section 13.54.070 of the Municipal Code with respect to protected trees within 50 feet of any area to be disturbed by the Proposed Project.</p>	<p>Project design plans shall be submitted to the Town.</p>	<p>Prior to approval of building permits and during construction.</p>	<p>Town of Loomis</p>	
<p>BIO-4: A floristic survey will occur before the Town issues building permits and prior to commencement of ground-disturbing activities, and would cover the Parcels 2 and 3 as well as any areas that may be indirectly affected by the Proposed Project. The floristic surveys will follow the protocols described in the CDFW's Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. A reference population of <i>Balsamorhiza macrolepis</i> will be visited prior to the survey to determine its bloom status in a similar ecosystem and elevation. All species encountered will be identified to the species level to ensure that no other special-status species occur</p>	<p>A summary of survey results shall be submitted to the Town. CDFW shall be contacted as required.</p>	<p>Prior to and during construction.</p>	<p>Town of Loomis, CDFW</p>	

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<p>within the site and could be impacted by project-related activities. If any special-status species are found to occur within Parcels 2 and 3, CDFW will be notified prior to issuance of building or grading permits by the Town to determine proper mitigation measures.</p>				
<p style="text-align: center;">Cultural and Paleontological Resources</p>				
<p>CR-1: If any cultural resources, such as structural features, unusual amounts of bone or shell artifacts, or architectural remains, are encountered during any construction activities, the project applicant shall implement measures deemed necessary and feasible to avoid or minimize significant effects on the cultural resources including the following:</p> <ul style="list-style-type: none"> ▪ All work within 50 feet of the find shall be halted until a professional archaeologist can evaluate the significance of the find in accordance with CEQA. ▪ If any find is determined to be significant by the archaeologist, then representatives of the Town and project applicant shall meet with the archaeologist to determine the appropriate course of action. If necessary, a Treatment Plan shall be prepared, outlining recovery of the resource, analysis, and reporting of the find. The Treatment Plan shall be submitted to the Town for review and approval prior to resuming construction. ▪ All significant cultural materials recovered shall be subject to scientific analysis, professional curation, and a report prepared by the professional archaeologist in accordance with current professional standards. ▪ All mitigation shall be completed prior to the resumption of construction. 	<p>The Town shall be notified upon discovery.</p>	<p>During construction.</p>	<p>Town of Loomis</p>	
<p>CR-2: If vertebrate fossils are discovered during project activities, all work shall cease within 100 feet of the find until a qualified professional paleontologist can assess the nature and importance of the find and recommend appropriate treatment. The Town and project applicant would also be notified of the discovery and the qualified professional paleontologist's opinion within 48 hours of the initial finding. Treatment may include preparation and recovery of fossil materials, so that they can be housed in an appropriate museum or university collection, and also may include preparation of a report for publication describing the finds. Project activities shall not resume until after the qualified professional paleontologist has given clearance and evidence of such clearance has been submitted to the Town.</p>	<p>The Town shall be notified upon discovery.</p>	<p>During construction.</p>	<p>Town of Loomis</p>	
<p>CR-3: If human remains are encountered during construction activities, work within 100 feet of the find shall halt immediately and the County Coroner should be notified in accordance with California Health and Safety Code Section 7050.5. If the remains are of Native American origin, the Coroner must, in accordance with PRC Section 5097, notify the NAHC within 24 hours of this identification. In turn, the NAHC shall identify a Most Likely Descendant, who shall work with the Town and project applicant to develop a plan for avoidance or removal and disposition of the remains. The project applicant shall implement approved mitigation, to be verified by the Local Agency, before resuming ground-disturbing activities within 100 feet of where the remains were discovered.</p>	<p>The Town shall be notified upon discovery.</p>	<p>During construction.</p>	<p>Town of Loomis</p>	

Mitigation Monitoring and Reporting Program

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<p>CR-4: The Town shall conduct a site visit with UAIC prior to issuance of building permits. Measures determined in coordination with UAIC following the site visit, which could include the presence of a tribal monitor during initial ground disturbing activities and avoidance and preservation of resources (should any be identified), will be incorporated into conditions of building permits.</p>	<p>The Town shall consult with UAIC and conduct a site visit with UAIC.</p>	<p>Prior to approval of building permits.</p>	<p>Town of Loomis</p>	
Geology and Soils				
<p>GS-1: Prior to development, a geotechnical report shall be prepared to characterize the soils and geologic constraints of the project site. The recommendations of the geotechnical report shall be incorporated into the design and construction of buildings.</p>	<p>A geotechnical report shall be submitted to the Town.</p>	<p>Prior to approval of building permits.</p>	<p>Town of Loomis</p>	
Hazardous Materials				
<p>HM-1: In the event previously unidentified hazardous materials contamination is discovered or believed to be present, work shall stop immediately and the site shall be investigated by a qualified professional. If contaminated, the area shall be remediated by a qualified professional, in consultation with Placer County Environmental Health Division, the Regional Water Quality Control Board and/or the California Department of Toxic Substances Control, as appropriate. Work shall not resume until potential hazards have been identified and managed.</p>	<p>The Town shall be notified upon discovery.</p>	<p>During construction.</p>	<p>Town of Loomis, Placer County Environmental Health Division, RWQCB, DTSC</p>	
<p>HM-2: Prior to recordation of the final map, soil sampling for potential contamination from historic past land uses on the project site shall be conducted in accordance with the California Environmental Protection Agency Department of Toxic Substances Control (DTSC) <i>Interim Guidance for Sampling Agricultural Properties</i> (Third Revision), dated August 7, 2008. A workplan to conduct a Phase II site assessment shall be submitted to Placer County Environmental Health (PCEH) for review and approval prior to field activities. The workplan shall also include an evaluation of lead and soil sampling around any historic structures.</p> <p>The analytical results from soil samples obtained during Phase II screening level investigation shall be submitted to PCEH for review and determination of any additional requirements and will be compared to the following standards in order to evaluate possible adverse impacts to human health:</p> <ul style="list-style-type: none"> ▪ Preliminary Remediation Goals (PRGs) for residential usage, established by the U.S. Environmental Protection Agency Region IX; and ▪ California Human Health Screening Levels (CHHSLs) established by the California Environmental Protection Agency. <p>If collected samples show low or non-detect results for the constituents analyzed, no further mitigation is necessary. If exceedances are encountered, contamination removal activities shall be implemented in coordination with PCEH and DTSC. Remedial activities could include but are not limited to excavating soil, lawfully disposing of soil, and retesting onsite soils to ensure native soils are below action levels. A "no further</p>	<p>A Phase II site assessment workplan shall be submitted to the PCEH.</p>	<p>Prior to approval of building permits.</p>	<p>Town of Loomis, PCEH, DTSC</p>	

Mitigation Monitoring and Reporting Program

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<p>action" or equivalent letter will be required prior to PCEH final approval for recordation of the final map.</p> <p>HM-3: In order to minimize the potential for wildland or structure fires, and to ensure that the fire department can respond quickly and effectively to any on-site fires, the building plan for the two residential homes shall be reviewed by SPFD, and all measures recommended by the SPFD shall be implemented.</p>	<p>The building plan shall be submitted to SPFD.</p>	<p>Prior to approval of building permits.</p>	<p>Town of Loomis, SPFD</p>	