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MITIGATION MONITORING PLAN

4.0 INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all state and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a “mitigated negative declaration” or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring Plan for the Wildhorse Ranch project. The Plan includes a description of the requirements of the California Environmental Quality Act and a compliance checklist. The project as approved includes mitigation measures. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Environmental Impact Report for this project. Unless otherwise noted, the applicant shall fund the cost of implementing the mitigation measures as prescribed by this Plan.

4.1 COMPLIANCE CHECKLIST

The Mitigation Monitoring Plan (MMP) contained herein is intended to satisfy the requirements of CEQA as they relate to the Environmental Impact Report for the Wildhorse Ranch project prepared by the City of Davis. This MMP is to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMP were developed in the Environmental Impact Report prepared for the proposed project.

The Wildhorse Ranch project Environmental Impact Report presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action.
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment.
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project.
- Compensates for the impact by replacing or providing substitute resources or environments.

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

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Davis. The table attached to this report identifies the mitigation measure, the monitoring action for the mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMP. The City of Davis will be responsible for ensuring compliance.

During construction of the project, the City will assign an inspector who will be responsible for field monitoring of mitigation measure compliance. The inspector will report to the City's Planning and Building Department and will be thoroughly familiar with permit conditions and the MMP. In addition, the inspector will be familiar with construction contract requirements, construction schedules, standard construction practices, and mitigation techniques. In order to track the status of mitigation measure implementation, field-monitoring activities will be documented on compliance monitoring report worksheets. The time commitment of the inspector will vary depending on the intensity and location of construction. Aided by the attached table, the inspector will be responsible for the following activities:

- On-site, day-to-day monitoring of construction activities.
- Reviewing construction plans and equipment staging/access plans to ensure conformance with adopted mitigation measures.
- Ensuring contractor knowledge of and compliance with the MMP.
- Verifying the accuracy and adequacy of contract wording.
- Having the authority to require correction of activities that violate mitigation measures. The inspector shall have the ability and authority to secure compliance with the MMP.
- Acting in the role of contact for property owners or any other affected persons who wish to register observations of violations of project permit conditions or mitigation. Upon receiving any complaints, the inspector shall immediately contact the construction representative. The inspector shall be responsible for verifying any such observations and for developing any necessary corrective actions in consultation with the construction representative and the City of Davis.
- Obtaining assistance as necessary from technical experts in order to develop site-specific procedures for implementing the mitigation measures.
- Maintaining a log of all significant interactions, violations of permit conditions or mitigation measures, and necessary corrective measures.

4.2 MITIGATION MONITORING PLAN

The following table indicates the mitigation measure number, impact the measure is designed to address, measure text, monitoring agency, implementation schedule, and an area for sign-off indicating compliance.

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Mitigation Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign Off
4.1 Land Use and Agricultural Resources					
4.1-3	Loss of prime agricultural land.	4.1-3 <i>The project applicant shall set aside in perpetuity active agricultural acreage at a minimum ratio of 2:1 based on the total project footprint of 25.79 acres, through granting a farmland conservation easement, a farmland deed restriction, or other farmland conservation mechanism to or for the benefit of the City and/or a qualifying entity approved by the City. The mitigation acreage shall be set aside prior to recordation of the final map(s). The location and amount of active agricultural acreage for the proposed project would be subject to the review and approval of the City Council.</i>	City Council	Prior to recordation of final map(s)	
4.1-4	Incompatibilities between future residential uses on the project site and surrounding uses.	4.1-4(a) <i>Consistent with Action AG 1.1(g) of the General Plan and the Davis Right-to-Farm Ordinance, the applicant/developer shall inform and provide recorded notice to prospective buyers within 1,000 feet of agricultural land in writing and prior to purchase, as prescribed by the City's Right to Farm Ordinance, about existing and on-going agricultural activities in the immediate area in the form of a disclosure statement. The notifications shall disclose that Davis and Yolo County are agricultural areas and residents of the property may be subject to inconvenience or discomfort arising from the use of agricultural chemicals, and from pursuit of agricultural operations, including,</i>	Community Development Department	Language of disclosure prior to recording of final maps with signature of each prospective property owner at time of sale	

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		<p><i>but not limited to cultivation, irrigation, plowing, spraying, aerial application, pruning, harvesting, crop protection, and agricultural burning which occasionally generate dust, smoke, noise, and odor. The language and format of such notification shall be reviewed and approved by the Community Development Director prior to recording final maps. Each disclosure statement shall be acknowledged with the signature of each prospective property owner.</i></p>			
		<p>4.1-4(b) <i>Prior to the use of pesticides on the orchard, the Home Owner's Association and contractor(s) shall obtain a permit and comply with all regulations from the Yolo County Agricultural Commissioner. In addition, signage shall be posted at the perimeter of the orchard notifying the public that pesticides have been recently applied. The signage shall remain posted for the appropriate length, as determined during the permit process.</i></p>	<p>Yolo County Agricultural Commissioner</p>	<p>Prior to the use of pesticides on the orchard</p>	
		<p>4.1-4(c) <i>Prior to recordation of final map(s), in the event the Davis Sports Park is constructed adjacent and east of the proposed project, the applicant shall prepare and submit a disclosure statement for the review and approval of the Community Development Director which shall disclose the operations</i></p>	<p>Community Development Department</p>	<p>Prior to recording of final maps if Davis Sports Park is constructed adjacent to the site</p>	

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		<i>associated with the Davis Sports Park Project which will include ballfield lights, weekly games, tournaments etc. Language shall be included on the final map(s) to ensure that the disclosure of the Sports Park runs with the land, and is therefore provided to all prospective buyers of property.</i>			
4.1-5	Long-term impacts to Prime Farmland from the proposed project in combination with existing and future developments in the Davis area.	4.1-5 <i>Implement Mitigation Measure 4.1-3.</i>	N/A	N/A	
4.3 Transportation and Circulation					
4.3-2	Impacts related to the provision of efficient site access and circulation.	4.3-2 <i>Prior to approval of the Tentative Map, the project applicant shall ensure that the following items are incorporated into the project design, for the review and approval by the City Engineer:</i> <ul style="list-style-type: none"> • <i>Provision of adequate sight distance at both project access intersections, by setting back any barrier walls far enough from the curb, and by ensuring that existing and new plantings do not obstruct drivers' views;</i> • <i>Design of the internal roadways to meet City standards, and inclusion of internal traffic calming elements as may be determined to be necessary, subject to the</i> 	City Engineer	Prior to approval of the Tentative Map	

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		<p style="text-align: center;"><i>review and approval of the City Engineer; and</i></p> <ul style="list-style-type: none"> • <i>Provision of traffic control devices, if and where needed in the internal roadway system, based on an analysis of the internal traffic turning movements to be prepared when the project design is more detailed.</i> 			
4.3-3	Impacts related to pedestrian and bicycle access and circulation.	4.3-3 <i>Prior to approval of the Tentative Map, the project applicant shall ensure that the pathway and sidewalk network meets ADA accessibility requirements, subject to the review and approval by the City Engineer.</i>	City Engineer	Prior to approval of the Tentative Map	
4.3-5	Impacts to traffic flow from construction traffic associated with grading and development of the project site.	4.3-5 <i>Prior to any on-site construction activities, the project applicant shall prepare a Construction Traffic Management Plan subject to the review and approval by the City Engineer. The Construction Traffic Management Plan shall include all measures for temporary traffic control, temporary signage and striping, location points for ingress and egress of construction vehicles, haul routes, staging areas, and shall provide for the timing of construction activity that appropriately limits hours during which large construction equipment may be brought onto or taken off of the site.</i>	City Engineer	Prior to any on-site construction	
4.3-6	Cumulative impacts regarding the deterioration of the Second Street / Mace	4.3-6 <i>Prior to the issuance of building permits, or such other time as may be approved at the time of Tentative Map, the project applicant shall pay a fair share fee, as determined by</i>	Public Works Department	Prior to issuance of building permits	

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	Boulevard intersection LOS.	<i>the City Public Works Department, for improvements to the intersection of Second Street and Mace Boulevard; these improvements may include, but are not necessarily limited to: construction of a second left-turn lane on the northbound approach to the intersection of Second Street and Mace Boulevard, re-striping of the eastbound through lane to a shared through-left turn lane, and modification of the signal phasing to allow eastbound and westbound split phasing.</i>			
4.4 Air Quality					
4.4-1	Exhaust emissions and fugitive dust emissions from project-associated construction activities.	<p><i>4.4-1 Prior to commencement of any ground disturbing activities, the applicant shall submit a dust control plan to the City Engineer and the Yolo-Solano Air Quality Management District and the dust control plan shall be approved by the Yolo-Solano Air Quality Management District. This plan shall ensure that adequate dust controls are implemented during all phases of project construction. The dust control best management practices (BMPs) shall include but are not necessarily limited to the following:</i></p> <ul style="list-style-type: none"> <i>• Apply nontoxic soil stabilizers according to manufacturer's specifications to all inactive construction areas (previously graded areas inactive for ten days or more);</i> <i>• Reestablish ground cover in disturbed</i> 	<p>City Engineer Yolo-Solano Air Quality Management District</p>	Prior to ground disturbing activities	

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		<p><i>areas quickly;</i></p> <ul style="list-style-type: none"> • <i>Water recently disturbed construction areas (ground disturbed within 10 days) at least twice daily to avoid visible dust plumes;</i> • <i>Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;</i> • <i>Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);</i> • <i>Enforce a speed limit of 15 MPH for equipment and vehicles operated in unpaved areas;</i> • <i>All vehicles hauling dirt, sand, soil, or other loose materials shall be covered or should maintain at least two feet of freeboard;</i> • <i>Sweep streets at the end of the day if visible soil material is carried onto adjacent public paved roads; and</i> • <i>All grading operations shall be suspended when wind speeds (as instantaneous gusts measured by an on-site anemometer) exceed 25 mph and dust has the potential to adversely affect adjacent residential properties. Wind speeds shall be measured with an anemometer on site a minimum of one time per day. Additional</i> 			

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		<i>hourly anemometer measurements shall be conducted if wind conditions noticeably increase or are forecast to be greater than 15 mph.</i>			
4.5 Noise					
4.5-3	Short-term noise impacts from construction activities.	<p>4.5-3 <i>Compliance with the following measures shall be incorporated within the Final Planned Development with specific criteria and standards to be reviewed and approved by the Planning Commission:</i></p> <ul style="list-style-type: none"> • <i>Construction activities shall be scheduled to occur during normal daytime working hours (i.e., 7:00 AM to 7:00 PM Monday through Friday and 8:00 AM to 8:00 PM Saturday and Sunday). These criteria shall be included in the Improvement Plans prior to initiation of construction. Exceptions to allow expanded construction activity hours shall be reviewed on a case-by-case basis as determined by the Community Development Director;</i> • <i>All heavy construction equipment and all stationary noise sources (such as diesel generators) shall be fitted with factory-specified mufflers; and</i> • <i>Equipment warm up areas, water tanks, and equipment storage areas shall be located in an area as far away from</i> 	<p>Community Development Department</p> <p>Planning Commission</p>	In conjunction with the Final Planned Development approval	

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		<i>existing residences as feasible.</i>			
4.5-4	Noise impacts associated with greenbelt and orchard maintenance activities.	4.5-4 <i>Prior to recordation of final map, disclosure statements advising that periods of orchard and greenbelt maintenance could result in elevated noise levels, shall be prepared and submitted for the review and approval of the Community Development Director. A copy of the approved disclosure statements shall be provided to all prospective buyers of property within the Wildhorse Ranch Subdivision. Language shall be included on the Final Map to ensure that disclosure of elevated noise levels are provided at the time of all future sales.</i>	Community Development Department	Prior to recording of final maps	
4.6 Biological Resources					
4.6-1	Potential Impacts to the American Badger.	4.6-1(a) <i>A qualified biologist shall conduct pre-construction surveys for American badger in all construction areas identified as potential habitat located within the project area two weeks prior to initiation of construction activities. If an American badger or active burrow, indicated by the presence of badger sign (i.e. suitable shape and burrow-size, scat) is found within the construction area during pre-construction surveys, the California Department of Fish and Game (CDFG) shall be consulted to obtain permission for animal relocation.</i>	Community Development Department California Department of Fish and Game (CDFG)	Two weeks prior to construction	
		4.6-1(b) <i>If the qualified biologist determines that potential dens are inactive, the biologist shall</i>	Community Development	Prior to construction	

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		<p><i>excavate these dens by hand with a shovel to prevent badgers from re-using them during construction.</i></p> <p>4.6-1(c) <i>If the qualified biologist determines that potential dens may be active, the entrances of the dens shall be blocked with soil, sticks, and debris for three to five days to discourage use of these dens prior to project disturbance. The den entrances shall be blocked to an incrementally greater degree over the three to five day period. After the qualified biologist determines that badgers have stopped using active dens within the project boundary, the dens shall be hand-excavated with a shovel to prevent re-use during construction.</i></p> <p><i>Prior to initiating passive relocation efforts, adjacent lands will be evaluated to confirm that suitable habitat and refugia for badgers is present adjacent to the active den site. If necessary, artificial dens will be created in suitable areas within close proximity (as close as is feasible) to reduce exposure to predation during relocation. If passive relocation is ineffective, active relocation techniques will be coordinated with CDFG and carried out by a qualified biologist. A suitable relocation site will be found in the vicinity of the project site and a relocation plan designed to minimize stress to the animal will be developed for</i></p>	<p>Department</p> <p>Community Development Department</p> <p>CDFG</p>	<p>Prior to construction</p>	

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		<p style="text-align: center;"><i>approval by CDFG and the City.</i></p> <p>4.6-1(d) <i>If badger are determined to be actively using the site, a qualified biologist shall provide project contractors and construction crews responsible for site demolition and/or grading operations with a worker-awareness program before any ground disturbance work within the project area. This program shall be used to describe the species, its habits and habitats, its legal status and required protection, and all applicable mitigation measures.</i></p>	Community Development Department	Prior to construction	
4.6-2	Potential Impacts to Western Burrowing Owl.	<p>4.6-2(a) <i>Prior to commencement of construction-related activities for the project including, but not limited to, grading, staging of materials, or earthmoving activities and within 15 days of initiation of any grading or other construction activities, pre-construction surveys of all potential burrowing owl habitat shall be conducted by a qualified biologist within the project area and within 250 feet of the project boundary. Presence or sign of burrowing owl and all potentially occupied burrows shall be recorded and monitored according to the CDFG and California Burrowing Owl Consortium guidelines. If burrowing owls are not detected by sign or direct observation, construction may proceed.</i></p> <p>4.6-2(b) <i>If potentially nesting burrowing owl are present during pre-construction surveys</i></p>	Community Development Department CDFG CDFG	Prior to and within 15 days of construction related activities Prior to construction	

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		<p><i>conducted between February 1 and August 31, grading or other construction related disturbance shall not be allowed within 250 feet of any active nest burrows during the nesting season (February 1 – August 31) unless approved by CDFG.</i></p> <p>4.6-2(c) <i>If burrowing owl are detected during pre-construction surveys outside the nesting season (September 1 – January 31), passive relocation and monitoring may be undertaken by a qualified biologist following the CDFG and California Burrowing Owl Consortium guidelines, which involve the placement of one-way exclusion doors on occupied and potentially occupied burrowing owl burrows. Owls shall be excluded from all suitable burrows within the project area and within a 250-foot buffer zone of the impact area. A minimum of one week shall be allowed to accomplish this task and allow for owls to acclimate to alternate burrows. These mitigation actions shall be carried out prior to the burrowing owl breeding season (February 1 - August 31) and the site shall be monitored weekly by a qualified biologist until construction begins to ensure that burrowing owls do not re-inhabit the site.</i></p> <p><i>If passive relocation is unsuccessful, the feasibility of active relocation will be</i></p>	<p>CDFG</p> <p>Community Development Department</p>	<p>Prior to construction</p>	

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		<p><i>discussed with CDFG and an alternate strategy evaluated. Any active relocation efforts must be approved by CDFG and the City, and carried out by a qualified biologist with similar burrowing owl relocation experience and according to an approved plan.</i></p> <p>4.6-2(d) <i>If burrowing owl or sign of burrowing owl are detected at any time on the project site, a minimum of 6.5 acres of foraging habitat per pair or individual resident bird, shall be acquired and permanently protected to compensate for the loss of burrowing owl habitat. The acreage shall be based on the maximum number of owls observed inhabiting the property for any given observation period, pre-construction survey, or other field visit. The protected lands shall be occupied burrowing owl habitat and at a location acceptable to CDFG. A report shall be submitted to the City describing the agreed upon location. First priority for habitat preservation shall be accomplished on-site. If the required acreage cannot be preserved on-site, second priority shall be given to habitat preservation at an off-site location within the Davis city limits that shall be acquired and preserved in perpetuity. Third priority shall be given to another off-site location outside of the Davis city limits. Habitat in the amount</i></p>	<p>Community Development Department</p> <p>CDFG</p>	<p>Any time burrowing owls are detected on-site prior to or during construction</p>	

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		<p><i>specified above shall be acquired, permanently protected, and enhanced through management for the benefit of the species, to compensate for the loss of burrowing owl habitat on the project site. Alternatively, the applicant can provide the required mitigation either through an in-lieu fee program, purchase of the required acreage in an approved mitigation bank, or an approved Habitat Conservation Plan (HCP).</i></p> <p>4.6-2(e) <i>If burrowing owl are determined to be actively using the site, a qualified biologist shall conduct an education session for project contractors and construction crews responsible for site demolition and/or grading operations before any ground disturbance work within the project area. The education session, shall include includes photos of burrowing owl for identification purposes, habitat description, limits of construction activities in the project area, and guidance regarding general measures being implemented to conserve burrowing owl as they relate to the project. A qualified biologist shall provide materials and instructions to train new workers, whose jobs involve initial ground disturbance, grading, or paving. Training for personnel finalizing exteriors and interiors would not be required.</i></p>	Community Development Department	Prior to ground disturbance	

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		4.6-2(f) <i>A monitoring report of all activities associated with pre-construction surveys, avoidance measures, and passive relocation of burrowing owls shall be submitted to the City and CDFG no later than three days before initiation of grading.</i>	Community Development Department CDFG	Three days prior to grading	
4.6-3	Potential Impacts to Nesting Birds.	4.6-3(a) <i>The removal of any buildings, trees, or shrubs shall occur from September 1 through December 15, outside of the avian nesting season. If removal of buildings, trees, or shrubs occurs, or construction begins between February 1 and August 31 (nesting season for passerine or non-passerine land birds) or between December 15 and August 31 (nesting season for raptors), a nesting bird survey shall be performed by a qualified ornithologist within 15 days prior to the removal or disturbance of a potential nesting structure, tree, or shrub, or the initiation of other construction activities. During this survey, a qualified biologist shall inspect all potential nesting habitat (trees, shrubs, structures, grasslands, etc.) for nests in and immediately adjacent to the impact areas. A report of the survey findings shall be provided to the City and CDFG.</i>	Community Development Department CDFG	Prior to construction if buildings, trees, or shrubs are removed outside of September 1 through December 15	
		4.6-3(b) <i>All vegetation and structures with active nests shall be flagged and an appropriate non-disturbance buffer zone shall be established around the nest site. The size of the buffer</i>	CDFG	Prior to construction	

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		<p><i>zone shall be determined by the project biologist in consultation with CDFG and shall depend on the species involved, site conditions, and type of work to be conducted in the area.</i></p> <p>4.6-3(c) <i>A qualified biologist shall monitor active nests to determine when the young have fledged and are feeding on their own. The project biologist and CDFG shall be consulted for clearance before construction activities resume in the vicinity.</i></p>	CDFG	Prior to construction and after young have fledged	
4.6-4	Potential Impacts to Special-Status Bat Species.	<p>4.6-4(a) <i>A pre-construction survey for roosting bats shall be performed by a qualified biologist within 30 days prior to any removal of trees or structures on the site. If no active roosts are found, then no further action would be warranted. If either a maternity roost or hibernacula (structures used by bats for hibernation) is present, the following mitigation measures shall be implemented.</i></p> <p>4.6-4(b) <i>If active maternity roosts or hibernacula are found in trees or structures which will be removed as part of project construction, the project shall be redesigned to avoid the loss of the tree or structure occupied by the roost to the extent feasible as determined by the City. If an active maternity roost is located and the project cannot be redesigned to avoid removal</i></p>	Community Development Department CDFG	Within 30 days prior to removal of trees or structures on the site Prior to construction and before maternity colonies form or after young are volant	

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		<p><i>of the occupied tree or structure, demolition shall commence before maternity colonies form (i.e., prior to March 1) or after young are volant (flying) (i.e., after July 31). Disturbance-free buffer zones, as determined by a qualified biologist in coordination with CDFG, shall be observed during the maternity roost season (March 1 - July 31).</i></p>			
		<p>4.6-4(c) <i>If a non-breeding bat hibernacula is found in a tree or structure scheduled for removal, the individuals shall be safely evicted, under the direction of a qualified biologist (as determined by a Memorandum of Understanding with CDFG), by opening the roosting area to allow airflow through the cavity. Demolition shall then follow at least one night after initial disturbance for airflow. This action should allow bats to leave during darkness, thus increasing their chance of finding new roosts with a minimum of potential predation during daylight. Trees or structures with roosts that need to be removed shall first be disturbed at dusk, just prior to removal that same evening, to allow bats to escape during the darker hours.</i></p>	CDFG	If a non-breeding bat hibernacula is found in a tree or structure prior to removal of tree or structure	
		<p>4.6-4(d) <i>If special-status bats are found roosting within trees or structures on-site that require removal, appropriate replacement roosts shall be created at a suitable location on site or off</i></p>	CDFG	Prior to removal of tree or structure	

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		<i>site in coordination with a qualified biologist, CDFG, and the City.</i>			
4.6-5	Potential Impacts to Nesting Swainson's Hawk.	<p>4.6-5(a) <i>In order to ensure that nesting Swainson's hawks will not be affected by construction on the project site, a qualified biologist shall conduct pre-construction surveys according to the CDFG and Swainson's hawk Technical Advisory Committee guidelines (2000). Survey Period I occurs from January 1 – March 20, Period II from March 20 – April 5, Period III from April 5 – April 20, Period IV from April 21 – June 10, and Period V from June 10 – July 30. Three surveys shall be completed in at least each of the two survey periods immediately prior to a project's initiation and shall encompass the area within one half mile of the project site.</i></p> <p>4.6-5(b) <i>Because of the potential for Swainson's hawk to nest on-site, potential adverse affects to this species shall be avoided by establishment of CDFG approved buffers around any active nests. No construction activities shall take place within 0.25 mile of the nest until the young have fledged, or authorization has been obtained from CDFG. Weekly monitoring reports summarizing nest activities shall be submitted to the City and CDFG until the young have fledged and the nest is determined to be inactive. Trees containing nests that must be removed as a result of project</i></p>	<p>Community Development Department CDFG</p> <p>Community Development Department CDFG</p>	<p>Prior to construction</p> <p>Prior to construction activities and after young have fledged</p>	

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		<p><i>implementation shall be removed during the non-breeding season (late September to March) and in accordance with the CDFG “Staff Report Regarding Mitigation for Impacts to Swainson’s Hawks in the Central Valley of California,” November 8, 1994.</i></p> <p>4.6-5(c) <i>Replacement trees for any potential Swainson’s hawk nest trees removed as part of project construction must be planted either on-site or at a nearby site, and/or an in-lieu fee must be paid to the City of Davis Tree Preservation Fund as detailed in Mitigation Measure 4.6-7. The implementation of this measure is not intended to be duplicative of the mitigation for loss of trees contained in Mitigation Measure 4.6-7(c). Accordingly, mitigation provided under Mitigation Measure 4.6-7(c) may also serve as mitigation under this measure, provided that the standards of this measure are met.</i></p>	Community Development Department	During construction	
4.6-6	Potential Impacts to Swainson’s Hawk Foraging Habitat.	4.6-6 <i>The project proponent will compensate for the loss of Swainson’s hawk foraging habitat by providing Habitat Management lands (HM lands) to CDFG as defined in the Staff Report Regarding Mitigation for Impacts to Swainson’s Hawks in the Central Valley of California (published by California Department of Fish and Game in 1994). If the proposed project is located within 1 mile of an active nest (used during one or more of the</i>	CDFG	Prior to construction	

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		<p><i>last five years, to be determined with preconstruction surveys) the loss of habitat will be compensated at a ratio of 1:1 (HM lands:urban development). The project proponent will provide HM lands through an in-lieu fee process prior to commencement of construction-related activities for the project including, but not limited to, grading, staging of materials, or earthmoving activities, per the Agreement to Yolo County HCP/NCCP Joint Powers Agency. Credits will be purchased through the in-lieu fee program due to the lack of mitigation credits currently available at a bank. As of January 2007, the cost per acre for the in-lieu fee is \$8,660 payable to the Joint Powers Agency. Should the in-lieu fee be increased prior to clearance to grade the project site, the project proponent shall pay the in-lieu fee in effect at that time. The project proponent will issue a check to the Joint Powers Agency if mitigation is required. It is estimated that a total of 15.5 acres of Swainson's hawk foraging habitat would be removed as a result of the project. The applicant shall pay the in-lieu fee for the 15.5 acres based on the removal of this Swainson's hawk foraging habitat.</i></p> <p style="text-align: center;"><i>-Or-</i></p>			

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		<p><i>Prior to commencement of construction-related activities, the project proponent shall place and record one or more Conservation Easements that meet the acreage requirements of CDFG's Swainson's Hawk foraging habitat mitigation guidelines. The conservation easement(s) shall be executed by the project proponent and a Conservation operator. The City may, at its discretion, also be a party to the conservation easement(s). The conservation easement(s) shall be reviewed and approved in writing by CDFG prior to recordation for the purpose of confirming consistency. The purpose of the conservation easement(s) shall be to preserve the value of the land as foraging habitat for the Swainson's hawk.</i></p>	<p>Community Development Department CDFG</p>	<p>Prior to construction related activities</p>	
4.6-7	Potential Impacts to Tree Removal.	<p>4.6-7(a) <i>Prior to commencement of construction-related activities for the project including, but not limited to, grading, staging of materials, or earthmoving activities, a tree preservation plan, in compliance with Ordinance 37.03.010 in the City of Davis Municipal Code, shall be submitted to the Community Development Department and City Arborist for review and approval, which shall ensure the following measures:</i></p> <ul style="list-style-type: none"> • <i>Trees shall be cordoned off with chain link fence prior to construction as specified;</i> 	<p>Community Development Department City Arborist</p>	<p>Prior to construction related activities</p>	

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		<ul style="list-style-type: none"> • Soil compaction under trees is to be avoided; • The fence shall prevent equipment traffic and storage under the trees and should extend beyond the drip-line; • Excavation within this zone shall be accomplished by hand, and roots ½” and larger shall be preserved; • Proper fertilization and irrigation prior to and during the construction period shall be provided as specified; • New landscaping under existing trees shall be carefully planned to avoid any grade changes and any excess moisture in trunk area. Existing plants which have compatible irrigation requirements and which complement the trees’ color, texture and form are to be saved; • Trenching within the drip-line shall be performed only with prior approval of the Park and General Services Department. Boring is preferred when feasible; • All paving plans and specifications shall clearly prohibit the use of soil sterilants adjacent to preserved trees; and • Grade changes greater than one foot within the drip-line shall be avoided and nothing other than a saw shall be used for root cutting. 			

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		<p>4.6-7(b) <i>Prior to commencement of construction-related activities for the project including, but not limited to, grading, staging of materials, or earthmoving activities, a sheet shall be included with the project plans, which indicates all of the trees identified. The tree report with corresponding descriptions of each tree by species, health, etc. should also be included. In addition, notes shall be included on the plans which clearly state protection procedures for trees that are to be preserved. Any tree care practices, such as cutting of roots, pruning the top, etc., shall be adequately described and shall have the approval of a representative of the Parks and General Services Department prior to execution. In the event of damage to existing trees, a penalty clause shall be replacement tree(s) of equal size in D.B.H. unless specified otherwise by the Parks and General Services Department.</i></p>	<p>Parks and General Services Department</p>	<p>Prior to construction related activities</p>	
		<p>4.6-7(c) <i>Trees identified on the site as Trees of Significance, that are proposed for removal, shall be replaced either on site or at a nearby site deemed acceptable by the Director of the City of Davis Parks and General Services Department. The Director may require an in-lieu fee to be paid to the City of Davis Tree Preservation Fund instead of or in addition to tree replacement. The recommendations for</i></p>	<p>Parks and General Services Department City Arborist</p>	<p>Prior to issuance of grading permit</p>	

MITIGATION MONITORING PLAN WILDHORSE RANCH					
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		<p><i>avoidance of trees contained in Chapter 37 of the City of Davis Municipal Code (Tree Planting, Preservation, and Protection) should be adopted if feasible. If infeasible, the applicant should identify trees slated for removal on the site plan, including those with encroachments within 30-feet of the drip line of trees and develop a tree replacement plan that shall be reviewed and approved by the City prior to issuance of the grading permit. Tree replacement shall be implemented according to options outlined in Section 37.03.070 of the City's Municipal Code as follows:</i></p> <p><i>(i) Replanting a tree(s) on site: Trees shall be planted in number and size so that there is no net loss in tree diameter at breast height (DBH). For example, if one tree is removed with a 12-inch DBH size, mitigation may consist of a replacement of equal size, two trees each 6-inch DBH, or four trees each 3-inch DBH. The replanted tree(s) shall be minimum 5 gallon size and of a species that will eventually equal or exceed the removed tree in size.</i></p> <p><i>(ii) Replanting a tree(s) off site: If there is insufficient space on the property for the replacement tree(s), required planting shall occur on other property in the</i></p>			

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		<p><i>applicant's ownership or in City-owned open space or park, subject to the approval of the City Arborist and authorized property owners.</i></p> <p><i>(iii) Payment to the Tree Preservation Fund in lieu of replacement: If in the City Arborist's determination no feasible alternative exists to plant the required mitigation, or there are other considerations for alternative mitigation, the applicant shall pay into the Tree Preservation Fund an amount determined by the Director based upon the ISA appraisal guidelines or other approved method. If the Director approves another method of appraisal guideline, the Director shall publish notice of that approval and notify the permit applicant at the time the permit application is issued.</i></p>			
4.7 Aesthetics					
4.7-2	Construction-related impacts to surface water quality.	4.7-2(a) <i>Prior to issuance of the first building permit, the developer shall submit a street lighting plan for review and approval by the City Engineer. Street lightning shall be limited to reduced height low-profile fixtures. The Plan shall comply with Chapter 6 of the Davis Municipal Code- Article VIII: Outdoor Lighting Control.</i>	City Engineer	Prior to issuance of first building permit	

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		4.7-2(b) <i>Prior to the issuance of building permits, the developer shall submit a lighting plan for the review and approval of the Chief Building Official of the City of Davis. The lighting plan shall include shielding on all light fixtures and shall address-limiting light trespass and glare through the use of shielding and directional lighting methods, including but not limited to, fixture location and height. The Plan shall comply with Chapter 6 of the Davis Municipal Code- Article VIII: Outdoor Lighting Control.</i>	Chief Building Official	Prior to issuance of building permit	
4.8 Hydrology, Water Quality, and Drainage					
4.8-2	Increased stormwater runoff from the project site contributing to downstream flooding.	4.8-2 <i>In conjunction with the submittal of a tentative map, the project applicant shall submit a design-level engineering report on the stormwater detention and conveyance system to the City Engineer demonstrating that the proposed project peak flows into the existing 36-inch storm drain would not exceed 6.2 cfs. The report shall also demonstrate that peak flows from the site do not coincide with peak flows within Channel "A" and demonstrate how the system would function to adequately treat stormwater runoff prior to being discharged into Channel "A." Stormwater detention and conveyance plans shall be reviewed and approved by the City Engineer.</i>	City Engineer	In conjunction with tentative map submittal	
4.8-3	Construction-related impacts to surface water quality.	4.8-3 <i>Prior to commencement of construction, the applicant shall obtain a NPDES General Permit for Discharges of Storm Water Associated with Construction Activity</i>	State Water Resources Control Board (SWRCB)	Prior to construction and ground disturbance	

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		<i>(Construction General Permit), which pertains to pollution from grading and project construction. Compliance with the Permit requires the project applicant to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Storm Water Pollution Prevention Plan (SWPPP) prior to ground disturbance. The SWPPP would incorporate Best Management Practices (BMPs) in order to prevent, or reduce to the greatest extent feasible, adverse impacts to water quality from erosion and sedimentation. A copy of the SWPP including BMP implementation provisions shall be submitted to the Chief Building Official.</i>	Chief Building Official		
4.8-6	Cumulative impacts related to degradation of water quality.	4.8-6 Implement Mitigation Measures 4.8-2 and 4.8-3.	N/A	N/A	
4.9 Public Services and Facilities					
4.9-1	Ability of existing water conveyance facilities to meet project water demands.	4.9-1(a) <i>Prior to issuance of building permits, the East Area Tank, the East Area Main Upsize, and the West Area Main Upsize shall be included within the City's Capital Improvement Plan and fully funded for construction.</i>	City Engineer	Prior to issuance of building permits	
		4.9-1(b) <i>If the following is not included in the City's water connection charge at the time the water charge is paid for any unit in the project, then, in addition to the water connection charge, the project shall pay fair share fees for the</i>	City Engineer	At building permit issuance	

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		<i>above-listed improvements at the time of building permit issuance. This fair share shall include any additional costs that the City may incur to accelerate the timing of the above-listed projects.</i>			
4.9-2	Long-term availability of water supply to meet the project water demand.	4.9-2 <i>The project applicant shall pay fair share fees for the future water supply project(s) required to meet City demand beyond 2020 at the time of building permit issuance.</i>	City Engineer	Prior to issuance of building permits	
4.9-3	Increased demand for wastewater disposal.	4.9-3 <i>Prior to the approval of a tentative map for the Wildhorse Ranch project, the applicant shall submit a design-level wastewater report for the proposed project that demonstrates how the project's wastewater will be delivered to the Wastewater Treatment Plant. Included in the report shall be a determination of the capacity of downstream sewer lines and what improvements, if any, need to be constructed to accommodate and convey the project's additional wastewater, and the construction and operational costs of the options. The wastewater report shall be subject to approval by the City Engineer. The applicant shall be required to fully fund and construct the necessary wastewater improvements determined by the wastewater report.</i>	City Engineer	Prior to approval of tentative map	
4.9-4	Increased demand for fire protection services.	4.9-4 <i>Prior to the issuance of Certificates of Occupancy, the applicant shall pay all applicable major project impact fees per the impact fee schedule.</i>	Community Development Department	Prior to issuance of certificates of occupancy	

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4.9-6	Increased demand for school resources.	4.9-6 <i>Prior to the issuance of building permits, the applicant shall show proof to the Community Development Department of payment of current SB50 and AB 16 school impacts fees.</i>	Community Development Department	Prior to issuance of building permits	
4.9-8	Increased demand for park and recreation services and facilities.	4.9-8 <i>Prior to the issuance of Certificates of Occupancy, the applicant shall pay in-lieu Quimby fees for required park acreage.</i>	Community Development Department	Prior to issuance of certificates of occupancy	
4.10 Climate Change					
4.10-1	Project impacts concerning the production of Green House Gasses.	4.10-1 <i>In conjunction with the submittal of a Tentative Map for the proposed project, the project applicant shall submit, for the review and approval of the Community Development Department, a sustainability plan, which demonstrates that the proposed project does not conflict with the goals and strategies of Executive Order S-3-05, the Attorney General's suggested global warming mitigation measures, or City of Davis Resolution No. 08-166. The sustainability plan shall include, but not be limited to, the compliance measures listed in the right column of Table 4.10-6, which is labeled "Wildhorse Ranch Compliance."</i>	Community Development Department	In conjunction with submittal of Tentative Map	