

# 4

## MITIGATION MONITORING AND REPORTING PROGRAM

### 4.1 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 and Reporting Program (MMRP) for the 3820 Chiles Road Project. The intent of the MMRP is to ensure implementation of the mitigation measures identified within the Environmental Impact Report (EIR) for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the applicant.

### 4.2 COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the EIR for the 3820 Chiles Road Project prepared by the City of Davis. This MMRP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the EIR that was prepared for the proposed project.

The 3820 Chiles Road Project EIR presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA Guidelines, Section 15370, 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; or
- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMRP is to ensure the implementation of adopted mitigation measures. The MMRP 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 MMRP. The City will be responsible for monitoring compliance.

#### **4.3 MITIGATION MONITORING AND REPORTING PROGRAM**

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The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance. As discussed throughout the EIR, two development scenarios for the proposed project are currently being considered: the Preferred Site Plan and Alternative B. The following mitigation measures apply for both scenarios, unless otherwise noted.

<b>MITIGATION MONITORING AND REPORTING PROGRAM 3820 CHILES ROAD PROJECT</b>					
<b>Impact Number</b>	<b>Impact</b>	<b>Mitigation Measure</b>	<b>Monitoring Agency</b>	<b>Implementation Schedule</b>	<b>Sign-off</b>
<b>4.1 Air Quality</b>					
4.1-3	Expose sensitive receptors to substantial pollutant concentrations.	<p><i>4.1-3 Prior to approval of any grading plans, the project applicant shall show on the plans via notation that the contractor shall ensure that all off-road diesel-powered equipment over 25 horsepower to be used in the construction of the project (including owned, leased, and subcontractor equipment) shall meet California Air Resources Board (CARB) Tier 4 emissions standards or cleaner. The plans shall be submitted for review and approval to the Department of Community Development and Sustainability. In addition, all off-road equipment working at the construction site must be maintained in proper working condition according to manufacturer's specifications. Idling shall be limited to 5 minutes or less in accordance with the Off-Road Diesel Fueled Fleet Regulation as required by CARB.</i></p> <p><i>Portable equipment over 50 horsepower must have either a valid District Permit to Operate (PTO) or a valid statewide Portable Equipment Registration Program (PERP) placard and sticker issued by CARB.</i></p> <p><i>Idling shall be limited to five minutes or less for all on-road related and/or delivery trucks in accordance with CARB's On-Road Heavy-</i></p>	City of Davis Department of Community Development and Sustainability	Prior to approval of grading plans	

<b>MITIGATION MONITORING AND REPORTING PROGRAM 3820 CHILES ROAD PROJECT</b>					
<b>Impact Number</b>	<b>Impact</b>	<b>Mitigation Measure</b>	<b>Monitoring Agency</b>	<b>Implementation Schedule</b>	<b>Sign-off</b>
		<i>Duty Diesel Vehicles (In-Use) Regulation. Clear Signage regarding idling restrictions should be placed at the entrances to the construction site.</i>			
<b>4.2 Cultural Resources</b>					
4.2-1	Cause a substantial adverse change in the significance of a historical resource.	<p>4.2-1 <i>Prior to demolition of the existing on-site building, the applicant shall:</i></p> <p>a) <i>Retain a qualified architectural historian, as approved by the City of Davis Department of Community Development and Sustainability, to prepare a “Historic Documentation Report.” The report shall include current photographs of each building displaying each elevation, architectural details or features, and overview of the buildings, together with a textual description of the building along with additional history of the building, its principal architect or architects, and its original occupants. The photo-documentation shall be done in accordance to HABS/HAER guidelines, which should include archival quality negatives and prints. The final Report shall be made available electronically in addition to being deposited with the City of Davis Department of Community Development and Sustainability, the Hattie Weber Museum, the State Office of</i></p>	City of Davis Community Development and Sustainability Department	Prior to issuance of a demolition permit	

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		<p><i>Historic Preservation, University Collections, and other appropriate organizations and agencies as identified by the City of Davis Department of Community Development and Sustainability.</i></p> <p><i>b) Place and maintain a publicly accessible space for a memorial or interpretive plaque/display on or near the former location of the subject property, identifying the former location of the building, its original owner, and its historic significance as it relates to Postmodern architectural design. The location of the memorial or plaque/display and information provided therein shall be decided upon with recommendations from a subcommittee of the HRMC.</i></p>	<p>City of Davis Community Development and Sustainability Department</p>	<p>The memorial or interpretive plaque/display shall be shown on the final landscape plan</p>	
<b>4.4 Hydrology and Water Quality</b>					
4.4-1	Violate any water quality standards or waste discharge requirements, provide substantial additional sources of polluted runoff, or otherwise substantially degrade water quality through	<p><i>4.4-1 Prior to initiation of any ground disturbing activities, the project applicant shall prepare a SWPPP, and implement BMPs that comply with the Stormwater Construction General Permit from the RWQCB, to reduce water quality effects during construction. Such BMPs may include but not be limited to: temporary erosion control measures such as silt fences, staked straw bales/wattles,</i></p>	<p>City of Davis Department of Public Works  RWQCB</p>	<p>Prior to ground disturbing activities and prior to issuance of grading permits</p>	

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	erosion during construction.	<i>silt/sediment basins and traps, check dams, geofabric, sandbag dikes, watering down disturbed soil during grading activities, suspending grading or dirt disturbing activities during wind events in excess of 25 miles per hour, stabilized construction entrances, and temporary revegetation. Other BMPs may include, but be not limited to, good housekeeping practices such as concrete washout facilities, containerizing construction materials, keeping public street front clean of sediments, placing drainage inlet protection on any drainage inlets onsite or downstream of the project site, and having spill response kits on-site. The SWPPP shall be kept on-site and implemented during construction activities and shall be made available upon request to representatives of the City of Davis and/or RWQCB.</i>			
4.4-2	Violate any water quality standards or waste discharge requirements, provide substantial additional sources of polluted runoff, or otherwise substantially degrade water quality during operations.	4.4-2 <i>Prior to issuance of grading permits, the applicant shall submit to the City a final drainage plan, identifying permanent stormwater Treatment Control Measures, Site Design Measures, and Hydromodification Measures, for each Drainage Management Area to be implemented on the project, as well as a signed stormwater maintenance agreement and corresponding maintenance plan. The plan shall include Low Impact Development measures consistent with the Preliminary Utility Study prepared for the</i>	City of Davis Department of Public Works	Prior to issuance of grading permits	

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		<i>project and shall be subject to review and approval by the Public Works Department.</i>			
4.4-4	Substantially alter the existing drainage pattern of the site or area, or create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.	4.4-4 <i>Implement Mitigation Measure 4.4-2.</i>	See Mitigation Measure 4.4-2	See Mitigation Measure 4.4-2	
<b>4.6 Noise</b>					
4.6-1	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.	4.6-1 <i>Prior to issuance of any grading permit, the applicant shall submit proposed noise-reduction practices (to ensure the noise level at any point outside the property plane of the project shall not exceed 86 dBA) for review and approval by the Department of Community Development and Sustainability. One or more of the following measures shall be utilized to reduce the impact of construction noise (below the above stated property boundary standard):</i>	City of Davis Department of Community Development and Sustainability	Prior to issuance of grading permits	

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		<ul style="list-style-type: none"> <li>• <i>Electric construction equipment as an alternative to diesel-powered equipment.</i></li> <li>• <i>Sound-control devices on construction equipment.</i></li> <li>• <i>Muffled exhaust on construction equipment.</i></li> <li>• <i>Construction equipment staging and operation setbacks from nearby sensitive receptors.</i></li> <li>• <i>Limits on idling time for construction vehicles and equipment.</i></li> <li>• <i>Installation of acoustic barriers around stationary construction noise sources.</i></li> <li>• <i>Installation of temporary barriers between the project site and adjacent sensitive receptors.</i></li> </ul>			
4.6-2	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.	4.6-2 <i>Prior to issuance of grading permits, the following note shall be included on the Grading Plans submitted by the applicant for review and approval by the Director of Public Works: “Vibratory compactors shall maintain a minimum distance of 35-feet from any structures, and where possible, use rolling compactors or hand compacting within 50-feet of any structures.”</i>	City of Davis Department of Public Works	Prior to issuance of grading permits	
<b>4.7 Transportation and Circulation</b>					
4.7-4	Result in impacts related to construction	4.7-4 <i>Prior to demolition, the project applicant shall prepare a detailed Construction Traffic</i>	City of Davis Department of	Prior to demolition	



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	vehicle traffic.	<p><i>Control Plan and submit it for review and approval by the City Department of Public Works. The applicant and the City shall consult with Caltrans, Unitrans, Yolobus, and local emergency service providers for their input before approving the Plan. The Plan shall ensure that acceptable operating conditions on local roadways and freeway facilities are maintained during construction. At a minimum, the Plan shall include:</i></p> <ul style="list-style-type: none"> <li>• <i>The number of truck trips, time, and day of street closures;</i></li> <li>• <i>Time of day of arrival and departure of trucks;</i></li> <li>• <i>Limitations on the size and type of trucks, provision of a staging area with a limitation on the number of trucks that can be waiting;</i></li> <li>• <i>Provision of a truck circulation pattern;</i></li> <li>• <i>Provision of driveway access plan so that safe vehicular, pedestrian, and bicycle movements are maintained (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas);</i></li> <li>• <i>Maintain safe and efficient access routes for emergency vehicles;</i></li> <li>• <i>Manual traffic control when necessary;</i></li> </ul>	Public Works		

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		<ul style="list-style-type: none"> <li>• Proper advance warning and posted signage concerning street closures; and</li> <li>• Provisions for pedestrian and bicycle safety.</li> </ul> <p><i>A copy of the Construction Traffic Control Plan shall be submitted to local emergency response agencies and these agencies shall be notified at least 14 days before the commencement of construction that would partially or fully obstruct roadways.</i></p>			
<b>Initial Study</b>					
IV-a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.	<p><i>Swainson's Hawk</i></p> <p><i>IV-1(a) For construction activities occurring between March 15 and August 30, the project applicant shall retain a qualified biologist to conduct surveys for Swainson's hawk in accordance with the Swainson's Hawk Technical Advisory Committee 2000 guidelines (SHTAC 2000) or currently accepted guidance/industry standards, subject to review and approval by the Department of Community Development and Sustainability. Surveys shall encompass a 0.25-mile minimum radius around the construction area. If Swainson's hawk and/or Swainson's hawk nests are not observed during the survey, further mitigation is not</i></p>	<p>City of Davis Department of Community Development and Sustainability</p> <p>City of Davis Department of Public Works</p> <p>CDFW</p>	For construction activities occurring between March 15 and August 30	

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		<p><i>required. If nesting Swainson’s hawks are detected, a 0.25-mile, no-disturbance buffer should be established, depending on location. The buffer shall be maintained until a qualified biologist has determined that the young have fledged and are no longer reliant upon the nest or parental care for survival. The buffer distance may be reduced in consultation with CDFW and the Department of Community Development and Sustainability if an adequate visual buffer exists between the construction and an active nest, and if the nesting pair is not disturbed by the noise and activity on the construction site. This is done on a case-by-case basis if a nest has been established prior to or during construction.</i></p> <p><i>IV-1(b) If an active Swainson’s hawk nest is found within the project site and the nesting tree is to be removed during construction activities, removal shall take place only after (1) the qualified biologist has determined that the young have fledged (typically by August 31st) and are no longer reliant upon the nest or parental care for survival, and (2) outside of the Swainson’s hawk nesting season (March 15 to August 30). If any nesting tree is removed, a tree replacement plan shall be prepared, in consultation with CDFW and the Department of Community Development and</i></p>	<p>City of Davis Department of Community Development and Sustainability</p> <p>City of Davis Department of Public Works</p> <p>CDFW</p>	<p>During construction activities</p>	

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		<p><i>Sustainability, to replace the nest trees. The tree replacement plan shall require the nesting tree(s) be replaced on a 1:1 basis and planted at an on-site or off-site location selected by the project applicant in consultation with CDFW and the Department of Community Development and Sustainability. The tree replacement plan shall also require that a qualified biologist monitor any replacement trees on an annual basis for five years to ensure the survivability of replacement trees. Results of the monitoring shall be submitted to the Department of Community Development and Sustainability for review and approval.</i></p> <p><i>Burrowing Owl</i></p> <p><i>IV-2(a) The project applicant shall implement the following measures to avoid or minimize impacts to western burrowing owl:</i></p> <ul style="list-style-type: none"> <li><i>• No more than 14 days prior to initiation of ground disturbing activities, the project applicant shall retain a qualified burrowing owl biologist to conduct a take avoidance survey of the proposed project site, any off-site improvement areas, and all publicly accessible potential burrowing owl habitat within 500 feet</i></li> </ul>	<p>City of Davis Department of Community Development and Sustainability</p> <p>City of Davis Department of Public Works</p>	<p>No more than 14 days prior to initiation of ground disturbing activities</p>	

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		<p><i>of the project construction footprint. The survey shall be performed in accordance with the applicable sections of the March 7, 2012, CDFW's Staff Report on Burrowing Owl Mitigation guidelines. If the survey does not identify any nesting burrowing owls on the proposed project site, further mitigation is not required. The take avoidance survey shall be submitted to the City of Davis Department of Community Development and Sustainability for review. The survey periods and number of surveys are identified below:</i></p> <ul style="list-style-type: none"> <li><i>o If construction related activities commence during the non-breeding season (1 September to 31 January), a minimum of one take avoidance survey shall be conducted of that phase and all publicly accessible potential burrowing owl habitat within 500 feet of the construction footprint of that phase.</i></li> <li><i>o If construction related activities commence during the early breeding season (1 February to 15 April), a</i></li> </ul>			

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		<p style="text-align: center;"><i>minimum of one take avoidance survey shall be conducted of that phase and all publicly accessible potential burrowing owl habitat within 500 feet of the construction footprint of that phase.</i></p> <ul style="list-style-type: none"> <li><i>o If construction related activities commence during the breeding season (16 April to 30 August), a minimum of three take avoidance surveys shall be conducted of that phase and all publicly accessible potential burrowing owl habitat within 500 feet of the construction footprint of that phase. If construction related activities commence after 15 June, at least one of the three surveys shall be completed after 15 June.</i></li> <li><i>o Because the owls are known to occur nearby and may take up occupancy on a site under construction, the take avoidance survey shall be conducted prior to the start of any new phase, and/or if construction-related activity is delayed or suspended for more</i></li> </ul>			

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		<p style="text-align: center;"><i>than 30 days.</i></p> <ul style="list-style-type: none"> <li>• <i>If active burrowing owl dens are found within the survey area in an area where disturbance would occur, the project applicant shall implement measures consistent with the applicable portions of the March 7, 2012, CDFW's Staff Report on Burrowing Owl Mitigation guidelines. If needed, as determined by the biologist, the formulation of avoidance and minimization approaches would be developed in coordination with the CDFW. The avoidance and minimization approaches would likely include burrow avoidance buffers during the nesting season (February to August). For burrowing owls present on-site, outside of the nesting season, passive exclusion of owls from the burrows could be utilized under a CDFW-approved burrow exclusion plan.</i></li> </ul> <p><i>IV-2(b) If active owl burrows are present and the project would impact active burrows, the project applicant shall provide compensatory mitigation for the permanent loss of burrowing owl habitat at a ratio of 2.5 acres of higher quality owl habitat for every one acre of suitable owl habitat disturbed. The</i></p>			
			City of Davis Department of Community Development and Sustainability	If the project would impact active owl burrows, prior to the initiation of ground-disturbing	

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		<p><i>calculation of habitat loss may exclude acres currently occupied by hardscape or structures. Such mitigation may include the permanent protection of land that is deemed to be suitable burrowing owl habitat through a conservation easement deeded to a non-profit conservation organization or public agency with a conservation mission, or the purchase of burrowing owl conservation bank credits from a CDFW-approved burrowing owl conservation bank. A record of the compensatory mitigation provided by the project applicant shall be submitted to the City of Davis Department of Community Development and Sustainability prior to initiation of ground disturbing activities.</i></p> <p><i>Raptors and Nesting Migratory Birds</i></p> <p><b>IV-3</b> <i>The project applicant shall implement the following measures to avoid or minimize impacts to raptors and federally-protected nesting migratory birds:</i></p> <ul style="list-style-type: none"> <li>• <i>If any site disturbance or construction activity for any phase of development begins outside the February 1 to August 31 breeding season, a preconstruction survey for active nests shall not be required.</i></li> <li>• <i>If any site disturbance or construction</i></li> </ul>	<p>City of Davis Department of Community Development and Sustainability</p> <p>City of Davis Department of Public Works</p>	<p>activities</p> <p>For construction activities occurring between February 1 and August 31</p>	



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		<p><i>activity for any phase of development is scheduled to begin between February 1 and August 31, a qualified biologist shall conduct a preconstruction survey for active nests from publicly accessible areas within 14 days prior site disturbance or construction activity for any phase of development. The survey area shall cover the construction site and the area surrounding the construction site, including a 100-foot radius for MBTA birds, and a 500-foot radius for birds of prey. If an active nest of a bird of prey, MBTA bird, or other protected bird is not found, then further mitigation measures are not necessary. The preconstruction survey shall be submitted to the City of Davis Department of Community Development and Sustainability for review.</i></p> <ul style="list-style-type: none"> <li>• <i>If an active nest of a bird of prey, MBTA bird, or other protected bird is discovered that may be adversely affected by any site disturbance or construction or an injured or killed bird is found, the biologist shall notify the project applicant who shall immediately:               <ul style="list-style-type: none"> <li>o <i>Stop all work within a 100-foot</i></li> </ul> </i></li> </ul>			

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		<p style="text-align: center;"><i>radius of the discovery.</i></p> <ul style="list-style-type: none"> <li><i>o Notify the City of Davis Department of Community Development and Sustainability.</i></li> <li><i>o Do not resume work within the 100-foot radius until authorized by the biologist.</i></li> <li><i>o The biologist shall establish a minimum 500-foot Environmentally Sensitive Area (ESA) around the nest if the nest is of a bird of prey, and a minimum 100-foot ESA around the nest if the nest is of an MBTA bird other than a bird of prey. The ESA may be reduced if the biologist determines that a smaller ESA would still adequately protect the active nest. Further work may not occur within the ESA until the biologist determines that the nest is no longer active.</i></li> </ul> <p><i>Special-Status Bats</i></p> <p><i>IV-4 Before ground disturbance is initiated, a qualified biologist shall conduct a habitat assessment survey to determine whether the removal of trees greater than 10 inches in</i></p>			
			City of Davis Department of Community Development	Prior to ground disturbing activities	

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		<p><i>diameter at breast height (DBH) support bat roosts. Trees shall be surveyed within 14 days before the onset of construction. Surveys shall consist of daytime pedestrian surveys looking for potential roosting habitat such as branch and bole hollows, exfoliating bark and other crevices and cavities, and an evening emergence survey with acoustic equipment to note the presence or absence of bats. The emergence survey is necessary to survey for foliage-roosting bat species.</i></p> <p><i>If bats are not acoustically detected and potential roosting habitat is not identified, then further study and mitigation is not required. If evidence of bat use is detected, the biologist shall determine the approximate number and species of bats using the roost, and roost type (i.e., individual or maternity roost). A 100-foot buffer shall be created around the roost and project-related activities shall not occur within the buffer until after one of the steps below is performed:</i></p> <ul style="list-style-type: none"> <li><i>• A qualified biologist has determined that the roost is no longer in use.</i></li> <li><i>• A qualified biologist determines that bat exclusion is feasible and confirms that all bats have been excluded from the daytime roost. Bat exclusion shall</i></li> </ul>	<p>and Sustainability</p> <p>City of Davis Department of Public Works</p>		

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		<p><i>not occur between April 1 and September 15 (depending on type of roost and location), which coincides with the maternity season in California.</i></p> <ul style="list-style-type: none"> <li>• <i>Trees that potentially support active roosts have been removed. However, if bat roosts are detected on the project site, trees shall not be removed from April 1 to September 15 in order to avoid the maternity season. Subject to monitoring by a qualified biologist, trees that potentially support active roosts may be removed outside of the maternity season using procedures that create noise and cause vibration, which are designed to cause bats to leave potential roosts.</i></li> </ul> <p><i>Results of the habitat assessment survey shall be submitted to the City of Davis Department of Community Development and Sustainability for review.</i></p>			
IV-e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	<p><i>IV-5 The project applicant shall implement the following tree preservation measures prior to and during construction for all trees to be preserved on the proposed project site:</i></p> <ul style="list-style-type: none"> <li>• <i>Tree Protection Zones (TPZs): The surveyed trunk locations and TPZs / tree protection fencing shall be</i></li> </ul>	City of Davis Department of Community Development and Sustainability	Prior to and during construction and demolition activities	

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		<p><i>indicated on all construction plans for trees to be preserved;</i></p> <ul style="list-style-type: none"> <li>• <i>Modified TPZs: Modified TPZs are areas where proposed infrastructure is located within protection zones. These Modified TPZs and fencing shall be indicated as close to infrastructure as possible (minimize overbuild);</i></li> <li>• <i>The Consulting Arborist shall revise development impact assessment (as needed) for trees to be preserved once construction plans are drafted;</i></li> <li>• <i>Grading, compaction, trenching, rototilling, vehicle traffic, material storage, spoil, waste, or washout, or any other disturbance within TPZs shall be avoided to the maximum extent feasible;</i></li> <li>• <i>Any work that is to occur within the TPZs shall be monitored by the Consulting Arborist;</i></li> <li>• <i>A meeting shall be conducted to discuss tree preservation guidelines with the Consulting Arborist and all contractors, subcontractors, and project managers prior to the initiation of demolition and construction activities;</i></li> <li>• <i>Prior to any demolition activity on-site, tree protection fencing shall be installed in a circle centered at the</i></li> </ul>			

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		<p><i>tree trunk with a radius equal to the defined TPZ as indicated in the Arborist Report;</i></p> <ul style="list-style-type: none"> <li>• <i>Tree protection fences should be made of chain-link with posts sunk into the ground, and shall not be removed or moved until construction is complete;</i></li> <li>• <i>Any pruning shall be performed per recommendations in the Arborist Report by an ISA Certified Arborist or Tree Worker. Pruning for necessary clearance should be the minimum required to build the project and performed prior to demolition by an ISA Certified Arborist;</i></li> <li>• <i>If roots larger than 1.5 inches or limbs larger than 3 inches in diameter are cut or damaged during construction, the Consulting Arborist shall be contacted immediately to inspect and recommend appropriate remedial treatments; and</i></li> <li>• <i>All trees to be preserved shall be irrigated once every two weeks, spring through fall, to uniformly wet the soil to a depth of at least 18 inches under and beyond the canopies of the trees.</i></li> </ul> <p><i>The tree preservation measures shall be included in the notes on construction drawings.</i></p>			

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IV-f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan.	<i>IV-6 Should the Yolo Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) be adopted prior to initiation of any ground disturbing activities for any phase of development associated with the proposed project, the project applicant shall comply with the mitigation/conservation requirements of the Yolo HCP/NCCP, as applicable. The project applicant, the City of Davis Department of Community Development and Sustainability, and a representative from the YHC shall ensure that all mitigation/conservation requirements of the HCP/NCCP are adhered to prior to and during construction. To the extent there is duplication in mitigation for a given species, the requirements of the HCP/NCCP shall supersede.</i>	City of Davis Department of Community Development and Sustainability	Prior to initiation of ground disturbing activities, if the Yolo HCP/NCCP is adopted	
V-b,c,d.	Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5.  Directly or indirectly destroy a unique paleontological resource on site or unique geologic features.	<i>V-1 If any subsurface historic remains, prehistoric or historic artifacts, other indications of archaeological resources, or cultural and/or tribal resources are found during grading and construction activities, all work within 100 feet of the find shall cease, the City of Davis Department of Community Development and Sustainability shall be notified, and the applicant shall retain an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, to evaluate the</i>	City of Davis Department of Community Development and Sustainability  Yocha Dehe Wintun Nation	During grading and construction activities	

<b>MITIGATION MONITORING AND REPORTING PROGRAM 3820 CHILES ROAD PROJECT</b>					
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	Disturb any human remains, including those interred outside of formal cemeteries.	<p><i>find(s). If tribal resources are found during grading and construction activities, the applicant shall notify the Yocha Dehe Wintun Nation.</i></p> <p><i>The archaeologist shall define the physical extent and the nature of any built features or artifact-bearing deposits. The investigation shall proceed immediately into a formal evaluation to determine the eligibility of the feature(s) for inclusion in the California Register of Historical Resources. The formal evaluation shall include, at a minimum, additional exposure of the feature(s), photo-documentation and recordation, and analysis of the artifact assemblage(s). If the evaluation determines that the feature(s) and artifact(s) do not have sufficient data potential to be eligible for the California Register, additional work shall not be required. However, if data potential exists (e.g., an intact feature is identified with a large and varied artifact assemblage), further mitigation would be necessary, which might include avoidance of further disturbance to the resource(s) through project redesign. If avoidance is determined to be infeasible, additional data recovery excavations shall be conducted for the resource(s), to collect enough information to exhaust the data potential of those resources.</i></p>			



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		<p><i>Pursuant to CEQA Guidelines Section 15126.4(b)(3)(C), a data recovery plan, which makes provisions for adequately recovering the scientifically consequential information from and about the resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. Data recovery efforts can range from rapid photographic documentation to extensive excavation depending upon the physical nature of the resource. The degree of effort shall be determined at the discretion of a qualified archaeologist and should be sufficient to recover data considered important to the area's history and/or prehistory.</i></p> <p><i>Significance determinations for tribal cultural resources shall be measured in terms of criteria for inclusion on the California Register of Historical Resources (Title 14 CCR, §4852[a]), and the definition of tribal cultural resources set forth in Public Resources Code Section 21074 and 5020.1 (k). The evaluation of the tribal cultural resource(s) shall include culturally appropriate temporary and permanent treatment, which may include avoidance of tribal cultural resources, in-place</i></p>			

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		<p><i>preservation, and/or re-burial on project property so the resource(s) are not subject to further disturbance in perpetuity. Any re-burial shall occur at a location predetermined between the landowner and the Yocha Dehe Wintun Nation. The landowner shall relinquish ownership of all sacred items, burial goods, and all archaeological artifacts that are found on the project area to the Yocha Dehe Wintun Nation for proper treatment and disposition. If an artifact must be removed during project excavation or testing, curation may be an appropriate mitigation.</i></p> <p><i>The language of this mitigation measure shall be included on any future grading plans, utility plans, and subdivision improvement drawings approved by the City for the development of the proposed project site.</i></p>			
		<p>V-2 <i>If any vertebrate bones or teeth are found by the construction crew, the City of Davis Department of Community Development and Sustainability shall be notified and the contractor shall cease all work within 100 feet of the discovery until an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, inspects the discovery. If</i></p>	<p>City of Davis Department of Community Development and Sustainability</p> <p>The applicant shall retain a qualified</p>	<p>During construction</p>	

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		<p><i>deemed significant with respect to authenticity, completeness, preservation, and identification, the resource(s) shall then be salvaged and deposited in an accredited and permanent scientific institution (e.g., the University of California Museum of Paleontology), where it shall be properly curated and preserved for the benefit of current and future generations. The language of this mitigation measure shall be included on any future grading plans, utility plans, and subdivision improvement drawings approved for the proposed project site, where excavation work would be required.</i></p>	archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology		
		<p>V-3 <i>If human remains are discovered during project construction, further disturbance shall not occur within 100 feet of the vicinity of the find(s) until the Yolo County Coroner has made the necessary findings as to origin. (California Health and Safety Code Section 7050.5) Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Yolo County Coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) and the Yocha Dehe Wintun Nation must be contacted within 24 hours. The NAHC and</i></p>	<p>City of Davis Department of Community Development and Sustainability</p> <p>Yolo County Coroner</p> <p>NAHC</p> <p>Yocha Dehe Wintun Nation</p>	If human remains are discovered during construction	

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		<i>Yocha Dehe Wintun Nation must then identify the “most likely descendant(s)” (MLD). The landowner shall engage in consultations with the MLD. The MLD shall make recommendations concerning the treatment of the remains within 48 hours, as provided in Public Resources Code 5097.98.</i>			
VIII-b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.	<i>VIII-1 Prior to issuance of a demolition permit by the City for the existing on-site structure, the project applicant shall provide a site assessment that determines whether the structure contains lead-based paint. If the structure does not contain lead-based paint, further mitigation is not required. If lead-based paint is found, all loose and peeling paint shall be removed and disposed of by a licensed and certified lead paint removal contractor, in accordance with federal, State, and local regulations. The demolition contractor shall be informed that all paint on the buildings shall be considered as containing lead. The contractor shall take appropriate precautions to protect his/her workers, the surrounding community, and to dispose of construction waste containing lead paint in accordance with federal, State, and local regulations subject to approval by the City of Davis Department of Community Development and Sustainability.</i>	City of Davis Department of Community Development and Sustainability, Planning Division and Building Division	Prior to issuance of a demolition permit	

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		<p>VIII-2 <i>Prior to issuance of a demolition permit by the City for the existing on-site structure, the project applicant shall provide a site assessment that determines whether the structure contains asbestos. If the structure does not contain asbestos, further mitigation is not required. If asbestos-containing materials are detected, the applicant shall prepare and implement an asbestos abatement plan consistent with federal, State, and local standards, subject to approval by the City of Davis Department of Community Development and Sustainability, City Building Official, and the Yolo-Solano Air Quality Management District.</i></p> <p><i>Implementation of the asbestos abatement plan shall include the removal and disposal of the asbestos-containing materials by a licensed and certified asbestos removal contractor, in accordance with local, State, and federal regulations. The contractor shall take appropriate precautions to protect his/her workers, the surrounding community, and to dispose of construction waste containing asbestos in accordance with local, State, and federal regulations subject to approval by the City of Davis Department of Community Development and Sustainability, City Building Official, and the Yolo-Solano Air Quality Management District.</i></p>	<p>City of Davis Department of Community Development and Sustainability</p> <p>City of Davis Building Official</p> <p>YSAQMD</p>	<p>Prior to the issuance of a demolition permit</p>	

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X-c.	Conflict with any applicable habitat conservation plan or natural communities conservation plan.	<i>X-1 Implement Mitigation Measure IV-5.</i>	See Mitigation Measure IV-5	See Mitigation Measure IV-5	
XVII-a,b.	<p>Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).</p> <p>A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California</p>	<i>XVII-1. Implement Mitigation Measures V-1, V-2, and V-3.</i>	See Mitigation Measures V-1, V-2, and V-3	See Mitigation Measures V-1, V-2, and V-3	

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	Native American tribe.				