

## Mitigation Monitoring and Reporting Program Penstemon Place Project

December 30, 2021

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Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring/Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<b>III. AIR QUALITY</b>					
<b>Mitigation Measures:</b>					
<p><b>AQ-1:</b> During any construction period ground disturbance, the applicant shall ensure that the Project contractor implement measures to control dust and exhaust. Implementation of the City's Standard construction measures along with the measures recommended by BAAQMD, both listed below would reduce the air quality impacts associated with grading and new construction to a less than significant level. The contractor shall implement the following best management practices:</p> <ul style="list-style-type: none"> <li>• All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</li> <li>• Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</li> <li>• Post a sign visible from the public right-of-way providing contact information for construction-related complaints. Corrective action shall be implemented within 48 hours. The Air District's phone number shall be posted on the same sign to ensure compliance with applicable regulations.</li> </ul>	Require as condition of approval	Planning & Economic Development – Planning Division  Public Works – Engineering Development Services Division	During construction, Building and/or Public Works inspectors inspect the site for compliance with required construction control measures.	Stop construction	

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<p><b>AQ-2:</b> The Project shall implement the following plan, demonstrating that the off-road equipment used on-site to construct the Project would achieve a fleet-wide average 69 percent reduction in PM<sub>2.5</sub> exhaust emissions or greater. To achieve this reduction, the Project shall be required to:</p> <ul style="list-style-type: none"> <li>• Document that all mobile diesel-powered off-road equipment larger than 25 horsepower and operating on the site for more than two days continuously shall meet, at a minimum, U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent.</li> <li>• The construction contractor shall use other measures to minimize construction period DPM emission to reduce the predicted cancer risk below the thresholds including the use of equipment that includes CARB-certified Level 3 Diesel Particulate Filters[1] or alternatively-fueled equipment (i.e., non-diesel) to meet this requirement.</li> <li>• The contractor shall use added exhaust devices to reduce community risk impacts to less than significant.</li> </ul>	Require as condition of approval	Planning & Economic Development – Planning Division  Public Works – Engineering Development Services Division	During construction, Building and/or Public Works inspectors inspect the site for compliance with required construction control measures.	Stop construction	
<b>IV. BIOLOGICAL RESOURCES</b>					
<p><b>Mitigation Measures:</b></p> <p><b>BIO-1:</b> The wetland delineation report (WRA 2015) shall be submitted to the U.S. Army Corps of Engineers for verification. A permit from the U.S. Army Corps of Engineers, Regional Water Quality Control Board, and/or California Department of Fish and Wildlife shall be required to fill the 1.41 acres of seasonal wetland and 0.05 acre of perennial wetland (1.46 acres total) in the Project Area. Impacts to seasonal and perennial wetland features will be fully mitigated at a minimum 1:1 ratio on a functions and values basis (“no net loss”); however, the final wetland mitigation requirements is determined by the regulatory agencies during the permitting process. Required no net loss mitigation ratios shall be met by creating wetlands off-site (may require a higher than 1:1 replacement to impacts ratio,</p>	Require as a condition of approval	Applicant’s Biologist’s report submitted to Planning Division  Planning & Economic Development – Planning Division	Prior to issuance of building or grading permits. Planner to verify compliance with mitigation requirements.	Deny issuance of a permit until mitigation is verified.	

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<p>as determined by agencies) or purchasing wetland credits (1:1 ratio) from an established and agency approved wetland mitigation bank. Permits from agencies cannot be authorized until no net loss mitigation is determined to have been fulfilled by the agencies. Ultimate mitigation ratios are determined by the resource agencies (Corps and RWQCB) through the Section 404/401 permitting process. Once applications are submitted, the mitigation requirements are determined, not prior to submitting applications. The resource agencies dictate and approve which mitigation banks the applicant can purchase credits from based on the Project service area and credit availability.</p> <p><b>BIO-2:</b> The City of Santa Rosa Tree Ordinance requires that development proposals and subdivision applications preserve and protect heritage trees to the greatest extent feasible. The Project will preserve the three largest Valley Oaks, all heritage trees with diameters between 30" to 39" DBH. These trees are of good or excellent quality with expansive canopies; they are aesthetically significant to the site and represent the highest quality nesting habitat for wildlife. Four oaks along the project perimeter will be preserved but may decline due to the impact of construction within their root zone. The Project will obtain a tree removal permit from the City prior to the removal of any protected or heritage trees and will mitigate for these removals. As such, this impact would not conflict with local policies or ordinances.</p> <p>A tree removal permit shall be obtained from the City of Santa Rosa for any alteration, removal or relocation of any tree <del>including heritage, protected or street trees designated to remain</del>. The City of Santa Rosa requires replacement plantings or financial contributions as a condition of approval in order to mitigate for the loss of functions provided by trees to be removed including shade, erosion control, groundwater replenishment, visual screening, and wildlife habitat. Replacement trees shall be planted in accordance with the following criteria as stated in the City's Ordinance:</p>	<p>Require as a condition of approval</p>	<p>Applicant's Biologist's report submitted to Planning Division</p> <p>Planning &amp; Economic Development – Planning Division</p>	<p>Prior to issuance of building or grading permits. Planner to verify compliance with mitigation requirements.</p>	<p>Deny issuance of a permit until mitigation is verified.</p>	

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<p>a. For each 6 inches or fraction thereof of the diameter of a tree which was approved for removal, two trees of the same genus and species as the removed tree (or another species, if approved by the City), each of a minimum 15-gallon container size, shall be planted on the project site, provided however, that an increased number of smaller size trees of the same genus and species may be planted if approved by the City, or a fewer number of such trees of a larger size if approved by the City.</p> <p>b. If the development site is inadequate in size to accommodate the replacement trees, the trees shall be planted on public property with the approval of the Director of the City's Recreation and Parks Department. Upon the request of the developer and the approval of the Director, the City may accept an in-lieu payment of \$100.00 per 15-gallon replacement tree on condition that all such payments shall be used for tree-related educational projects and/or planting programs of the City.</p> <p>c. A consulting arborist shall be present during work done within their driplines to assess how many roots are encountered that must be cut. A note stating this will be printed on construction plans to alert the contractors and supervisors to schedule the arborist. If the trees are deemed by the arborist to be unstable or hazardous after that work they shall be removed and mitigated.</p> <p>d. Tree protection fencing shall be installed at the outer edge of the protected tree driplines prior to construction, or at the limit of required access on Linwood.</p>					
<p><b>BIO-3. Nesting Birds:</b> The following mitigation measures shall be implemented to avoid impacts to Allen's hummingbird, Nuttall's woodpecker, and nesting birds protected by the Migratory Bird Treaty Act and California Fish and Game Code.</p>	<p>Require as a condition of approval</p>	<p>Applicant's Biologist's report submitted to Planning Division</p> <p>Planning &amp;</p>	<p>Prior to issuance of building or grading permits. Planner to verify compliance with mitigation requirements.</p>	<p>Deny issuance of a permit until mitigation is verified.</p>	

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<p>a. If ground disturbance or vegetation removal is initiated in the non-breeding season (September 1 through January 31), no pre-construction surveys for nesting birds are required and no adverse impact to birds would result.</p> <p>b. If ground disturbance or removal of vegetation occurs in the breeding bird season (February 1 through August 31), pre-construction surveys following guidelines/protocols by CDFW shall be performed by a qualified biologist, including conducting the surveys no more than <del>10</del>44 days prior to commencement of such activities to determine the presence and location of nesting bird species. If active nests are present, standard nesting bird avoidance measures following CDFW guidelines will be implemented, including establishment of temporary no-work buffers around active nests will prevent adverse impacts to nesting birds. Appropriate buffer distance shall be determined by a qualified biologist and is dependent on species, surrounding vegetation, and topography. Once active nests become inactive, such as when young fledge the nest or the nest is subject to predation, work may continue in the buffer area and no adverse impact to birds will result.</p>		Economic Development – Planning Division			
<p><b>BIO-4. Special-Status Bat:</b> The following measures shall be implemented to avoid impacts to special-status bat species:</p> <p>a. Pre-construction roost assessment survey: A qualified biologist shall conduct a roost assessment survey of uninhabited residences located within the Project Area at least one week prior to initiation of construction. The survey will assess use of the structure for roosting as well as potential presence of bats. If the biologist finds no evidence of, or potential to support bat roosting, no further measures are recommended. If evidence of bat roosting</p>	Require as a condition of approval	Applicant's Biologist's report submitted to Planning Division  Planning & Economic Development – Planning Division	Prior to issuance of building or grading permits. Planner to verify compliance with mitigation requirements.	Deny issuance of a permit until mitigation is verified.	

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<p>is present, additional measures described below shall be implemented:</p> <ol style="list-style-type: none"> <li>1. Work activities outside the maternity roosting season: If evidence of bat roosting is discovered during the pre-construction roost assessment, <u>conducted no earlier than 10 days prior to demolition of existing structures</u>, and demolition is planned August 1 through mid-April (outside the bat maternity roosting season), a qualified biologist shall implement passive exclusion measures (i.e. sealing up points of ingress/egress) to prevent bats from re-entering the structures, or making the structures unsuitable to roosting (i.e. opening up the structures to excessive wind or light exposure which would limit temperature stability necessary for thermoregulation during roosting). After sufficient time to allow bats to escape and a follow-up survey to determine if bats have vacated the roost, demolition may continue and impacts to special-status bat species will be avoided.</li> <li>2. Work activities during the maternity roosting season: If a pre-construction roost assessment, <u>conducted 10 days prior to demolition</u>, discovers evidence of bat roosting in the uninhabited residences during the maternity roosting season (March 1 through July 31), and determines maternity roosting bats are present, demolition of maternity roost structures shall be avoided during the maternity roosting season or until a qualified biologist determines the roost has been vacated.</li> </ol>					
<b>IX HAZARDS AND HAZARDOUS MATERIALS</b>	nnn				

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<p><b>HAZ-1:</b> A Lead based Pain (LBP) survey shall be conducted within 6 months prior to any activities with the potential to disturb building materials to determine whether LBP is present. Further, in the event LBP is detected, the materials will be removed prior to any activities with the potential to disturb such materials.</p>	Require as a condition of project approval	Planning & Economic Development- Planning Division & County Environmental Health	Prior to issuance of building or grading permit, Planning to verify for compliance that site is LBP free.	Stop project until compliance is ensured	
<p><b>HAZ-2:</b> A comprehensive, pre-demolition ACM survey in accordance with the sampling protocol of the Asbestos Hazard Emergency Response Act shall be conducted within 6 months prior to any activities with the potential to disturb building materials to determine whether ACM are present. Further, in the event ACM is detected, the materials identified will be removed and disposed of prior to any activities with the potential to disturb such materials, in accordance with all applicable laws.</p>	Require as a condition of project approval	Planning & Economic Development- Planning Division & County Environmental Health	Prior to issuance of building or grading permit, Planning to verify for compliance that site is free of asbestos.	Stop project until compliance is ensured	
<b>XII. NOISE</b>					
<p><b>NOI-1: Mechanical Equipment.</b> Mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the City's noise level requirements. A qualified acoustical consultant shall be retained to review mechanical noise as these systems are selected to determine specific noise reduction measures necessary to reduce noise levels into compliance with the Noise Ordinance, City Code Chapter 17-16. Noise reduction measures could include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers such as enclosures and parapet walls to block the line-of-sight between the noise source and the nearest receptors. Alternate measures may include locating equipment in less noise-sensitive areas, where feasible.</p>	Require as condition of approval	Planning & Economic Development – Planning Division	Planning and Building to verify compliance with these conditions prior to issuance of a grading permit	Stop construction until compliance is ensured.	
<p><b>NOI-2: Interior/Exterior Noise Levels.</b> The following noise insulation features shall be incorporated into the proposed Project to reduce interior noise levels to 45</p>	Require as condition of approval	Planning & Economic Development –	Planning and Building to verify compliance with these conditions	Stop construction until compliance is ensured.	

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<p>dba DNL or less:</p> <ul style="list-style-type: none"> <li>a. Provide a suitable form of forced-air mechanical ventilation, as determined by the local building official, on the Project site, so that windows can be kept closed at the occupant's discretion to control interior noise and achieve the interior noise standards. While the first floor rooms would be mostly shielded, the upper floors would be closer in elevation to the roadway and would not receive the shielding from the fence. The forced-air mechanical ventilation would be required at the residences on Lots 35 through 46 to ensure the 45 dBA DNL interior noise level threshold is met within residences.</li> <li>b. A solid six-foot privacy fence will be constructed along the perimeter of the backyards of each residence. The 60 dBA DNL threshold for exterior use areas of single-family residences are typically applied at the center of outdoor use areas. For this reason, receptors were positioned at the center of each backyard for Lots 35 to 46 adjacent to the Farmers Lane extension, for Lots 1 through 24 and 34 along the northern perimeter, for Lots 47 through 59 near the southern perimeter, and for Lots 25 through 30 to represent the second row of homes from the Farmers Lane extension. The only backyard that exceeded 60 dBA DNL when no fence was modeled was Lot 46, and it exceeded the limit by 1 dBA. A 6-foot fence typically provides about 5 dBA of noise reduction but due to the elevation difference between the receptor and the roadway, the fence would provide a 2 dBA reduction. The resulting noise level would be 59 dBA DNL with the fence.</li> <li>c. It is recommended that the fence at the corner Lot 46 rap around to the side yard approximately 65 feet to provide maximum noise reduction. With the inclusion of acoustical shielding provided by this fence, the</li> </ul>		<p>Planning Division</p>	<p>prior to issuance of a grading permit</p>		



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<p>noise levels at the backyard of residence 46 would be less than 60 dBA DNL meeting the City's "normally acceptable" noise level threshold for private outdoor use areas in new single-family developments.</p> <p><b>NOI-3: Vibration</b> Prohibit the use of heavy vibration-generating construction equipment, such as vibratory rollers or the dropping of heavy objects, within 20 feet of any adjacent residences.</p> <p><b>NOI-4:</b> Construction Noise. Reasonable regulation of the hours of construction, as well as regulation of the arrival and operation of heavy equipment and the delivery of construction material, are necessary to protect the health and safety of persons, promote the general welfare of the community, and maintain the quality of life.</p> <p>The City shall require the contractor to adhere to the following construction best management practices to reduce construction noise levels emanating from the site and minimize disruption and annoyance at existing noise-sensitive receptors in the Project vicinity.</p> <ul style="list-style-type: none"> <li>a. Construction and noise-generating activities related to construction shall be limited to 7:00 a.m. to <del>6</del>7:00 pm. Monday through Friday, and 8:00 a.m. to <del>5</del>6:00 p.m. Saturday. No noise-generating activities relating to construction are permitted on Sundays and holidays.</li> <li>b. Avoid overlapping construction phases (the overlapping of the construction phases increases the number of potential pieces of large equipment that could be used simultaneously, which could increase noise levels by up to 8 dBA).</li> <li>c. Construct temporary noise barriers, to screen stationary noise-generating equipment. Assuming a height of 10 feet, temporary noise</li> </ul>	<p>Require as condition of approval</p> <p>Require as condition of approval</p>	<p>Planning &amp; Economic Development – Planning Division</p> <p>Planning &amp; Economic Development – Planning Division</p>	<p>Planning and Building to verify compliance with these conditions prior to issuance of a grading permit</p> <p>Planning and Building to verify compliance with these conditions prior to issuance of a grading permit</p>	<p>Stop construction until compliance is ensured.</p> <p>Stop construction until compliance is ensured.</p>	

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<p>barrier fences would provide at least 5 dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receiver and if the barrier is constructed in a manner that eliminates any cracks or gaps.</p> <p>d. Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.</p> <p>e. Unnecessary idling of internal combustion engines shall be strictly prohibited.</p> <p>f. Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.</p> <p>g. Utilize "quiet" air compressors and other stationary noise sources.</p> <p>h. Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the Project site during all Project construction.</p> <p>i. Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.</p> <p>j. Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the Project site.</p>					

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<p>k. The contractor shall prepare a detailed construction schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.</p> <p>l. Designate a "disturbance coordinator" who would be responsible for responding to all complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.</p>					
<b>XVI. TRANSPORTATION/TRAFFIC</b>					
<p><b>Mitigation Measures:</b></p> <p><b>TR-1:</b> The Project shall pay its fair share contribution to the intersection improvement <u>at Aston Avenue and Linwood Avenue</u> reducing the Project's impact to a level of less than significant. The Project's (proportional share has been calculated at 12.4% of the intersection improvement.</p> <p><b>TR-2:</b> The Project shall install stop signs and associated markings to convert the intersection of Linwood Avenue/Poinsettia Lane to all-way stop controls.</p>	<p>Require as condition of approval</p> <p>Require as condition of approval</p>	<p>Planning &amp; Economic Development – Planning Division</p> <p>Planning &amp; Economic Development – Planning Division</p>	<p>Prior to issuance of a building permit, planning shall ensure that compliance with this mitigation has been satisfied</p> <p>Prior to issuance of a building permit, planning shall ensure that compliance with this mitigation has been satisfied</p>	<p>Delay building permit until compliance is ensured</p> <p>Delay building permit until compliance is ensured</p>	