

City of El Cerrito

Urban Greening Plan
Mitigation Monitoring & Reporting Program

November 2015

This Mitigation Monitoring and Reporting Program (MMRP) has been developed based on the Initial Study Checklist/Mitigated Negative Declaration (IS/MND) prepared for the City of El Cerrito’s Urban Greening Plan. This MMRP is in compliance with Section 15097 of the CEQA Guidelines, which requires that the Lead Agency “adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” The MMRP table on the following pages lists mitigation measures identified in the Initial Study as necessary to mitigate potentially significant impacts evaluated in the IS/MND.

The first column of the table identifies the mitigation measure. The second column specifies the monitoring timing, responsible party (i.e., City department), and procedure for monitoring. The final set of columns provide spaces for comments, dates, and initials to be completed by the responsible party during construction and/or operation of the project, and to be used by the City to ensure that mitigation measures have been monitored.

<i>Section/ Mitigation Measure</i>	<i>Mitigation Monitoring</i>			<i>Reporting</i>	
	<i>Timing</i>	<i>Responsibility</i>	<i>Procedure</i>	<i>Comments</i>	<i>Date/ Initials</i>
Air Quality					
<p><u>AQ-1 – Air Quality Best Management Practices:</u> The construction contractor shall institute a dust control program, which shall be submitted to the City’s Community Development Department and approved prior to any construction activity. Elements of the dust and emissions control program shall include, but not be limited to, the following measures:</p> <ul style="list-style-type: none"> ▪ During construction, all exposed surfaces (e.g. parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered at least two times per day to control dust particulates. ▪ Cover all hauling trucks or maintain at least two feet of freeboard. ▪ Pave, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas. ▪ Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads. ▪ Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (i.e., previously graded areas that are inactive for 10 days or more). ▪ Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles. ▪ Limit traffic speeds on any unpaved roads to 15 mph. ▪ Replant vegetation in disturbed areas as quickly as possible. 	Prior to commencement of work and ongoing during grading and construction	Community Development Department	<p>Review and approval of dust control program and heavy-duty off-road vehicle reduced emissions proposal.</p> <p>Periodic inspections during construction.</p>		

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<ul style="list-style-type: none"> ▪ Suspend construction activities that cause visible dust plumes to extend beyond the construction site. ▪ Post a publically visible sign(s) with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations. ▪ The contractor shall provide a plan for approval by the Community Development Department or BAAQMD demonstrating that the heavy-duty (>50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOX reduction and 45 percent particulate reduction compared to the most recent CARB fleet average. ▪ Clear signage at all construction sites shall be posted indicating that diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were on-site or adjacent to the construction site. ▪ The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors). ▪ Properly tune and maintain equipment for low emissions. 					

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Biological Resources					
<p><u>BIO-1 – Nesting Birds</u>: The removal of trees, shrubs, or weedy vegetation shall be avoided during the February 1 through August 31 bird nesting period to the extent possible, except for in the case of an emergency. If no vegetation or tree removal is proposed during the nesting period, no further action is required. If it is not feasible to avoid the nesting period, the project applicant shall conduct a survey for nesting birds no sooner than 14 days prior to the start of removal of trees, shrubs, grassland vegetation, buildings, grading, or other construction activity. Survey results shall be valid for 21 days following the survey; therefore, if vegetation or building removal is not started within 21 days of the survey, another survey shall be required. The area surveyed shall include all construction sites, access roads, and staging areas, as well as areas within 150 feet outside the boundaries of the areas to be cleared or as otherwise determined by the biologist.</p> <p>In the event that an active nest is discovered in the areas to be cleared, or in other habitats within 150 feet of construction boundaries, clearing and construction shall be postponed for at least two weeks or until a wildlife biologist has determined that the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts.</p>	<p>Prior to commencement of work and removal of any vegetation (depending on timing of construction)</p>	<p>Community Development Department</p>	<p>Review biologist’s findings and conduct site visit</p>		

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<u>BIO-2 – Pre-Construction Survey for Bats:</u> A qualified biologist shall conduct pre-construction surveys for bats and suitable bat roosting habitat at work sites where culverts, structures and/or trees would be removed prior to the initiation of construction. If bats or suitable bat roosting habitat is detected, CDFW shall be notified immediately for consultation and possible on-site monitoring.	Prior to commencement of work	Community Development Department	Review biologist’s findings and CDFW’s determination		
<u>BIO-3 – Tree Replacement:</u> A certified arborist approved by the Public Works Department shall perform fieldwork that includes detailing the number of trees to be removed or affected and preserved within each project site. The results of this fieldwork shall form the basis for the appropriate tree replacement ratio. The findings of the field work and associated recommendations shall be reviewed by the Public Works Director for approval and implementation.	During project design phase	Community Development Department, Public Works Department	Review and approval of arborist’s findings, determine tree replacement ratio		
<u>BIO-4 – Tree Roots:</u> If trimming of roots greater than two inches in diameter is necessary during construction of the Project, a certified arborist approved by the Public Works Department shall be required to review and approve excavation plans and, if determined to be necessary by the arborist, shall be on site during construction to ensure that trimming does not cause an adverse impact to the trees.	During construction activities that affect mature trees	Community Development Department, Public Works Department	Review and approval arborist’s findings and approval of excavation plans		
Cultural Resources					
<u>CUL-1 – Archaeological Resources:</u> If a previously unknown, but potentially significant cultural resource is encountered during clearing, grading and subsurface earthwork activities for any project component, all construction activities within a 100-foot radius of the find shall cease until	During construction activities	Community Development Department	Periodic inspections during construction		

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<p>a qualified archaeologist determines whether the uncovered resource requires further study. The project proponent shall immediately notify the City of El Cerrito Community Development Director. The project applicant shall include a standard “Inadvertent Discovery Clause” in every construction contract to inform contractors of this requirement. Any previously undiscovered resources found during construction shall be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA criteria by a qualified archaeologist. Potentially significant cultural resources consist of but are not limited to stone, bone, glass, ceramic, wood, or shell artifacts; fossils; or features including hearths, structural remains, or historic dumpsites.</p> <p>If the resource is determined significant under CEQA, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan that will capture those categories of data for which the site is significant. The archaeologist shall also perform appropriate technical analyses, prepare a comprehensive report and file it with the appropriate Information Center (Sonoma State University), and provide for the permanent curation of the recovered materials.</p>					
<p><u>CUL-2 – Paleontological Resources:</u> In the event a fossil is discovered during any earthwork activities for the project components (including those occurring at depths of less than 10 feet), all excavations within 100 feet of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of</p>	During construction activities	Community Development Department	Periodic inspections during construction		

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Vertebrate Paleontology standards. The project applicant shall include a standard “Inadvertent Discovery Clause” in every construction contract to inform contractors of this requirement. The paleontologist shall notify the City of El Cerrito Community Development Director or designee to determine procedures to be followed before construction is allowed to resume at the location of the find. If the find is determined to be significant and the City determines that avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards. The plan shall be submitted to the City for review and approval. Upon approval, the plan shall be incorporated into the project.					
<u>CUL-3 – Human Remains</u> : If human remains are encountered during earth-disturbing activities for the Project, all work in the adjacent area shall stop immediately and the Alameda County Coroner’s office shall be notified immediately. This requirement shall be included in all project construction documents. If the remains are determined to be Native American in origin, the Native American Heritage Commission shall be notified and will identify the Most Likely Descendent, who will be consulted for recommendations for treatment of the discovered remains.	During construction activities	Community Development Department	Periodic inspections during construction		
Geology and Soils					
<u>GEO-1 – Geotechnical Investigation</u> : Prior to final design of improvements that involve significant ground disturbance, and substantial structures such as retaining walls, the City shall complete a geotechnical investigation, consistent with City of El Cerrito requirements, to identify design measures to mitigate impacts associated with poor soil conditions,	During project design phase	Public Works Department, Community Development Department	Review and approval of geotechnical investigation		

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unstable slopes, landslides, and earthquake related events such as groundshaking and ground failure, and implement those measures in the respective park, open space, and pedestrian improvements.					
Hazards and Hazardous Materials					
<u>HAZ-1 - Phase I and II Investigations:</u> Prior to construction of any improvements that require ground disturbance, lists of hazardous materials sites maintained by the California Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board (SWRCB) shall be consulted. Where a proposed facility is located on an identified site, follow up Phase I and as appropriate Phase II hazardous waste site investigations shall be completed if not already available. No disturbance of contaminated soil shall be permitted unless an approved site cleanup and remediation plan has been implemented for the identified hazardous waste site(s).	During project design phase	Public Works Department, Community Development Department	Review and approval of Phase I and/or II investigations		
<u>HAZ-2 – Community Garden Soil Evaluation:</u> Prior to approval of a permanent community garden on public property, the applicant shall prepare and provide documentation of the following U.S. Environmental Protection Agency recommendations for developing community gardens, to the satisfaction of the Community Development and Public Works Director: <ul style="list-style-type: none"> ▪ Research and submit the history of the property, which may include consultation of resources from the Department of Toxic Substances, State Water Resources Control Board resources, Sanborn or fire insurance maps, and City directories, in order to identify potential risks and contaminants for testing. 	During site selection phase and prior to project approval	Community Development Department, Public Works Department	Review and approval of due diligence/site investigation documentation, and cleanup measures, as relevant		

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<ul style="list-style-type: none"> ▪ Test soil at a laboratory to consider likely environmental contaminants, as well as macronutrients (nitrogen, phosphorus, potassium), micronutrients (magnesium, calcium, manganese, iron, etc.), Soil pH, and organic matter needed for healthy plant growth. ▪ If contaminants are at a level that need cleanup, applicant shall discuss with the City to determine whether an alternative site should be pursued, whether cleanup funds are available or can be attained, or whether above-ground rather than in-ground gardening should be pursued to reduce exposure to unsafe soils. In the latter instance, a water permeable fabric cover or geotextile may be utilized, or topsoil or clean fill added from certified soil sources (i.e., clean of any hazardous materials and safe for food production) to reduce exposures to soils of concern. 					
Noise					
<p><u>NS-1 – Noise Control Best Management Practices:</u> The construction contractor shall institute a noise control program, which shall be submitted to the Community Development Department and approved prior to any construction activity. Construction equipment shall be well-maintained and used judiciously to be as quiet as practical. The following measures, when applicable, are recommended as part of the noise control program to reduce noise from construction activities:</p> <ul style="list-style-type: none"> ▪ Equip all internal combustion engine-driven equipment with mufflers that are in good condition and appropriate for the equipment. ▪ Utilize “quiet” models of air compressors and other stationary noise sources where technology exists. 	Prior to commencement of work	Community Development Department, Public Works Department	Review and approval of noise control program. Periodic inspections during construction.		

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<ul style="list-style-type: none"> ▪ Locate stationary noise-generating equipment as far as feasible from sensitive receptors when sensitive receptors adjoin or are near a construction area. ▪ Prohibit unnecessary idling of internal combustion engines. ▪ A temporary noise control blanket barrier could be erected, if necessary, along building facades facing construction sites. This mitigation would only be necessary if conflicts occurred which were irresolvable by proper scheduling. ▪ Route construction-related traffic along major roadways and as far as feasible from sensitive receptors. ▪ Ensure that construction activities (including the loading and unloading of materials and truck movements) are limited to the hours specified in the Zoning Ordinance or determined in consultation with the Community Development Director. ▪ Businesses, residences, or noise-sensitive land uses adjacent to construction sites shall be notified of the construction schedule in writing. Designate a “construction liaison” who would be responsible for responding to any local complaints about construction noise. The liaison would determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem. Conspicuously post a telephone number for the liaison at the construction site. 					