

Mitigation Monitoring Reporting Program

<p>Department: Monterey County RMA - Public Works Condition Compliance & Mitigation Monitoring and/or Reporting Program</p>	<p>Project Name: Monterey County New Juvenile Hall File No: <u>Not Applicable</u> APN: 003-851-037-000 Approval by: <u>Monterey County Board of Supervisors</u> Date: _____</p>
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***Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21.081.6 of the Public Resources Code.**

Permit Cond. Number	Mitigation Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
	MM #1	<p>(Air Quality) To reduce generation of inhalable particulate matter (PM₁₀), the following measures will be included in contractor works specifications and implemented during construction activities:</p> <ul style="list-style-type: none"> • Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure; • Prohibit grading activities during periods of high wind (over 15 mph); • Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days); • Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydro seed area; 	<p>Monterey County RMA - Public Works will ensure that the particulate dust minimization measures are included in the contractor work specifications for the proposed project. Monterey County RMA – Public Works will also be responsible for monitoring construction activities to ensure that the minimization measures are being implemented. Contractor failure to comply with the requirements of the mitigation measure, will cause all work to be stopped until corrective actions are taken and confirmed by Monterey County RMA – Public Works</p>	County of Monterey	During construction activities	

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		<ul style="list-style-type: none"> • Haul trucks should maintain at least two feet of freeboard; • Cover all trucks hauling dirt, sand, or loose materials; • Plant vegetative ground cover in disturbed areas as soon as possible; • Cover inactive soil storage piles; • Install wheel washers at the entrance to construction sites for all exiting trucks; • Sweep streets if visible soil material is carried from the construction site; and • Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. 				
	MM #2	<p>(Biological Resources) If noise generation, ground disturbance, vegetation removal, or other construction activities begin during the nesting bird season (February 1 to September 15), or if construction activities are suspended for at least two weeks and recommence during the nesting bird season, the County will retain a qualified biologist to conduct a pre-construction survey for nesting birds. The survey will be performed</p>	<p>If grading activities begin outside of the nesting bird season, then no monitoring activities are necessary.</p> <p>If grading activities begin during the nesting bird season, then prior to the start of grading activities, Monterey County RMA - Public Works will document the conclusions of the pre-construction survey for nesting birds and submit a report to Monterey County RMA -</p>	County of Monterey	Prior to initial ground disturbance and/or start of noise generating activities	

MONTEREY COUNTY NEW JUVENILE HALL PROJECT MITIGATED NEGATIVE DECLARATION

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		<p>within suitable nesting habitat areas on and adjacent to the site to ensure that no active nests would be disturbed during project implementation. This survey will be conducted no more than two weeks prior to the initiation of disturbance and/or construction activities. A report documenting survey results and plan for active bird nest avoidance (if needed) will be completed by the qualified biologist and submitted to Monterey County RMA - Planning for review and approval prior to disturbance and/or construction activities.</p> <p>If no active bird nests are detected during the survey, then project activities can proceed as scheduled. However, if an active bird nest of a native species is detected during the survey, then a plan for active bird nest avoidance shall determine and clearly delineate an appropriately sized, temporary protective buffer area around each active nest, depending on the nesting bird species, existing site conditions, and type of proposed disturbance and/or construction activities. The protective buffer area around an active bird nest is typically 75-250 feet, determined at the discretion of the qualified biologist and in compliance with applicable project permits.</p>	<p>Planning. Failure to submit a report, or failure to comply with the requirements of the mitigation measure, will cause all work to be stopped until the report is received and approved by Monterey County RMA - Planning.</p>			

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		To ensure that no inadvertent impacts to an active bird nest will occur, no disturbance and/or construction activities will occur within the protective buffer area(s) until the juvenile birds have fledged (left the nest), and there is no evidence of a second attempt at nesting, as determined by the qualified biologist.				
	MM #3	(Biological Resources) To protect the special-status plant species with potential to occur on the project site, the presence/absence of Congdon’s tarplant in all non-native grassland habitats on the site shall be determined prior to construction activities. A qualified biologist shall conduct a focused botanical survey for this species in accordance with current CDFW and CNPS rare plant survey protocols during its peak blooming period (typically August to September). If the survey concludes that the species is not present on the site, then no further mitigation is required. The survey area is mapped as experiencing exceptional drought conditions according to the U.S. Drought Monitor. Blooming reference populations of the species should be first identified in the project vicinity to verify that the species is observable if present at the project site. If reference populations are observed, then the project site can be surveyed.	Monterey County RMA - Public Works will document the conclusions of the focused Congdon’s tarplant survey, develop a mitigation program if the species is found to be present, and submit a report to Monterey County RMA - Planning. Failure to submit a report, or failure to comply with the requirements of the mitigation measure, will cause all work to be stopped until the report is received and approved by Monterey County RMA - Planning.	County of Monterey	Prior to initial ground disturbance and/or start of noise generating activities	

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		<p>If this species occurs within the site and would be impacted by the proposed project, then appropriate mitigation will be developed and implemented. Mitigation may include, but not be limited to, the County contracting with a qualified biologist or native plant specialist to collect seed from the annual Congdon's tarplant individuals within the impact area prior to initiation of ground disturbance activities. The County would then oversee selection of an appropriate mitigation area in the project vicinity that is already preserved or will be protected in perpetuity through a conservation easement. Collected seed would be installed at the mitigation area at the optimal time. Topsoil from the project site would be salvaged (where practical) for use in the mitigation area.</p>				
	MM #4	<p>(Biological Resources) To assess whether the on-site ditch is jurisdictional, the County will retain a qualified biologist/wetland regulatory specialist to initiate informal discussions with the USACE, regional board, and CDFW for this purpose. If the drainage ditch is not determined to be jurisdictional by any of the agencies, no further action is necessary. If found to be jurisdictional, the County will initiate the appropriate permitting process(s) with the agency(s) taking</p>	<p>Monterey County RMA - Public Works will document whether the on-site swale is determined to be jurisdiction and if so, identify the type and timing of permitting requirements that must be satisfied. Monterey County RMA - Public Works will submit a report to Monterey County RMA – Planning with this information. Failure to submit a report, or failure to comply with the requirements of the mitigation measure, will</p>	County of Monterey	Prior to approval of a grading permit	

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		<p>jurisdiction. This may include retaining a qualified biologist/wetland regulatory specialist to conduct a jurisdictional wetland/waterway delineation to quantify project impacts to jurisdictional waters and submitting the delineation to the USACE for verification. If jurisdictional features are present, prior to approval of a grading permit, approval of a Section 404 permit from the USACE and a Section 401 permit from the regional board may be required. If CDFW also takes jurisdiction, a Streambed Alteration Agreement from the CDFW may also be required prior to approval of a grading permit.</p>	<p>cause all work that could impact the feature to be stopped until the report is received and approved by Monterey County RMA - Planning.</p>			
	<p>MM #5</p>	<p>(Biological Resources) Prior to removal of or potential damage to regulated oak trees that would result in their death, Monterey County RMA – Public Works will prepare a tree replacement plan that identifies locations on site where new replacement trees will be planted. The replacement plan will be implemented by the County prior to occupancy of the last new proposed housing building.</p> <p>Monterey County RMA – Public Works will be responsible for implementation of this mitigation measure.</p>	<p>Monterey County RMA - Public Works will identify replacement tree planting requirements and tree planting locations. Tree replacement plantings will be completed as soon as the planned planting sites are assured of no further disturbance by on-going construction activities, but no later than the occupancy of the last new proposed housing buildings. Failure to complete the tree plantings will cause all work to be stopped until corrective actions are taken.</p>	<p>County of Monterey</p>	<p>Prior to occupancy of the last new proposed housing building</p>	

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	MM #6	<p>(Cultural Resources) Due to the possibility that significant buried cultural resources might be found during construction, the following language shall be included as notes on all building and grading plans, subject to the review and approval of the Monterey County RMA - Planning Department:</p> <p>“If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County RMA - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.”</p>	<p>During grading and construction activities the contractor shall keep a certified daily log of each activity performed during construction including date and photographs, as necessary. Monthly reports shall be submitted to the Monterey County RMA - Planning Department. Failure to submit a report, or failure to comply with the requirements of the mitigation measure, shall cause all work to be stopped until the report is received and approved by the Monterey County RMA - Planning Department.</p>	County of Monterey	During grading and construction activities.	
	MM #7	<p>(Cultural Resources) If archaeological resources or human remains are accidentally discovered during construction, the following steps will be taken:</p>	<p>The requirement of this mitigation will be included as a note on all grading and building plans. During grading and construction activities, the contract shall report to</p>	County of Monterey	During grading and construction activities.	

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		<ul style="list-style-type: none"> • There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie the adjacent human remains until the coroner is contacted to determine that no investigation of the cause of death is required. • If the coroner determines the remains to be Native American: <ul style="list-style-type: none"> - The coroner shall contact the Native American Heritage Commission and RMA – Planning within 24 hours; - The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costonoans/Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendent; - The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993, or - Where the following conditions occur, the 	<p>Monterey County RMA – Public Works any accidental discovery of human remains. Failure to report a discovery will cause all work to be stopped until corrective actions are taken subject to review and approval of Monterey County RMA – Public Works.</p>			

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		<p>landowner or his authorized representatives shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:</p> <ol style="list-style-type: none"> 1. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission; 2. The descendent identified fails to make a recommendation; or 3. The landowner or his authorized representative rejects the recommendation of the descendent, and mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner. 				
	MM #8	(Hazards and Hazardous Materials) As part of the contractor work specifications for the proposed project, Monterey County RMA – Public Works will require that building demolition activities be implemented consistent with Monterey Bay Air Pollution Control District Rule 424 regarding asbestos containing	Monterey County RMA - Public Works will document the contractor’s completion of the demolition notification process prior to initiation of the demolition process. Failure of the contractor to submit a report or failure to comply with the requirements of the mitigation measure will cause all work to be	County of Monterey	Prior to initiation of building demolition activities	

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		materials. The contractor will complete the demolition notification process prior to initiating the demolition process.	stopped until the required documentation is submitted by the contractor or corrective actions are taken to ensure demolition is being conducted consistent with Rule 424 requirements.			
	MM #9	(Hazards and Hazardous Materials) As part of the contractor work specifications for the proposed project, Monterey County RMA – Public Works will require that building demolition activities are implemented consistent with state and federal regulations for the testing, handling, transport and disposal of materials containing lead based paint.	Monterey County RMA - Public Works will document the inclusion of the work specification contractor’s completion of the demolition notification process prior to initiation of the demolition process. Failure of the contractor to submit a report or failure to comply with the requirements of the mitigation measure will cause all work to be stopped until the required documentation is submitted by the contractor or corrective actions are taken to ensure demolition is being conducted consistent with state and federal regulations.	County of Monterey	Prior to and during the building demolition process	
	MM #10	(Noise) Prior to issuance of a grading permit for the proposed project, Monterey County RMA - Public Works will incorporate the following restrictions into the project plans and specifications to mitigate construction noise, subject to the review and approval of Monterey County RMA – Public Works: <ul style="list-style-type: none"> All construction equipment operated on the 	Monterey County RMA – Public Works shall include language within the project plans as required by the mitigation measure.	County of Monterey	Prior to issuance of grading or building permits	
			Monterey County RMA – Public Works shall submit evidence to the Monterey County RMA - Planning that the required restrictions have been incorporated into project plans and	County of Monterey	Prior to construction	

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		<p>project site shall be equipped to limit noise generation to a maximum of 85 decibels at a distance of 50 feet from the noise source. The contractor will prepare and submit a written roster of equipment anticipated to be used on the project site, including noise generation information on each for review and approval of Monterey County RMA - Planning. Only those pieces of equipment meeting the standards of this mitigation measure shall be permitted to operate. If equipment not meeting the noise standards is found to be operating on the project site, work shall be stopped until that equipment is removed or made to meet noise standards;</p> <ul style="list-style-type: none"> All noise-generating construction activities shall be limited to the hours between 7:00 am and 6:00 pm Monday through Saturday and construction will not be allowed on Sundays or on holidays; All internal combustion engine-driven equipment will be equipped with mufflers that are in good condition and appropriate for the equipment; Temporary berms or noise barriers, such as lumber or other material stockpiles will be utilized, where feasible; and 	<p>specifications.</p>			
			<p>The contractor shall keep a certified daily log of each activity performed during construction including date and photographs, as necessary. Monthly reports shall be submitted to Monterey County RMA - Planning. Failure to submit a report, or failure to comply with the requirements of the mitigation measure, shall cause all work to be stopped until the report is received and approved by Monterey County RMA - Planning.</p>	County of Monterey	During grading and construction	
			<p>Submit evidence to the Monterey County RMA - Planning that the required restrictions have been incorporated into project plans and specifications.</p>	County of Monterey	Prior to construction	
			<p>The contractor shall keep a certified daily log of each activity performed during construction including date and photographs, as necessary. Monthly reports shall be submitted to Monterey County RMA - Planning. Failure to submit a report, or failure to comply with the requirements of the mitigation measure, shall cause all work to be stopped until the report is received and approved by Monterey County RMA - Planning.</p>	County of Monterey	During grading and construction	

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		<ul style="list-style-type: none"> Stationary noise-generating equipment (e.g. generators and compressors) will be located as far as possible from sensitive receptors and housed in acoustical enclosures. 				
	MM #11	<p>(Transportation and Traffic) Prior to the commencement of construction activities, the County will pay the City of Salinas Traffic Impact Fee to contribute toward the transportation improvements identified in the City of Salinas Traffic Fee Ordinance Program for the Natividad Road/Laurel Drive intersection.</p>	<p>The County will pay the pro rata share City of Salinas traffic impact fee to City of Salinas, the County does not anticipate an increase in traffic or an associated City of Salinas required fee..</p>	County of Monterey	Prior to construction	