CHAPTER 4

MITIGATION MONITORING & REPORTING PROGRAM

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The following Mitigation Monitoring and Reporting Program (MMRP) was prepared in compliance with the requirements of Section (§) 21081.6 of the California Environmental Quality Act. This MMRP identifies specific funding, timing, and monitoring requirements for implementation of all mitigation measures identified in the Draft EIR for the proposed Orchard at Penryn project. The MMRP identifies the necessary timing of implementation, the party(ies) responsible for funding implementation, and the mechanisms for monitoring compliance with each mitigation measure.

4.1 STANDARD MITIGATION MONITORING PROGRAM

Placer County has adopted a standard mitigation monitoring program (*Placer County Code* Section 31.825). This program incorporates the most frequently implemented mitigation measures into the conditions of approval and entitlement processes. This program requires that mitigation measures recommended for discretionary projects, such as the Orchard at Penryn project, be included in the conditions of approval for those projects. Compliance with conditions of approval is monitored by the County through a variety of permit processes, including:

- Development Review Committee approval
- Improvement plans approval
- Improvements construction inspection
- Encroachment permit
- Final map recordation
- Acceptance of subdivision improvements as complete
- Building permit approval
- Certificates of Occupancy

The issuance of any of the listed permits or County actions must be preceded by verification by County staff that certain conditions of approval/mitigation measures have been met. This verification shall serve as the required monitoring for those conditions of approval/mitigation measures. All of the mitigation measures for the Orchard at Penryn project included in the Draft EIR would be monitored through the County's Standard Mitigation Monitoring Program. As indicated in the text of each mitigation measure, compliance with each would be verified by County staff prior to issuance of required approvals and permits. Sections 4.2 through 4.10 identify each mitigation measure that would be monitored through the County's Standard Mitigation Monitoring Program. In addition, some mitigation measures require ongoing implementation and would require monitoring after the point at which Certificates of Occupancy are issued. The monitoring and reporting mechanisms for these measures are addressed in Section 4.12.

4.2 MITIGATION MEASURES FOR BIOLOGICAL RESOURCES

Mitigation Measure 5.1a: As reflected in the proposed site plan, the project shall retain 0.08 acres of riparian habitat located in the central portion of the project site.

Mitigation Measure 5.1b: The project applicant shall obtain a Streambed Alteration Agreement from the California Department of Fish and Game (CDFG) to authorize impacts to the drainage swales and associated riparian habitat on the project site. The project applicant shall adhere to all conditions and requirements of the Streambed Alteration Agreement. Once acquired, the Streambed Alteration Agreement shall be submitted to the Placer County DRC prior to approval of Improvement Plans, issuance of grading permits, and/or any clearing, grading, or excavation work on the project site.

Mitigation Measure 5.1c: The project applicant shall implement one or a combination of the following measures to compensate for impacts to oak woodland habitat. Based on the proposed site plan the project would impact 6.41 acres of oak woodland habitat; however the final determination regarding the amount of oak woodland to be impacted and therefore mitigated will be based on impacts shown on the Improvement Plans. Prior to approval of Improvement Plans the applicant shall:

a. Submit payment of fees for oak woodland conservation at a 2:1 ratio, consistent with Section 12.16.080(C) of the *Placer County Code*. These fees shall be calculated based upon the current market value for similar oak woodland acreage preservation and an endowment to maintain the land in perpetuity; and/or

b. Purchase offsite conservation easements at a location approved by Placer County to mitigate the loss of oak woodlands at a 2:1 ratio; and/or

c. Provide for a combination of payment to the Tree Preservation Fund and creation of an offsite Oak Preservation Easement; and/or

d. Plant and maintain an appropriate number of trees in restoration of a former oak woodland (tree planting is limited to half the mitigation requirement and the location of any tree planting must be approved by Placer County).

Mitigation Measure 5.2a: The project applicant shall implement *Mitigation Measure 5.1c* which requires compensation for impacts to 6.41 acres of oak woodland habitat at a 2:1 ratio. Compensation may be through payment of fees, purchase of offsite conservation easements, or restoration of oak woodland habitat.

Mitigation Measure 5.3a: As reflected in the proposed site plan, the project shall retain 0.07 acres of wetland swale located in the central portion of the project site.

Mitigation Measure 5.3b: The project applicant shall obtain the appropriate permits from the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and the California Department of Fish and Game to authorize fill of onsite waters of the U.S. These impacts would require an Individual Permit from the Corps, a 401 Water Quality Certification from the Regional Water Quality Control Board, and Streambed Alteration Agreement from the California Department of Fish and Game. Once acquired, these permits shall be submitted to

the Placer County DRC prior to approval of Improvement Plans, issuance of grading permits, and/or any clearing, grading, or excavation work on the project site.

Mitigation Measure 5.3c: The project applicant shall carry out onsite replacement or offsite banking to mitigate for impacts to wetlands. Minimum replacement ratios shall be 1:1 for wetland habitat. The project applicant shall comply with the U.S. Army Corps of Engineers and County policies requiring "no net loss" of wetlands. The creation/restoration requirements shall be in compliance with the County's Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP) and the Programmatic Formal Endangered Species Act Consultation issued by the USFWS. If offsite mitigation is chosen, the project applicant shall provide written evidence that compensatory habitat has been established through the purchase of mitigation credits at a County-qualified wetlands mitigation bank. The amount of money required to purchase these credits shall be equal to the amount necessary to replace wetland or habitat acreage and value, including compensation for temporal loss. Evidence of payment, which describes the amount and type of habitat purchased at the bank site, shall be provided to the County prior to the issuance of grading permits.

Mitigation Measure 5.3d: In the event that the Placer County Conservation Program is adopted prior to commencement of ground disturbing activities associated with the proposed project, the project shall be developed in compliance with the County's Natural Communities Conservation Plan/Habitat Conservation Plan and the Programmatic Endangered Species Act Consultation issued by the U.S. Fish and Wildlife Service.

Mitigation Measure 5.3e: The project Improvement Plans shall incorporate Best Management Practices (BMPs) to protect water quality and control erosion and sedimentation of the preserved drainage swale and seasonal wetland onsite as well as drainageways adjacent to the site. BMPs shall be shown on Improvement Plans and subject to approval by the Placer County Planning Services Division and Engineering and Surveying Department (ESD). All BMPs shall be maintained as required to insure effectiveness. BMPs to minimize indirect impacts to federally-protected wetlands shall include the following measures:

A. Implementation of ***Mitigation Measure 10.2e,*** which requires the Improvement Plans to show all grading, drainage improvements, vegetation and tree removal, and revegetation of disturbed areas and requires that all work conform to provisions of the Placer County Grading Ordinance.

B. Implementation of ***Mitigation Measure 10.5d,*** which requires preparation and Air Pollution Control District approval of a dust and erosion control plan.

C. Implementation of ***Mitigation Measure 10.5e,*** which requires Improvement Plans to show appropriate design of water quality treatment facilities/Best Management Practices (BMPs) for project construction.

D. Implementation of ***Mitigation Measure 11.2a,*** which requires Improvement Plans to show appropriate design of water quality treatment facilities/Best Management Practices (BMPs) for project operation.

E. Implementation of ***Mitigation Measure 11.2c,*** which requires storm drain inlets and catch basins within the project area to be marked with language prohibiting dumping .

Mitigation Measure 5.4a: If site remediation, grading, or construction is to commence during the raptor nesting period (generally March 1 through August 31), the project applicant shall retain a qualified biologist to conduct pre-construction nesting raptor surveys within 30 days prior to the commencement of site preparation activities. The surveys shall confirm the presence or absence of nesting raptors. If an active nest(s) is located, a qualified biologist in consultation with the California Department of Fish and Game shall recommend a buffer area around the nest(s). The buffer area shall be delineated with orange construction fencing and no site remediation, grading, or construction shall take place within the buffer zone until the biologist has determined that all young have fledged and are capable of foraging independently.

Mitigation Measure 5.5a: The project applicant shall submit a tree removal exhibit to the Placer County Planning Services Division for review and approval prior to issuance of a grading permit, approval of the Improvement Plans, and/or any development activity onsite, including preliminary clearing or grading (in accordance with Section 36.400(B) of the County's mitigation program).

Mitigation Measure 5.5b: The project applicant shall implement *Mitigation Measure 5.1c,* which requires that impacts to oak woodland habitat be mitigated at a 2:1 ratio.

Mitigation Measure 5.5c: The project applicant shall mitigate impacts to large oak trees on an inch-per-inch basis. The project applicant shall plant replacement trees onsite or in an offsite location providing restoration of an approved former oak woodland, and/or shall contribute $100 for each diameter inch at breast height removed or impacted to the Placer County Tree Preservation Fund. The project must mitigate for a total of 124.2 tree diameter inches. Tree replacement and conservation mitigation fees shall be paid prior to the issuance of grading permits by Placer County. Any onsite replacement tree planting shall be included on the Improvement Plans for the proposed project. County approval of any offsite replacement tree planting shall also be obtained prior to issuance of grading permits by Placer County.

Mitigation Measure 5.5d: The project applicant shall implement *Mitigation Measure 5.3a,* which requires the applicant to obtain the appropriate permits from the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and the California Department of Fish and Game prior to issuance of grading permits, approval of Improvement Plans, and/or any clearing, grading, or excavation work on the project site.

Mitigation Measure 5.5e: The project applicant shall implement *Mitigation Measure 5.3b,* which requires the applicant to carry out onsite replacement or offsite banking to mitigate impacts to wetlands with a minimum replacement ratio of 1:1. This mitigation measure shall be implemented prior to issuance of grading permits.

Mitigation Measure 5.5f: The project applicant shall implement *Mitigation Measure 5.4a,* which requires pre-construction nesting raptor surveys within 30 days prior to the commencement of site preparation activities to confirm the presence or absence of nesting raptors if construction is to occur during the raptor nesting period (generally March 1 through August 31).

4.3 MITIGATION MEASURES FOR VISUAL RESOURCES

Mitigation Measure 6.1a: All buildings constructed onsite shall have a maximum height of 30 feet. Architectural features shall have a maximum height of 34.5 feet. As required by the *Horseshoe Bar/Penryn Community Plan*, the project shall maintain a 30-foot wide landscape corridor along the site's Penryn Road frontage. All buildings shall be set back from the northern and southern property lines by a minimum of 15 feet. All buildings shall be set back from the edge of the highway easement along Penryn Road by a minimum of 40 feet.

Mitigation Measure 6.1b: The project shall implement the proposed Landscaping Plan to provide visual screening of the project site and project structures from surrounding residential development. As required by the *Horseshoe Bar/Penryn Community Plan*, the project would maintain a 30-foot wide landscape corridor along the site's Penryn Road frontage. Rather than complete screening of the proposed project, the objective of vegetative screening is to reduce the visual contrast from open space and rural residential development on adjacent properties to the developed condition of the proposed project. Screening shall be provided through a combination of fencing, shrubs, and trees. Fencing shall be consistent with adopted Design Guidelines. Vegetation shall be selected with an emphasis on native species, as feasible, that will provide appropriate screening of the project site.

Mitigation Measure 6.1c: Prior to submittal of the Improvement Plans for the project, the applicant shall submit to the Planning Services Division a Design/Site Agreement Application to be reviewed and approved by the Design/Site Committee for the project. The review shall be conducted consistent with and in consideration of the design criteria for multi-family residential development contained in the *Placer County Design Guidelines*. Design Review shall include consideration of: architectural colors, materials, and textures; landscaping and irrigation; entry features and signs; exterior lighting; pedestrian and vehicular circulation; recreational facilities, fences and walls; all open space amenities; tree removal and replacement; and removal of riparian vegetation. The review shall ensure that the project is consistent with development policies contained in the Community Design Element of the *Horseshoe Bar/Penryn Community Plan*, including those specific to the Penryn Parkway land use designation.

Mitigation Measure 6.1d: Stockpiling and/or vehicle staging areas shall be identified on the Improvement Plans and located as far as practical from existing dwellings and protected resources in the area.

Initial Study Mitigation Measure I.1: The applicant shall submit lighting development standards for inclusion in the C.C. & R's. The standards shall be reviewed and approved by the DRC and shall include General Lighting Standards, Street Lighting Standards, Residential Standards, Prohibited Lgihting and Exemptions and shall insure that individual fixtures and lighting systems in the development will be designed, constructed and installed in a manner than controls glare and light trespass, minimizes obtrusive light and conserves energy and resources.

4.4 MITIGATION MEASURES FOR TRANSPORTATION AND CIRCULATION

Mitigation Measure 7.1a: This project will be subject to the payment of traffic impact fees that are in effect in this area (Newcastle/Horseshoe Bar/Penryn), pursuant to applicable

Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) will be required and shall be paid to Placer County Department of Public Works prior to issuance of Building Permits for the project:

A) ***County Wide Traffic Limitation Zone:*** Article 15.28.010, Placer County Code

B) ***South Placer Regional Transportation Authority (SPRTA)***

C) ***Placer County/City of Roseville JPA (PC/CR)***

The current total combined estimated fee is $702,790.20. The fees were calculated using the information supplied. If either the use or the square footage changes, then the fees will change. The actual fees paid will be those in effect at the time payment occurs.

Mitigation Measure 7.2a: The project applicant shall implement *Mitigation Measure 7.1a,* which requires payment of traffic impact fees.

4.5 MITIGATION MEASURES FOR AIR QUALITY

Mitigation Measure 8.1a: The project applicant shall use low-VOC or no-VOC paints, finishes, and adhesives in all building construction.

Mitigation Measure 8.1b: During implementation of the RAW, the project applicant shall implement the Erosion Prevention and Sediment Control Plan included as Appendix H of the RAW and any other measures included in the grading permit. Upon completion of site remediation, the applicant shall obtain a tentative "No Further Action" letter from DTSC, and shall begin site work and grading to support project construction in accordance with the approved Improvement Plans. If areas disturbed by RAW implementation are not subject to site work and grading to support project construction within 90 days of completion of site remediation activities, the project applicant shall revegetate those areas.

Mitigation Measure 8.1c: Prior to the approval of Improvement Plans, the project applicant shall submit a Construction Emission/Dust Control Plan to the Placer County APCD. This plan must address the minimum Administrative Requirements found in sections 300 and 400 of APCD Rule 228, Fugitive Dust, and shall include the following requirements:

1. Apply soil stabilizers to inactive areas;
2. Replace ground cover in disturbed areas quickly;
3. Water exposed surfaces three times daily;
4. Reduce speed on unpaved roads to less than 15 miles per hour; and
5. Manage haul road dust by watering twice daily.

Mitigation Measure 8.1d: Prior to the approval of Improvement Plans, the project applicant and/or prime contractor shall provide a plan to the Placer County APCD for approval by the APCD demonstrating that the heavy-duty (50 horsepower or greater) off-road vehicles to be used in site remediation and project construction, including owned, leased and subcontractor vehicles, will achieve a project-wide fleet average 20 percent NO_X reduction and 45 percent

particulate reduction compared to the most recent CARB fleet average. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.

Mitigation Measure 8.1e: Prior to the approval of Improvement Plans, the project applicant shall submit an enforcement plan to the APCD for review. The enforcement plan shall provide for weekly evaluation of project-related on-and-off- road heavy-duty vehicle engine emission opacities, using standards as defined in California Code of Regulations, Title 13, Sections 2180 – 2194 and APCD Rule 202. An Environmental Coordinator who is CARB-certified to perform Visible Emissions Evaluations shall be hired by the prime contractor or property owner. The Environmental Coordinator shall routinely evaluate project related off-road and heavy duty on-road equipment emissions for compliance with this requirement. Operators of vehicles and equipment found to exceed opacity limits will be notified by APCD. Use of any such vehicle and/or equipment must cease immediately, and the equipment must be repaired within 72 hours.

Mitigation Measure 8.1f: The applicant shall include the following standard notes on the Improvement Plans and Grading Plan and shall comply with each note throughout site remediation and project construction:

1. The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower of greater) that will be used an aggregate of 40 or more hours for site remediation and project construction. The inventory shall be updated, beginning 30 days after any initial work on site has begun, and shall be submitted on a monthly basis throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least three business days prior to the use of subject heavy-duty off-road equipment, the project representative shall provide the District with the anticipated construction timeline including start date, and name and phone number of the property owner, project manager, and onsite foreman.
2. Construction equipment exhaust emissions shall not exceed District Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits will be notified by APCD. Use of any such vehicle and/or equipment must cease immediately, and the vehicle and/or equipment must be repaired within 72 hours.
3. The contractor shall suspend all grading operations when fugitive dust exceeds Placer County APCD Rule 228 Fugitive Dust limitations. The prime contractor shall be responsible for having an individual who is CARB-certified to perform Visible Emissions Evaluations verify compliance with Rule 228 on a weekly basis. Fugitive dust must not exceed 40 percent opacity and must not go beyond the property boundary at any time. If lime or other drying agents are utilized to dry out wet grading areas they shall be controlled as to not to exceed Placer County APCD Rule 228 Fugitive Dust limitations.
4. The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) exceed 25 miles per hour and dust is impacting adjacent properties.

5. The contractor shall apply water to control dust a minimum of three times per day, as required by Rule 228 Fugitive Dust limitations, to prevent dust impacts offsite. Operational water truck(s) shall be onsite at all times to control fugitive dust. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked offsite.
6. The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall "wet broom" the streets if silt, dirt, mud or debris is carried over to adjacent public thoroughfares. Dry mechanical sweeping is prohibited.
7. During construction, no open burning of removed vegetation shall be allowed. All removed vegetative material shall be either chipped onsite or taken to an appropriate disposal site.
8. During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less.
9. During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel powered equipment.
10. The contractor shall use CARB ultra low diesel fuel for all diesel–powered equipment. In addition, low sulfur fuel shall be utilized for all stationary equipment.
11. The contractor shall utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary diesel power generators.
12. All onsite stationary equipment which is classified as 50 horsepower or greater shall either obtain a state-issued portable equipment permit or a Placer County APCD-issued portable equipment permit.

4.6 MITIGATION MEASURES FOR NOISE

Mitigation Measure 9.3a: Construction noise emanating from any construction activities for which a grading or building permit is required is prohibited on Sundays and federal Holidays, and shall occur only as follows:

a. Monday through Friday, 6:00 a.m. to 8:00 p.m. (during daylight savings)
b. Monday through Friday, 7:00 a.m. to 8:00 p.m. (during standard time)
c. Saturdays, 8:00 a.m. to 6:00 p.m.

Placer County Department of Environmental Health shall verify that these restrictions are indicated on the grading plans and Improvement Plans prior to approval of the Improvement Plans or issuance of a grading permit.

Mitigation Measure 9.3b: All construction equipment shall be fitted with factory installed muffling devices and all construction equipment shall be maintained in good working condition to lower the likelihood of any piece of equipment emitting noise beyond the standard dB level for that equipment.

Mitigation Measure 9.3c: Any blasting associated with the project shall be conducted in accordance with *Placer County General Plan* Policy 9.A.4.

Mitigation Measure 9.3d: Construction contracts, grading plans, and Improvement Plans shall stipulate that all site remediation and construction truck and equipment traffic (including soil hauling trucks) must access the project site from Interstate 80 and Penryn Road and shall not use Taylor Road or other local roadways.

4.7 MITIGATION MEASURES FOR GEOLOGY AND SOILS

Mitigation Measure ***10.2a:*** The project applicant shall implement *Mitigation Measure 8.1b,* which requires implementation of the Erosion Prevention and Sediment Control Plan included as Appendix H of the Removal Action Workplan and any other measures included in the grading permit during site remediation and grading.

Mitigation Measure 10.2b: The Improvement Plan submittal shall include a final geotechnical engineering report produced by a California Registered Civil Engineer or Geotechnical Engineer. The report shall address and make recommendations on the following:

a. Road, pavement, and parking area design
b. Structural foundations, including retaining wall design
c. Grading practices
d. Erosion/winterization
e. Special problems discovered onsite, (i.e., groundwater, expansive/unstable soils)
f. Slope stability

Once approved by the Engineering and Surveying Department (ESD), two copies of the final report shall be provided to the ESD and one copy to the Building Department for their use. If the soils report indicates the presence of critically expansive or other soils problems which, if not corrected, could lead to structural defects, a certification of completion of the requirements of the soils report will be required prior to issuance of Building Permits. This shall be so noted on any Codes, Covenants and Restrictions and on the Informational Sheet filed with the Final Map. It is the responsibility of the developer to provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the report.

Mitigation Measure 10.2c: Prior to Improvement Plan approval and/or issuance of a grading permit, Placer County shall verify that the applicant has obtained Department of Toxic Substances Control approval of the final Removal Action Workplan (RAW). The applicant shall submit the final RAW to Placer County.

Mitigation Measure 10.2d: The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual (LDM) that are in effect at the time of submittal) to the Engineering and Surveying Department for review and approval. All existing and proposed utilities and easements, onsite and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees and Placer County

Fire Department Improvement Plan review and inspection fees. (NOTE: Prior to plan approval, all applicable recording and reproduction cost shall be paid). The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. Design Review shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the Engineering and Surveying Department prior to acceptance by the County of site improvements.

Mitigation Measure 10.2e: All proposed grading, drainage improvements, vegetation and tree removal shall be shown on the Improvement Plans and all work shall conform to provisions of the Placer County Grading Ordinance (Ref. Article 15.48, formerly Chapter 29, Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the Development Review Committee (DRC). All cut/fill slopes shall be at 2:1 (horizontal:vertical) unless a soils report supports a steeper slope and Engineering and Surveying Department (ESD) concurs with said recommendation.

The applicant shall revegetate all disturbed areas in accordance with the Improvement Plans. Revegetation undertaken from April 1 to October 1 shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction. Where soil stockpiling or borrow areas are to remain for more than one construction season, proper erosion control measures shall be applied as specified in the Improvement Plans/Grading Plans. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the ESD.

The applicant shall submit to the ESD a letter of credit or cash deposit in the amount of 110% of an approved engineer's estimate for winterization and permanent erosion control work prior to Improvement Plan approval to guarantee protection against erosion and improper grading practices. Upon the County's acceptance of improvements, and satisfactory completion of a one-year maintenance period, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

If, at any time during construction, a field review by County personnel indicates a significant deviation from the proposed grading shown on the Improvement Plans, specifically with regard to slope heights, slope ratios, erosion control, winterization, tree disturbance, and/or pad elevations and configurations, the plans shall be reviewed by the DRC/ESD for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the DRC/ESD to make a determination of substantial conformance may serve as grounds for the revocation/modification of the project approval by the appropriate hearing body.

Mitigation Measure 10.5a: The project applicant shall implement *Mitigation Measure 8.1b,* which requires implementation of the RAW Erosion Prevention and Sediment Control Plan and any other measures included in the grading permit during site remediation.

Mitigation Measure 10.5b: The project applicant shall implement *Mitigation Measure 10.2d,* which requires that Improvement Plans be submitted to and approved by the County prior to commencement of site preparation and construction activities.

Mitigation Measure 10.5c: The project applicant shall implement *Mitigation Measure 10.2e,* which requires all site work to meet the *Placer County Grading Ordinance* requirements and identifies requirements for erosion control measures to be included in the project Improvement Plans.

Mitigation Measure 10.5d: A dust and erosion control plan shall be prepared and submitted to the Placer County Air Pollution Control District (APCD) for review and approval prior to approval of Improvement Plans and commencement of construction activities (including grading to support project construction but excluding implementation of the Removal Action Workplan). The dust control plan shall be submitted to the APCD no later than 45 days prior to groundbreaking. The applicant shall not break ground prior to receiving APCD approval of the dust control plan. The plan shall comply with Placer County's Erosion Control standards and the Placer County Grading Ordinance. The plan shall incorporate Best Management Practices (BMPs) for dust and erosion control during construction of site roadways and driveways, and during building pad grading. BMPs to minimize wind and water erosion shall include:

- Timing grading activities to minimize the amount of exposed areas during the wet season, to the extent feasible.
- Revegetating all areas that have been graded and will remain undeveloped during the rainy season by mid October. Revegetation shall use native vegetation. Revegetated areas shall be secured from the possibility of erosion.
- Preventing eroded soil from entering site drainageways through measures such as placement of hay bales or other acceptable materials such as sediment barriers, installation of temporary earth berms, use of fabric silt fences, spreading hay or straw on exposed areas, and/or development of temporary settling areas. Sediment collected at the erosion control sites shall be collected and disposed of once vegetation has become established.
- Preventing dust emissions through measures such as maintaining an operational water truck onsite at all times and applying water to areas prior to and after disturbance to maintain adequate moisture in the soil to avoid dust emissions; suspending construction activities during periods of high winds; installing wind barriers to prevent dust emissions from leaving the project site; restricting vehicle and equipment speed to 15 miles per hour in construction areas; and controlling storage piles by keeping them wet, establishing and maintaining surface crusting, covering with tarp or vegetative cover, or installing wind barriers of fifty percent porosity around three sides of the pile.

Mitigation Measure 10.5e: The Improvement Plans shall show that water quality treatment facilities/Best Management Practices (BMPs) shall be designed according to the guidance of the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development/Redevelopment, and for Industrial and Commercial (or other similar source as approved by the Engineering and Surveying Department). The Stormwater Quality Design Manual for the Sacramento and South Placer Regions is an additional guidance document that may be used as a reference for post construction BMPs.

Construction (temporary) BMPs for the project include, but are not limited to: Fiber Rolls (SE-5), Hydroseeding (EC-4), Stabilized Construction Entrance (LDM Place C-4), Straw Bale Barriers (SE-9), Storm Drain Inlet Protection (SE-10), Silt Fence (SE-1), revegetation techniques, dust control measures, and concrete washout areas.

Mitigation Measure 10.5f: Prior to Improvement Plan approval, the applicant shall obtain a State Regional Water Quality Control Board National Pollutant Discharge Elimination System construction stormwater quality permit and shall provide to the Engineering and Surveying Department evidence of a state-issued Waste Discharge Identification number or filing a Notice of Intent and fees.

Mitigation Measure 10.5g: The project applicant shall implement *Mitigation Measure 6.1d,* which requires that stockpiling areas be identified on the Improvement Plans and be located as far as practical from existing dwellings and protected resources.

Mitigation Measure 10.6a: The project applicant shall implement *Mitigation Measures 10.2d and e* which require that all grading and construction shall be in accordance with the Placer County Grading Ordinance and shown on the Improvement Plans, which must be approved by the County prior to commencement of construction activities (including grading to support project construction but excluding implementation of the RAW).

4.8 MITIGATION MEASURES FOR HYDROLOGY AND WATER QUALITY

Mitigation Measure 11.1a: The project applicant shall implement *Mitigation Measures 10.2d* and *10.e* which require that all proposed drainage improvements and vegetation removal be shown on Improvement Plans; that the applicant revegetate all disturbed areas and provide financial assurance for implementation of the erosion control plan; and that all site grading and construction activities conform to the approved Improvement Plans.

Mitigation Measure 11.1b: The Improvement Plan submittal shall include the submittal of a final drainage report in conformance with the requirements of Section 5 of the Land Development Manual and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to Placer County Engineering and Surveying Department for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the improvements, all appropriate calculations, a watershed map, increases in downstream flows, proposed on- and off-site improvements and drainage easements to accommodate flows from this project. The report shall identify water quality protection features and methods to be used both during construction and for long-term post-construction water quality protection. Best Management Practices measures shall be provided to reduce erosion, water quality degradation, and prevent the discharge of pollutants to stormwater to the maximum extent practicable.

Mitigation Measure 11.1c: The project applicant shall implement *Mitigation Measure 10.5f*, which requires the applicant to obtain a State Regional Water Quality Control Board National Pollutant Discharge Elimination System construction stormwater quality permit and provide appropriate documentation to the Placer County Engineering and Surveying Department.

Mitigation Measure 11.2a: The Improvement Plans shall show that water quality treatment facilities/Best Management Practices (BMPs) shall be designed according to the guidance of the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for New Development/Redevelopment, and for Industrial and Commercial (or other similar source as approved by the Engineering and Surveying Department (ESD)). The Stormwater Quality Design Manual for the Sacramento and South Placer Regions is an additional guidance document that may be used as a reference for post construction BMPs.

Storm drainage from on-site impervious surfaces shall be collected and routed through specially designed catch basins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc. for entrapment of sediment, debris and oils/greases or other identified pollutants, as approved by the ESD. BMPs shall be designed at a minimum in accordance with the Placer County Guidance Document for Volume and Flow-Based Sizing of Permanent Post-Construction Best Management Practices for Stormwater Quality Protection. Post-development (permanent) BMPs for the project include, but are not limited to: Vegetated Swales (TC-30), Detention Basins (TC-22), and Water Quality Inlets (TC-50). No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

All BMPs shall be maintained as required to insure effectiveness. The applicant shall provide for the establishment of vegetation, where specified, by means of proper irrigation. Proof of on-going maintenance, such as contractual evidence, shall be provided to ESD upon request. Maintenance of these facilities shall be provided by the project owners/permittees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. Prior to Improvement Plan or Final Map approval, easements shall be created and offered for dedication to the County for maintenance and access to these facilities in anticipation of possible County maintenance.

Mitigation Measure 11.2b: This project is located within the area covered by Placer County's municipal stormwater quality permit, pursuant to the National Pollutant Discharge Elimination System (NPDES) Phase II program. Project-related stormwater discharges are subject to all applicable requirements of said permit. Best Management Practices shall be designed to mitigate (minimize, infiltrate, filter, or treat) stormwater runoff in accordance with "Attachment 4" of Placer County's NPDES Municipal Stormwater Permit (State Water Resources Control Board NPDES General Permit No. CAS000004).

Mitigation Measure 11.2c: All storm drain inlets and catch basins within the project area shall be permanently marked/embossed with prohibitive language such as "No Dumping! Flows to Creek" or other language as approved by Placer County Engineering and Surveying Department (ESD) and/or graphical icons to discourage illegal dumping. Message details, placement, and locations shall be included on the Improvement Plans. Placer County ESD-approved signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, shall be posted at public access points along channels and creeks within the project area. The property owner and/or Homeowners' Association shall be responsible for maintaining the legibility of stamped messages and signs.

Mitigation Measure 11.2d: All stormwater runoff shall be diverted around trash storage areas to minimize contact with pollutants. Trash container areas shall be screened or walled to

prevent off-site transport of trash by the forces of water or wind. Trash containers shall not be allowed to leak and must remain covered when not in use.

Mitigation Measure 11.4a: Storm water run-off (including offsite pass through flow) shall be reduced to pre-project conditions through the installation of retention/detention facilities. Retention/detention facilities shall be designed in accordance with the requirements of the Placer County Storm Water Management Manual that are in effect at the time of submittal, and to the satisfaction of Placer County Engineering and Surveying Department. Maintenance of these facilities shall be provided by the project owners/permitees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. No detention facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

Mitigation Measure 11.4b: The project applicant shall implement *Mitigation Measure 11.1b,* which requires preparation and submittal of a final drainage report in conformance with the requirements of Section 5 of the Land Development Manual and the Placer County Storm Water Management Manual.

Mitigation Measure 11.5a: The project applicant shall design and construct the onsite drainage facilities (proposed underground stormdrain pipes) that are conveying the offsite, pass through, stormwater flows to accommodate the future, fully developed, unmitigated 100 year stormwater peak flows per the Placer County Stormwater Management Manual and to the satisfaction of the Engineering and Surveying Department and Placer County Flood Control District.

Mitigation Measure 11.5b: The project applicant shall prepare a final drainage report, which shall demonstrate that the proposed project will not increase the limits or water surface elevation of both offsite 100-year floodplains upstream and downstream of the project site to the satisfaction of the Engineering and Surveying Department and Placer County Flood Control District.

Mitigation Measure 11.5c: The project applicant shall show the limits of the future, unmitigated, fully developed 100-year floodplains onsite (after grading and installation of drainage improvements) and any identified 100-year overland release area for both the central and eastern floodplain on the Improvement Plans and Informational Sheet(s) filed with the Final Map and designate same as a building setback line unless greater setbacks are required. No housing or other improvements shall be constructed within these limits except as otherwise authorized by project approvals.

Mitigation Measure 11.6a: The project applicant shall implement *Mitigation Measure 11.2a,* which requires the Improvement Plans to include water quality treatment facilities and BMPs.

Mitigation Measure 11.6b: The project applicant shall implement *Mitigation Measures 11.1a* through *11.1c,* which stipulate compliance with the County's requirements related to Improvement Plans, provision of a final drainage report, and obtaining coverage under the NPDES program for site remediation and project construction activities.

Mitigation Measure 11.6c: The project applicant shall implement *Mitigation Measures 11.2a* through *11.2d,* which identify requirements related to BMP design and maintenance, stormdrain inlet markings, and design of trash storage areas.

4.9 MITIGATION MEASURES FOR HAZARDS AND HAZARDOUS MATERIALS

Mitigation Measure 13.1a: The project applicant shall obtain California Department of Toxic Substances Control (DTSC) approval of the final Removal Action Workplan (RAW) prior to Placer County's issuance of a grading permit authorizing commencement of site remediation activities. The project applicant shall implement the RAW and obtain certification from DTSC for unrestricted land use prior to Placer County's approval of Improvement Plans. The certification from DTSC may be in the form of a tentative No Further Action letter.

Mitigation Measure 13.2a: The project applicant shall obtain California Department of Toxic Substances Control approval of the final Removal Action Workplan (RAW) prior to issuance of a grading permit from Placer County. The project applicant shall implement the Transportation Plan included in Appendix G of the RAW.

Mitigation Measure 13.2b: Except during implementation of the Removal Action Workplan, the following Best Management Practices shall be implemented during all site preparation and construction activity within the project site to control pollutant sources associated with the handling and storage of construction materials and equipment, as well as with waste management and disposal.

1. Store construction raw materials (e.g., dry materials such as plaster and cement, pesticides and herbicides, paints, petroleum products, treated lumber) in designated areas that are located away from storm drain inlets, drainageways, and canals and are surrounded by earthen berms. Train the construction employees working on the site in proper materials handling practices to ensure that, to the maximum extent practicable, those materials that are spread throughout the site are covered with impervious tarps or stored inside buildings.
2. Whenever possible, wash out concrete trucks offsite in County designated areas. When the trucks are washed onsite, contain the wash water in a temporary pit adjacent to the construction activity where waste concrete can harden for later removal. Avoid washing fresh concrete from the trucks, unless the runoff is drained to a berm or level area, away from site waterways and storm drain inlets.
3. Collect non-hazardous waste construction materials (e.g., wood, paper, plastic, cleared trees and shrubs, building rubble, scrap metal, rubber, glass) and deposit in covered dumpsters at a designated waste storage area on the site. Store recyclable construction materials separately for recycling. Transport all solid waste and recyclable material to the Western Regional Sanitary Landfill and Materials Recovery Facility.
4. Store hazardous materials in portable metal sheds with secondary containment. The quantities of these materials stored on site shall reflect the quantities needed for site construction. Avoid over-application of fertilizers, herbicides, and pesticides. Do not mix hazardous waste with other waste produced onsite. Contract with a Certified Waste Collection contractor to collect hazardous wastes for disposal at an approved hazardous waste facility.

5. Dispose of waste oil and other equipment maintenance waste in compliance with federal, State and local laws, regulations and ordinances.

Mitigation Measure 13.3a: The project applicant shall implement *Mitigation Measure 13.1a*, which requires obtaining DTSC approval of the final RAW prior to issuance of a grading permit from Placer County, implementing the RAW, and obtaining certification from DTSC for unrestricted land use prior to issuance of a building permit from Placer County.

Mitigation Measure 13.3b: In constructing the stormwater detention basin and installing stormwater conveyance infrastructure, the project applicant shall implement the following Best Management Practices or other similar and equally effective practices in accordance with the recommendations of the *Best Management Practices for Mosquito Control in California* handbook (California Department of Public Health and Mosquito and Vector Control Association of California 2010).

A. Consider mosquito production during the design, construction, and maintenance of stormwater infrastructure.

B. All underground drain pipes should be laid to grade to avoid low areas that may hold water for longer than 96 hours

C. Provide proper grades along conveyance structures to ensure that water flows freely.

D. Design and maintain systems to fully discharge captured water in 96 hours or less.

E. Avoid the use of loose rock rip-rap that may hold standing water; use concrete or liners in shallow areas to discourage plant growth where vegetation is not necessary.

F. Design containment basins with adequate slopes to drain fully. The design slope should take into consideration buildup of sediment between maintenance periods

G. Design accessible shorelines to allow for periodic maintenance and/or control of emergent and shoreline vegetation, and routine monitoring and control of mosquitoes.

H. Whenever possible, design deep zones in excess of four feet to limit the spread of invasive emergent vegetation such as cattails. The edges below the water surface should be as steep as practicable and uniform to discourage dense plant growth that may provide immature mosquitoes with refuge from predators and increased nutrient availability.

I. Whenever possible, provide a means for easy dewatering if needed.

Mitigation Measure 13.3c: The applicant shall prepare a Mosquito Control Plan for administration by the Homeowners Association and/or Property Manager/Owner. This plan will describe various methods of managing the stormwater detention basin, stormwater conveyance infrastructure, and landscape irrigation system to reduce mosquito breeding. The management plan shall be reviewed and approved by the Placer Mosquito and Vector Control District prior to Improvement Plan approval. The management plan shall include the following Best Management Practices or other similar and equally effective practices in accordance with the recommendations of the *Best Management Practices for Mosquito Control in California* handbook (California Department of Public Health and Mosquito and Vector Control Association of California 2010).

A. Avoid over-irrigating to prevent excess pooling and runoff.

B. Routinely inspect, maintain, and repair irrigation system components; check and repair leaky outdoor faucets.

C. Manage sprinkler and irrigation systems to minimize runoff entering stormwater infrastructure.

D. Avoid intentionally running water into stormwater systems by not washing sidewalks and driveways; prohibit washing cars on streets or driveways.

E. Inspect facilities weekly during warm weather for the presence of standing water or immature mosquitoes.

F. Remove emergent vegetation and debris from gutters and channels that accumulate water.

G. Keep inlets free of accumulations of sediment, trash, and debris to prevent standing water from backing up on roadways and gutters.

H. Maintain accessible shorelines to allow for periodic maintenance and/or control of emergent and shoreline vegetation, and routine monitoring and control of mosquitoes. Emergent plant density should be routinely managed so mosquito predators can move throughout the vegetated areas and are not excluded from pond edges.

I. If applicable, maintain deep zones in excess of four feet to limit the spread of invasive emergent vegetation such as cattails.

J. Manage the spread and density of floating and submerged vegetation that

K. encourages mosquito production (i.e., water hyacinth, water primrose, parrot's

L. feather, duckweed, and filamentous algal mats

Mitigation Measure 13.3d: If siltation devices are installed with catch basins and other road drainage features, the developer and/or Homeowners Association and/or Property Manager/Owner shall provide periodic treatment, inspection, and vegetation removal when proscribed by the Placer Mosquito and Vector Control District to prevent development of mosquito habitat. Evidence of treatment shall be provided to the Placer Mosquito and Vector Control District upon request.

4.10 MITIGATION MEASURES FOR CUMULATIVE IMPACTS

Mitigation Measure 14.1a: The project applicant shall implement *Mitigation Measure 6.1a*, which requires minimum 15-foot building setbacks from the northern and southern property lines and minimum 40-foot building setbacks from the edge of the highway easement along Penryn Road.

Mitigation Measure 14.1b: The project applicant shall implement *Mitigation Measure 6.1b*, which requires implementation of the Landscaping Plan to provide visual screening of the project site and project structures

Mitigation Measure 14.1c: The project applicant shall implement *Mitigation Measure 6.1c*, which describes the requirement approval of a Design/Site Agreement for this project.

Mitigation Measure 14.2a: Prior to Improvement Plan approval, the applicant shall make a good faith effort to pay the Town of Loomis their fair share cost of $728 for constructing modified intersection geometries and signal phasing at the intersections of Taylor Road /King Road and Taylor Road/Horseshoe Bar Road. The fair share percentages are identified as 0.34% and 0.36%, respectively.

Mitigation Measure 14.2b: The project shall implement *Mitigation Measure 7.1a*, which requires the project to pay traffic impact fees that are in effect in this area (Newcastle/Horseshoe Bar/Penryn), pursuant to applicable Ordinances and Resolutions.

Mitigation Measure 14.3a: The project applicant shall implement *Mitigation Measure 14.2a* and *Mitigation Measure 7.1a*, which require payment of a proportionate share of the total cost for roadway facility improvements.

Mitigation Measure 14.4a: Prior to Improvement Plan approval, the project applicant shall implement one or more of the following mitigation strategies. The mitigation shall be sufficient to offset the amount of summertime project operation emissions of ROG and NO_X that exceed 10 pounds per day. The estimated amount that the mitigation must be sufficient to offset is 0.67 pounds per day of ROG and 0.17 pounds per day of NO_X, a total of 0.84 tons per day for a 182-day period (summer days).

a. Establish mitigation onsite by incorporating design features within the project. This may include, but not be limited to: "green" building features such solar panels, energy efficient heating and cooling, exceeding Title 24 standards, bike lanes, bus shelters, etc. NOTE: The specific amounts of "credits" received shall be established and coordinated through the Placer County Air Pollution Control District.

b. Establish mitigation offsite within west Placer County by participating in an offsite mitigation program, coordinated through the Placer County Air Pollution Control District. Examples include, but are not limited to participation in a "Biomass" program that provides emissions benefits; retrofitting, repowering, or replacing heavy duty engines from mobile sources (i.e. busses, construction equipment, road haulers); or other program that the project proponent may propose to reduce emissions.

c. Participate in the Placer County Air Pollution District Offsite Mitigation Program by paying the equivalent amount of money, which is equal to the project's contribution of pollutants (ROG and NO_X) in excess of the cumulative threshold of 10 pounds per day during summertime. The estimated payment for the proposed project is $12,012 based on $14,300 per ton for a 182-day period. The actual amount to be paid shall be determined, and satisfied per current California Air Resource Board guidelines, at the time of Improvement Plan approval.

4.11 MITIGATION MEASURES FOR PUBLIC SERVICES

Initial Study Mitigation Measure XIII.1: "Will serve" letters shall be provided from the appropriate service providers.

4.12 MITIGATION MEASURES REQUIRING ONGOING IMPLEMENTATION AND MONITORING

For a few mitigation measures, initial implementation of the measure would be monitored through the County's Standard Mitigation Monitoring Program but ongoing implementation of the measure would need to be monitored separately from the county's standard program. These measures require action to be taken past the point at which Certificates of Occupancy would be issued, and thus would fall outside the scope of the county's standard program. The following discussion identifies the mitigation measures that require ongoing implementation, the party(ies) responsible for funding implementation, the necessary timing of implementation that would occur outside the scope of the County's Standard Mitigation Monitoring Program, and the mechanisms for monitoring compliance with each mitigation measure.

Mitigation Measure 5.1c

This measure requires the project to compensate for impacts to oak woodland habitat. One method that may be included in the mitigation implementation is to "plant and maintain an appropriate number of trees in restoration of a former oak woodland." Should this method be implemented, tree planting must occur prior to issuance of grading permits, and monitoring of this implementation would occur under the County's Standard Mitigation Monitoring Program. Upon completion of construction, the Property Manager/Owner and/or Homeowner's Association would be responsible for monitoring the success of the restoration. Placer County would ensure that the appropriate party submits a monitoring report at least annually for five years. The monitoring report must be prepared by a qualified biological consultant.

Mitigation Measures 5.3c, 11.2a, 11.2b, 11.2c, and 11.2d

These measures require the project to construct post-development Best Management Practices (BMPs) to protect water quality and control erosion and sedimentation. The BMPs must be included on the project Improvement Plans, thus their installation would be monitored through the County's Standard Mitigation Monitoring Program. Long term maintenance of these BMPs is necessary to ensure their effectiveness. This would be the responsibility of the Property Owner/Manager and/or Homeowner's Association. Placer County would ensure that the appropriate party submits evidence of BMP maintenance upon request.

Mitigation Measure 11.4a

This measure requires the project to construct stormwater retention/detention facilities. Maintenance of these facilities must be provided by the project owners/permitees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. Placer County would ensure that the appropriate party submits evidence of retention/detention facility maintenance upon request.

Mitigation Measure 13.3c

This measure requires that the project applicant prepare a Mosquito Control Plan for administration by the Homeowners Association and/or Property Manager/Owner. This plan will describe various methods of managing the stormwater detention basin, stormwater conveyance infrastructure, and landscape irrigation system to reduce mosquito breeding. Placer County would ensure that the appropriate party submits evidence of implementing the management protocols for these mechanisms upon request.

Mitigation Measure 13.3d

This measure requires that the Homeowners Association and/or Property Manager/Owner provide periodic treatment, inspection, and vegetation removal of any siltation devices are installed with catch basins and other road drainage features. Placer County would ensure that the appropriate party submits evidence of implementing the management protocols for these mechanisms upon request.

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