

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

5.1 INTRODUCTION

The California Environmental Quality Act (CEQA) Guidelines, Section 15074(d), requires public agencies, as part of the adoption of a mitigated negative declaration, to adopt a reporting and monitoring program to ensure that changes made to the project as conditions of project approval to mitigate or avoid significant environmental effects are implemented.

The Mitigation Monitoring and Reporting Program (MMRP) contained herein is intended to satisfy the requirements of CEQA as they relate to Bond Road Widening (Bradshaw Road to Grant Line Road) Project in the City of Elk Grove. The MMRP is intended to be used by City staff, project contractors, and mitigation monitoring personnel during implementation of the project.

The MMRP will provide for monitoring of construction activities as necessary in-the-field identification and resolution of environmental concerns, and reporting to City staff. The MMRP will consist of the components described below.

5.2 COMPLIANCE CHECKLIST

Table 5-1 contains a compliance-monitoring checklist that provides a synopsis of all adopted mitigation measures, a suggested monitoring action, identification of agencies responsible for enforcement and monitoring, and timing of implementation.

5.3 FIELD MONITORING OF MITIGATION MEASURE IMPLEMENTATION

During construction of the project facilities, the City of Elk Grove's designated construction inspector will be responsible for monitoring the implementation of mitigation measures. The inspector will report to the City of Elk Grove Development Services – Public Works, and will be thoroughly familiar with all plans and requirements of the project. In addition, the inspector will be familiar with construction contract requirements, construction schedules, standard construction practices, and mitigation techniques. Aided by **Table 5-1**, the inspector will typically be responsible for the following activities:

- 1) On-site, day to day monitoring of construction activities;
- 2) Reviewing construction plans to ensure conformance with adopted mitigation measures;
- 3) Ensuring contractor knowledge of and compliance with all appropriate conditions of project approval;
- 4) Evaluating the adequacy of construction impact mitigation measures, and proposing improvements to the contractors and City staff;
- 5) Requiring correction of activities that violate project mitigation measures, or that represent unsafe or dangerous conditions. The inspector shall have the ability and authority to secure compliance with the conditions or standards through the City of Elk Grove Public Works Department, if necessary;
- 6) Acting in the role of contact for property owners or any other affected persons who wish to register observations of violations of project mitigation measures, or unsafe or dangerous conditions. Upon receiving any complaints, the inspector shall immediately contact the construction representative. The inspector shall be responsible for verifying any such observations and for developing any necessary corrective actions in

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consultation with the construction representative and the City of Elk Grove Public Works Department;

- 7) Maintaining prompt and regular communication with City staff;
- 8) Obtaining assistance as necessary from technical experts, such as archaeologists and wildlife biologists, to develop site-specific procedures for implementing the mitigation measures adopted by the City for the project. For example, it may be necessary at times for a wildlife biologist to work in the field with the inspector and construction contractor to explicitly identify and mark areas to be avoided during construction; and
- 9) Maintaining a log of all significant interactions, violations of permit conditions or mitigation measures, and necessary corrective measures.

5.4 PLAN CHECK

Many mitigation measures will be monitored via plan check during project implementation. City of Elk Grove Development Services staff will be responsible for monitoring plan check mitigation measures.

TABLE 5.0-1
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 BOND ROAD WIDENING (BRADSHAW TO GRANT LINE) PROJECT

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
<i>Visual Resources/Light and Glare</i>				
MM 4.3.1a	<p>The City shall retain, where feasible, all oak trees larger than six inches DBH and other large native and non-native trees. Where possible, the following measures shall be followed to protect trees identified for preservation:</p> <p>For trees within the project area that are designated for preservation, a temporary protective fencing shall be installed to protect tree drip lines in order to avoid damage to the tree canopies and root systems. Tree trunks shall be protected with trunk protection guards.</p> <p>Final Grading Plans shall show all protected trees, tree numbers, and protected drip line areas, and shall show the location of the required protective temporary fencing.</p> <p>Any protected trees on the site that require pruning shall be pruned under the direction of a certified arborist prior to the start of construction work in the area. All pruning shall be in accordance with American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines."</p> <ul style="list-style-type: none"> • No signs, ropes, cables (except those which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the trees. Small metallic numbering tags for the purpose of preparing tree reports and inventories shall be allowed. • Minimal grading (grade cuts or fills) shall be allowed within the drip lines of oak trees to construct walks and roadways. • Where soil compaction occurs within the drip line of an oak tree, take measures to restore soil condition, aeration, and permeability to water. • No parking or operating any motor vehicle within the drip line area of any oak tree, but if it is unavoidable, and compaction 	City of Elk Grove Development Services or designee	Prior to and throughout construction	

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	<p>may occur, the City must take measures to restore soil condition, aeration, and permeability to water.</p> <ul style="list-style-type: none"> • Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the drip line of any oak tree. • No trenching shall be allowed within the drip line of oak trees. If it is absolutely necessary to install underground utilities within the drip line of an oak tree, the utility line shall be bored or jacked under the supervision of a certified arborist. • The construction of impervious surfaces within the drip lines of oak trees shall be stringently minimized. When it is absolutely necessary, a piped aeration system per City standard detail shall be installed under the supervision of a certified arborist. • No sprinkler or irrigation system shall be installed in such a manner that it sprays water or requires trenching within the drip lines of oak trees. An above ground drip irrigation system is recommended. • During construction, normal watering frequency shall be maintained around oak trees. • Landscaping beneath oak trees may include non-plant materials such as bark mulch, wood chips, boulders, etc. The only plant species that shall be planted within the drip lines of oak trees are those that are tolerant of the natural semi-arid environment of the trees, as discussed in the City Tree Preservation Ordinance. Limited drip irrigation approximately twice per summer is recommended for the under story plants. • Weed control chemicals utilized prior to laying of new asphalt shall not be applied where they can leach into the drip line area of any tree. • Clearing of weeds and debris from the protected drip line area shall be done by hand. • Weed eaters shall be used to remove weeds and grasses so that the natural grades within protected drip line area will not be 			

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	<p>disturbed.</p> <ul style="list-style-type: none"> No storage of oil, fuel, concrete mix or any deleterious substance within the drip line of any oak tree. 			
<p>MM 4.3.1b</p>	<p>For trees that cannot be preserved on-site, a qualified biologist or certified arborist shall evaluate each tree identified for removal to assess the tree's potential for successful relocation away from the project impact area. If the tree is a candidate for relocation, the City shall relocate the tree whenever feasible. From surveys completed to date, eight (8) trees have been identified as candidates for relocation. If feasible, the City shall relocate these trees as part of the project.</p> <p>Monitoring for the success of relocated trees shall be conducted by a qualified biologist or certified arborist on a once-yearly basis for a period of five years after relocation. The survey shall assess the health and vigor of the tree and make a determination on if the tree is successfully establishing and growing. If a tree is found to be unsuccessful (i.e., dead or dying) at the end of the five-year period, the City shall compensate for the loss of the tree by planting replacement trees, either in or as near to the project area as possible, as required by the City of Elk Grove Tree Preservation Ordinance.</p>	<p>City of Elk Grove Development Services or designee</p>	<p>During development of the Tree Preservation and Mitigation Plan, during construction, and after completion of construction. Tree relocation shall occur prior to construction.</p>	
<p>MM 4.3.1c</p>	<p>When relocation is not feasible, or if a tree is not a candidate for successful relocation, then trees removed by the project shall be compensated for by planting of replacement trees per the requirements of the City of Elk Grove Tree Mitigation Policy and fees. To reestablish the aesthetic value of the trees removed and to encourage native tree regeneration, replacement trees shall be planted within the project area to the extent feasible. When it is not feasible to plant replacement trees within the project area, the replacement trees shall be planted as close to the project area as possible. Preference shall be given for use of the largest replacement trees available when selecting replacement trees. These trees shall be placed strategically to provide immediate visual benefit.</p> <p>Monitoring for the success of replacement trees shall occur on a once-yearly basis for a period of three years after planting. At the end of the three-year period, the replacement trees must demonstrate successful establishment to achieve a "no net loss" of trees (on a per-inch basis) from the project. If the success rate for the replacement trees is</p>	<p>City of Elk Grove Development Services or designee</p>	<p>During development of the Tree Preservation and Mitigation Plan, during construction, and after completion of construction.</p>	

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	unacceptable, the City shall consult with a certified arborist to evaluate the mitigation plan and determine appropriate remediation to achieve a “no net loss” of trees from the project.			
<i>Hazardous Materials/Risk of Upset</i>				
MM 4.4.1	If contaminated soil is encountered or if suspected contamination is encountered during project construction, work shall be halted in the area, and the type and extent of the contamination shall be identified. A qualified professional, in conformance with the applicable regulatory agency guidelines (EPA, California RWQCB, California Department of Toxic Substances Control, Sacramento County Environmental Management Department, and/or the Elk Grove Community Services District Fire Department) should develop a contingency plan to dispose of any contaminated soil.	City of Elk Grove Development Services or designee	During project design and construction	
MM 4.4.2	Prior to the start of construction, the construction contractor shall designate staging areas where fueling and oil-changing activities will take place. No fueling and oil-changing activities shall be permitted outside the designated staging areas. The staging areas, as much as practicable, shall be located on level terrain and away from sensitive land uses such as residences and schools. Staging areas shall not be located near any stream, channel, or wetland. All staging areas shall be identified in the Storm Water Pollution Prevention Plan (SWPPP), which shall be reviewed and approved by the City of Elk Grove as part of the NPDES permit process.	City of Elk Grove Development Services or designee	During project design and construction	
MM 4.4.3	The City of Elk Grove shall ensure through enforcement of contractual obligations that a survey be completed by the construction contractor to identify all water wells, septic systems and leach fields prior to any ground clearing and construction work. If the wells, septic systems or leach fields cannot be avoided by construction activities, then they shall be moved to another location on the parcel; or if not in use shall be removed or abandoned in place in accordance with all federal, state and local regulations prior to any ground disturbing activities. The relocation, removal or abandonment of the water wells; septic systems and leach fields shall be done at the City’s expense in coordination with the property owner.	City of Elk Grove Development Services or designee	During project design and construction	

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<i>Noise</i>				
MM 4.6.1a	Site preparation and construction activities shall be limited to between the hours of 7:00 A.M. to 7:00 P.M. whenever such activity is adjacent to residential uses (Elk Grove General Plan Policy NO-3-Action 1). Construction equipment maintenance shall be limited to the same hours. If nighttime work will be required, no construction equipment shall be used that would exceed the nighttime noise standard dBA.	City of Elk Grove Development Services or designee	Included as a note in all project construction plans during all construction phases of the project	
MM 4.6.1b	The project applicant shall prepare construction specifications that require the contractor to perform the following tasks: <ul style="list-style-type: none"> • Equip all construction equipment with appropriate mufflers in good working condition. • Locate stationary construction equipment and construction staging areas as far from residential and other noise sensitive uses as feasible. • Install temporary or portable acoustic barriers around the equipment and staging area when within 100 feet or less of residential properties or other sensitive uses. 	City of Elk Grove Development Services or designee	Included as a note in all grading and improvement plans during all grading and construction phases of the project	
MM 4.6.1c	Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted on a sign no larger than 4 foot by 8 foot at all construction entrances to allow for surrounding property owners to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party.	City of Elk Grove Development Services or designee	Included as a note in all project construction plans during all construction phases of the project	
<i>Hydrology and Water Quality</i>				
MM 4.8.1	The project would require an NPDES construction activities permit, which requires the project applicant and/or contractor to develop and implement a Storm Water Pollution Prevention Plan (SWPPP). Prior to the issuance of grading permits, the City or its contractor shall prepare a Storm Water Pollution and Prevention Plan (SWPPP) to be administered through all phases of grading and project construction. The SWPPP shall incorporate Best Management Practices (BMPs) which describe the site, erosion and sediment controls, means of waste disposal, control of post-construction sediment and erosion control measures and maintenance	City of Elk Grove Development Services or designee	Prior to and during construction activities	

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	<p>responsibilities, water quality monitoring and reporting during storm events (which will be responsibility of the construction contractor), corrective actions for identified water quality problems and non-storm water management controls. The SWPPP shall address spill prevention and include a countermeasure plan describing measures to ensure proper collection and disposal of all pollutants handled or produced on the site during construction, including sanitary wastes, cement, and petroleum products. The measures included in the SWPPP shall ensure compliance with applicable regional, state and federal water quality standards. These measures shall be consistent with the City's Guidance Manual for On-Site Stormwater Quality Control Measures and Land Grading and Erosion Control Ordinance which may include (1) restricting grading to the dry season; (2) protecting all finished graded slopes from erosion using such techniques as erosion control matting and hydro seeding; (3) protecting downstream storm drainage facilities from sedimentation; (4) use of silt fencing and hay bales to retain sediment on the project site; (5) use of temporary water conveyance and water diversion structures to eliminate runoff; and (6) any other suitable measures. The SWPPP shall be submitted to and approved by the City and the Central Valley RWQCB. The City shall require all construction contractors to retain a copy of the approved SWPPP on each construction site.</p>			
<p>MM 4.8.2</p>	<p>The City shall implement BMPs to ensure that long-term water quality is protected. The BMPs shall be designed; constructed and maintained to meet a performance standard established by the City and shall conform to the provisions of the City's NPDES permit. The City shall monitor the effectiveness of the BMPs selected. Monitoring activities, along with funding for monitoring, shall be established and shall include, but not be limited to, initial setup, annual maintenance, and annual monitoring.</p> <p>The project shall implement actions and procedures established to reduce the pollutant loadings in storm drain systems. The two main categories of these BMPs are "source control" and "treatment control." Treatment Control BMPs involve physical treatment of the runoff, usually through structural means. Source control BMPs are usually the most effective and economical in preventing pollutants from entering storm and non-storm runoff. Source control BMPs relevant to the proposed project that shall be implemented include, but are not limited to:</p>	<p>City of Elk Grove Development Services or designee</p>	<p>BMPs and implementation procedures shall be submitted and approved by the City and the RWQCB prior to and during construction activities; BMPs shall be implemented and monitored throughout the life of the project</p>	

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	<p>1) Provide a permanent storm drain message “No Dumping – Flows to Creek” or other approved message at each storm drain inlet. This may be accomplished with a stamped concrete impression (for curbs) or manufactured colored tiles, which are epoxied in place adjacent to the inlet (for parking lots and areas without curbs).</p> <p>2) Vegetated or rock lined swales and rock energy dissipaters shall be used and designed to provide filtration of pollutants in project runoff. The project engineer shall consult with the City when designing these features, and designs shall be submitted to the City for review and approval prior to approval of the project plans. Water quality control features shall be consistent with the City’s NPDES permit.</p> <p>3) Street and storm drain maintenance activities. These activities control the movement of pollutants and remove them from pavements through catch basin cleaning, storm drain flushing, street sweeping, and by regularly removing illegally dumped material from storm channels and creeks. (The City of Elk Grove would be responsible for regular storm drain maintenance within the public right of way).</p>			
<p>MM 4.8.3</p>	<p>The City shall conduct a comprehensive stormwater drainage runoff study subject to review and approval of the City Engineer.</p> <ul style="list-style-type: none"> • The report shall include an evaluation of existing drainage facilities, both onsite and offsite, that would be significantly affected by the proposed project. • The report shall demonstrate that permanent drainage facilities will adequately serve the project, and that there will be no increases in off-site flooding from the project. <p>The City shall be required to follow design standards in the City of Elk Grove <i>East Area Storm Drainage Master Plan (2005)</i> for 10-year and 100-year flood control facilities for roadways. The design of drainage facilities shall be done in coordination with City drainage/water quality staff so that the project drainage system would allow integration with the City planned detention basin (DET4) to be located on the north side of Bond Road near its intersection with Grant Line Road.</p>	<p>City of Elk Grove Development Services or designee</p>	<p>Prior to final project design</p>	

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	If the proposed project does result in downstream drainage impacts, the City would be required to detain stormwater flows and/or improve local drainage facilities to meet City standards. The City shall also provide and dedicate drainage easements and install facilities in accordance with City standards.			
MM 4.8.5	Implement mitigation measures MM 4.8.1, MM 4.8.2, and MM 4.8.3.	City of Elk Grove Development Services or designee	As stated in each Mitigation Measure	
<i>Biological and Natural Resources</i>				
MM 4.10.1a	If construction is proposed during the Swainson's Hawk breeding/nesting season (March 1 to September 15), two focused surveys for active nests shall be conducted within a 1.0-mile radius of the project site. The surveys shall take place at least one week apart within 30 days of construction, with the second taking place within two days prior to the start of construction. If active Swainson's hawks/raptors nests are found within 1.0-mile of the construction site, the City shall consult with CDFG and a qualified biologist shall be retained by the City and clearing and construction shall be postponed or halted within 250 feet of the nests (or another buffer acceptable by CDFG) until additional nesting attempts no longer occur. If a nest tree is found on the project site prior to construction and is proposed for removal, then appropriate permits from CDFG shall be obtained and mitigation implemented pursuant to CDFG guidelines. Periodic monitoring shall continue throughout construction to ensure no new nests are constructed once construction begins.	City of Elk Grove Development Services or designee; CDFG	Prior to any site disturbance	
MM 4.10.1b	<p>In order to mitigate for the loss of 1.58 acres of Swainson's hawk foraging habitat, the City shall implement one of the following approved mitigation alternatives. Prior to any site disturbance, such as clearing or grubbing, or other site improvements, whichever occurs first, the City shall:</p> <ul style="list-style-type: none"> • Preserve 1.0 acre of similar habitat for each acre lost. This land shall be protected through a fee title or conservation easement acceptable to the CDFG and the City of Elk Grove as set forth in Chapter 16.130.040(a) of the City of Elk Grove Municipal Code as such may be amended from time to time and to the extent that said Chapter remains in effect, OR 	City of Elk Grove Development Services or designee; CDFG	Prior to any site disturbance	

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	<ul style="list-style-type: none"> Submit payment of Swainson's hawk impact mitigation fee per acre of habitat impacted (payment shall be at a 1:1 ratio) to the City of Elk Grove in the amount set forth in Chapter 16.130 of the City of Elk Grove Code as such may be amended from time to time and to the extent that said chapter remains in effect. Submit proof that mitigation credits for Swainson's hawk foraging habitat have been purchased at a California Department of Fish and Game approved mitigation bank. 			
MM 4.10.2	<p>The City shall retain a qualified biologist to complete mitigation established by the DFG to "avoid and minimize impacts to burrowing owls at a project site and preserve habitat that will support viable owl populations." The biologist shall complete preconstruction surveys of suitable burrowing owl habitat at the project site and within surrounding areas (up to 150 feet outside the project area) no more than 30 days prior to ground disturbance activities. If burrowing owls are detected within the project area, the following shall apply (as outlined in DFG guidance):</p> <ul style="list-style-type: none"> During the nonbreeding season (September 1st through January 31st), no disturbance should occur within approximately 160-foot radius of an occupied burrow. During the nesting season (February 1st through August 31st), occupied burrows should not be disturbed within a 250-foot radius unless a qualified biologist approved by the DFG verifies through noninvasive methods that either (1) the birds have not begun egg-laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival; To offset the loss of foraging and burrow habitat on the project site, equivalent acres of foraging habitat per breeding pair or unpaired resident bird, should be acquired and permanently protected. The protected lands should be adjacent to occupied burrowing owl habitat and at a location acceptable to the DFG. Protection of additional habitat acreage per pair or unpaired resident bird may be applicable based on DFG guidance; When destruction of occupied burrows is unavoidable, existing unsuitable burrows should be enhanced (enlarged or cleared of debris) or new burrows created (by installing artificial burrows 	City of Elk Grove Development Services or designee; CDFG	Prior to any site disturbance and during construction activities	

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	<p>per DFG design specifications) at a ratio of 2:1 on the protected lands site;</p> <ul style="list-style-type: none"> • If owls must be moved away from the disturbance area, passive relocation techniques (as outlined by the DFG [i.e., use of one-way doors]) should be used rather than trapping. At least one or more weeks will be necessary to accomplish this and allow the owls to acclimate to alternate burrows. • If no burrowing owls are detected during the preconstruction survey, no further action is necessary. 			
MM 4.10.3	<p>If construction is proposed during the raptor breeding/nesting season (typically March 1 through August 31), a focused survey for active nests of raptors and migratory birds within and in the vicinity of (no less than 100-feet outside project boundaries, where possible) the project site shall be conducted within 30 days prior to the beginning of construction activities by a qualified biologist. If an active nest is located during preconstruction surveys, USFWS and/or DFG (as appropriate) shall be notified regarding the status of the nest. Furthermore, construction activities shall be restricted as necessary to avoid disturbance of the nest until it is abandoned or the biologist deems disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 100-feet around the nest) or alteration of the construction schedule.</p> <p>No action is necessary if no active nests are found or if construction will occur during the nonbreeding season (generally September 1 through February 28).</p>	City of Elk Grove Development Services or designee; CDFG; USFWS	Prior to any site disturbance and during construction activities	
MM 4.10.4	<p>A report for Delineation of Waters of the US, Including Wetlands shall be completed and submitted to the ACOE for verification. Following verification, the City shall consult with the ACOE using the wetland delineation and following ACOE guidelines to establish actual acreage of potential impact to jurisdictional waters of the US and wetlands from project activities. For jurisdictional waters and wetlands that cannot be avoided, a no net loss of wetlands policy shall be employed and the appropriate permits (i.e., Section 404 and 401 under the Clean Water Act,) shall be obtained prior to site disturbance and the start of construction.</p>	City of Elk Grove Development Services or designee; ACOE	Prior to any site disturbance and during project construction	

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	The City shall comply with all permit conditions and employ best management practices and measures (established by the ACOE) to minimize and compensate for potential impact to any jurisdictional waters. In addition, wetland delineation and mitigation details shall be noted on the design plans for the proposed project.			
MM 4.10.5	Implement mitigation measures MM 4.10.1 through MM 4.10.4, and MM 4.3.1a through 4.3.1c.	City of Elk Grove Development Services or designee	As provided in each Mitigation Measure	