

MITIGATION MONITORING AND REPORTING PLAN

PROJECT NAME: Proposed Single-Family Dwelling, ADDRESS: 100 Juanita Avenue, Pacifica, California 94044
(APN 018-160-070)

APPROVAL DATE: February 23, 2007 EIR OR NEGDEC.: Mitigated Negative Declaration

MITIGATION MEASURE(S)

III. GEOLOGY AND SOILS

Impact III. b, c and d - The project could be located on soil that is unstable or that would become unstable as a result of this project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. In addition, there is a potential for substantial soil erosion and loss of topsoil.

1. Prior to issuance of a building permit, a design-level geotechnical investigation and report shall be prepared and submitted to the City for review and approval by the City or City designee. The geotechnical investigation shall ensure that given the site's geotechnical conditions and potential geologic hazards, risks due to subsidence and unstable soils, are minimized to an insignificant level. All measures, design criteria, and specifications in the geotechnical report shall be incorporated into the project design. The design level geotechnical investigation and report shall be peer reviewed during the plan check process. Before the building permit is issued, all recommendations from the City's geotechnical peer review shall be incorporated into the design of the project. All soil handling and conditioning measures and structural foundations shall be designed by a licensed professional engineer, and all on-site soil management and conditioning activities shall be conducted under the supervision of a licensed Geotechnical Engineer or Certified Engineering Geologist.

Impact III. a. 2) - The proposed project could expose people or structures to potential, substantial adverse effects including the risk of loss, injury or death involving strong seismic shaking. In addition, there is a potential for placement of structures on expansive soil which could create risks to life or property.

2. All building and utility improvements shall be designed and constructed in compliance with the California Building Code which was enacted in order to minimize any seismic impacts. Prior to issuance of building permits, building and utility design drawings shall be prepared and submitted to the City for review and confirmation that the proposed development fully complies with the building code.

Monitoring Phase:	Pre-Construction, Construction
Implementation Party:	Applicant
Enforcement Agency:	Planning and Building – Site inspections as determined by the Planning and Building staff.
Monitoring Agency:	Planning and Building; Licensed Geotechnical Engineer or Certified Engineering Geologist

Initials and dates of activities completed.

IV. HYDROLOGY AND WATER QUALITY

Impact IV. c - The project could substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in substantial flooding on- or off-site.

- 1) San Mateo County Storm Water Pollution Best Management Practices (BMPs), described as follows, would be employed to ensure that water quality of surface runoff is maintained and no siltation of downstream waterways would occur.
 - a) All project grading would take place in the dry season to minimize immediate erosion/siltation effects;
 - b) Construction materials and waste shall be handled and disposed of properly, so as to prevent their contact with stormwater;
 - c) Discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, washwater or sediments, and non-stormwater discharges to storm drains and watercourses shall be controlled and prevented;
 - d) Sediment controls such as straw mulch, silt fences, sediment basins or traps and/or other measures shall be employed during construction;
 - e) Tracking dirt or other materials off-site shall be avoided and off-site paved areas and sidewalks shall be cleaned regularly using dry sweeping methods; and
 - f) The contractor shall train and provide instruction to all employees and subcontractors regarding construction BMPs.
- 2) Upon submittal of plans for building permit, applicant shall submit a Drainage Plan to include all existing/natural and proposed drainage improvements at the project site. Drainage Improvement shall be to the satisfaction of the Director of Public Works or City Engineer. The Drainage Plan shall be prepared by a licensed professional engineer and it must demonstrate that implementation of the plan will:
 - a) ensure that there is no net increase in total peak runoff rates from the project site relative to pre-development conditions;
 - b) ensure that runoff associated with 100-year storm events will not adversely impact Calera Creek and downstream waterways by providing hydrology calculations signed and stamped by a registered engineer;
 - c) drainage improvements shall include but not be limited to swales, concrete gutters, pipes, inlets and headwalls.
 - d) be designed to avoid spillage from the swale alongside the adjacent properties to the Director of Public Works' or City Engineer's satisfaction;
 - e) ensure the integrity of the proposed lined swale along the southern boundary of the site from approximately Juanita Avenue to Calera Creek, which has the potential to erode due to the steep grade of the road; and
 - f) include a drainage system maintenance program.
- 3) The applicant shall file a Notice of Intent (NOI) to comply with the General Construction Activity permit. This permit requires that the project proponent prepare a Storm Water Pollution Prevention Plan (SWPPP) designed to reduce potential impacts to surface water quality through the construction-period of the project. It is not required that the SWPPP be submitted to the RWQCB, but must be maintained on-site and made available to RWQCB staff upon request. The SWPPP shall include specific and detailed Best Management Practices (BMPs) designed to mitigate construction-related pollutants to a level of insignificance. At minimum, BMPs shall include practices to minimize the contact of construction materials, equipment, and maintenance supplies (e.g., fuels, lubricants, paints, solvents, adhesives) with stormwater. The SWPPP shall specify properly designed centralized storage areas that keep these materials out of the rain.

- 4) An important component of the storm water quality protection effort is knowledge of the site supervisors and workers. To educate on-site personnel and maintain awareness of the importance of stormwater quality protection, site supervisors shall conduct regular tailgate meetings to discuss pollution prevention. The frequency of the meetings and required personnel attendance list shall be specified in the SWPPP. The SWPPP shall specify a monitoring program to be implemented by the construction site supervisor, and must include both dry and wet weather inspections. In addition, in accordance with State Water Resources Control Board Resolution No. 2001-046, monitoring shall be required during the construction period for pollutants that may be present in the runoff that are "not visually detectable in runoff". The developer shall retain an independent monitor to conduct weekly inspections and provide written monthly reports to the City of Pacifica to ensure compliance with the SWPPP. RWQCB personnel, who may make unannounced site inspections, are empowered to levy considerable fines if determined that the SWPPP has not been properly prepared and implemented.

Monitoring Phase:	Pre-Construction, Construction, Post Construction
Implementation Party:	Applicant
Enforcement Agency:	Planning and Building - Site inspections as determined by the Planning and Building staff.
Monitoring Agency:	Planning and Building; Regional Water Quality Control Board

Initials and dates of activities completed.

V. AIR QUALITY

Impact V. c and d – The project could violate any air quality standard or contribute substantially to an existing or projected air quality violation. In addition, the project could result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal and state ambient air quality standard.

- 1) Water all active construction areas at least twice daily and more often during windy *periods*; active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers or dust palliatives;
- 2) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard;
- 3) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction site;
- 4) Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; water sweepers shall vacuum up excess water to avoid runoff-related impacts to water quality;
- 5) Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets;
- 6) Apply non-toxic soil stabilizers to inactive construction areas;
- 7) Enclose, cover, water twice daily, or apply non-toxic soil binders to expose stockpiles (dirt, sand, etc.);
- 8) Limit traffic speeds on unpaved roads to 15 mph;
- 9) Install sandbags or other erosion control measures to prevent silt runoff to public roadways;
- 10) Replant vegetation in disturbed areas as quickly as possible;
- 11) Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;
and

12) Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.

Monitoring Phase:	Pre-Construction, Construction
Implementation Party:	Applicant
Enforcement Agency:	Planning and Building - Site inspections as determined by the Planning and Building staff.
Monitoring Agency:	Planning and Building

Initials and dates of activities completed.

VII. BIOLOGICAL RESOURCES

VII. a, c and d – The project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species and it may have a substantial adverse effect on wetlands. In addition, the project may interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

- 1) Best Management Practices shall be incorporated into the project to prevent erosion and siltation from entering the non-impacted wetlands and drainage during construction. See also mitigation measures specified under Section IV. Hydrology and Water Quality of this Initial Study.
- 2) The proposed driveway shall be constructed to completely span the drainage, thus avoiding the placement of any construction materials within the drainage and allowing for the maintenance of future natural water flows within the drainage.
- 3) No project activities shall occur within 300 feet of the Calera Creek. Project activities involving earth movement and grading shall be conducted outside the rainy season (November-April) when red-legged frogs tend to disperse away from aquatic habitats and across upland habitats for breeding.
- 4) To avoid impacts to sensitive birds and bats during the nesting season (January 1 through August 15), the following measures shall be implemented to avoid disturbing nesting activities, damaging nests and/or harming or killing birds and eggs or young:
 - a) Conduct vegetation removal and grading within the areas proposed for grading after August 15 and before January 1 to prevent disturbance of nesting birds, including the five sensitive species with potential to occur on site and raptors such as red-tailed hawks.
 - b) If all construction cannot be completed during the above timeframe (August 15 through January 1), it is recommended that all grading and vegetation removal be completed before January 1st, and initiating other construction activities that might disturb the birds before they begin nesting.
 - c) If vegetation removal and/or grading cannot be avoided during nesting season (January 1 through August 15), a pre-construction nest survey should be conducted by a qualified biologist no more than 10 days prior to vegetation removal or grading activities. If a nest is identified, within the area proposed for grading or within 300 feet, protection measures must be determined in consultation with the California Department of Fish and Game (for raptors) which may require that the nest be avoided and protected by a 50- to 150- foot buffer (depending on the species) until the young have fledged (left the nest), generally in mid-to late summer.
 - d) Prior to proposed tree removal within the Monterey cypress forest grove for driveway construction, visual surveys must be conducted by a qualified biologist of the trees proposed for removal and within 100 feet to determine the presence or absence of woodrat nests. If woodrat nests are located during this survey, the nest(s) must be avoided and a minimum protection buffer of 50 feet around each nest must be established. If project activities

cannot avoid impacting or removing the nest, the nest(s) should be dismantled by hand by a qualified biologist prior to grading or gestation removal activities. The nest dismantling shall occur during the non-breeding season (October-November) and shall be conducted so that the nest material is removed starting on the side where most impacts will occur and ending on the side where the most habitat will be undisturbed, which will allow for any woodrats in the nest to escape into adjacent undisturbed habitat. If young are encountered during the nest dismantling, the dismantling activity should be stopped and the material replaced back on the nest and the nest should be left alone and rechecked in 2-3 weeks to see if the young are out of the nest or capable of being out on their own (as determined by a qualified biologist); once the young can fend for themselves, the nest dismantling can continue.

- 5) The heritage trees on site shall be preserved and protected where feasible. All of the recommendations in the arborist's report, including recommendations related to the removal and replacement of trees, shall be incorporated into the project.

Monitoring Phase: Pre-Construction, Construction
Implementation Party: Applicant
Enforcement Agency: Planning and Building - Site inspections as determined by the Planning and Building staff.
Monitoring Agency: Planning and Building

Initials and dates of activities completed.

X. NOISE

X. – The project will create construction generated noise.

- 1) All construction equipment shall be equipped with improved noise muffling and have the manufacturers' recommended noise abatement measures, such as mufflers, engine covers and engine isolators in good working order. All equipment shall be turned off if not in use for more than five minutes and an information sign shall be posted at the entrance to the construction site that identifies the permitted construction hours and provides a telephone number to call and receive project information or to report complaints regarding excessive noise levels.

Monitoring Phase: Pre-Construction, Construction
Implementation Party: Applicant
Enforcement Agency: Planning and Building - Site inspections as determined by the Planning and Building staff.
Monitoring Agency: Planning and Building

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XIV. CULTURAL RESOURCES

XIV. b and c – The project could cause a substantial adverse change in the significance of an archeological or paleontological resource pursuant to Section 15064.5.

- 1) In the event that a presently undetected cultural resource, including human remains, is revealed, all earthmoving activity within 25 feet of the discovery will cease. The project sponsor will be obligated to retain the services of a qualified archaeological consultant who would examine the newly found materials, assess their significance and perform appropriate exploratory and investigative procedures to determine the best course for mitigation of possible adverse impacts associated with the discovery.

Monitoring Phase:	Pre-Construction, Construction
Implementation Party:	Applicant
Enforcement Agency:	Planning and Building - Site inspections as determined by the Planning and Building staff.
Monitoring Agency:	Planning and Building

Initials and dates of activities completed.

MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

AB 3180, (Public Resources Code section 21081.6) requires public agencies to adopt a "reporting or monitoring program" whenever: a) a Negative Declaration which incorporates mitigation measures is adopted for a project; and b) after certifying an EIR, CEQA findings are adopted which concludes that otherwise significant impacts will be substantially lessened or avoided through the adoption of mitigation measures.

The following procedures shall be followed to ensure compliance with AB 3180. Please note that these procedures are intended to cover all project categories (private or public) and all stages of a project when monitoring or reporting may be required. A typical mitigation or monitoring program will consist of the referenced Checklist, the General Provisions, and appropriate portions of the section titled "Types Of Projects And Mitigation And Their Monitoring/Reporting Procedures", as contained below. The monitoring or reporting program shall be attached to the Mitigated Negative Declaration or EIR findings and made a part of that document.

The CEQA Guidelines require mitigation of "significant impacts", except where findings of overriding significance are made. Unless this threshold of "significant impact" is reached, it is advisable to address project issues as conditions of project approval outside the CEQA process.

Mitigation measures must be written in very clear language, and must specify what, who, when, where, why and if possible the way.

GENERAL PROVISIONS

1. Checklist: All mitigation measures for a Negative Declaration or EIR shall be incorporated into the preceding checklist attached as EXHIBIT "A" for the purpose of monitoring or reporting their implementation.
2. Disagreement over the interpretation of a mitigation condition: Where staff and the applicant cannot agree on the exact meaning of a mitigation condition, the matter shall be referred to the Planning Director. The applicant shall have the right to appeal the Planning Director's interpretation to the Planning Commission.
3. Reporting: All reports submitted by the developer and consultant shall be under the penalty of perjury.

4. Records: All records pertaining to a Mitigated Negative Declaration shall be kept in the project file at the offices of the Planning and Economic Development Department.
5. Fees: For private projects, the applicant shall bear the cost of monitoring and/or reporting. Fees charged for staff time at the City established rate. Where necessary, the applicant will be required to deposit a lump sum with the Planning and Economic Development Department. Monitoring costs will be debited against said deposit.
6. Penalties: If an applicant fails to properly implement mitigation measures, the Planning Director or the appropriate City department may issue a stop-work order, or deny subsequent approvals necessary to complete and occupy the project. In some cases, the City may require performance bonds or letters of credit to ensure that mitigation conditions are properly implemented. The amount of such bonds or letters of credit shall be determined by the Planning Director. Failure to implement mitigation measures or to furnish required mitigation reports may be cause for suspension or revocation of a permit or the basis for legal action by the City to enforce compliance with the mitigation measure or reporting requirement.

TYPES OF PROJECTS AND MITIGATION AND THEIR MONITORING/REPORTING PROCEDURES:

Private Projects

- A. Conditions affecting permanent construction. These conditions affect the permanent design and location of a structure. Examples include limiting building height, requiring a setback, or providing a landscape buffer.
 - The department applying the condition signs off on the mitigation condition(s) before the building permit is issued, verifying that the plans conform to the condition(s).
 - The building inspector ensures that construction conforms to approved plans.
 - Affected department signs off on the mitigation conditions(s) before final inspection/occupancy, verifying that the project conforms to the mitigation conditions(s).
- B. Conditions during construction. These conditions affect the way construction is carried out. Examples will be hours of operation, erosion control plans, preservation of archaeological sites, and preservation and protection of marshes.
 - Responsibility for monitoring and reporting shall be placed on the applicant. The City department, which imposed the condition, will investigate complaints and review reports that are submitted. City inspectors should be informed about mitigation conditions so they can report obvious violations.
 - Reporting by applicant shall be under penalty of perjury.
- C. Operational Conditions: These require permanent monitoring/reporting on a regular basis. Examples will include: hours of operation, maximum occupancy, toxic handling and disposal, and limits on nuisances like noise and odors.
 - The burden would be placed on the applicant to provide reports to the city as required. The content and frequency of the reports would be specified as part of the conditions. Specialized inspectors may be required.
 - Reporting shall be under penalty of perjury.
 - The city may enter into agreement with another agency to monitor compliance (e.g. Fish and Game for creek conditions; County Health for toxics).
 - Code enforcement officer, planning staff, appropriate City staff will investigate complaints, and also ensure

that reports are submitted as required to the Planning and Economic Development Department.