

**Drake's Point Radio Tower
Project Mitigation Monitoring
and Reporting Program**



Lead Agency:

City of Vacaville
Community Development
Department
650 Merchant Street
Vacaville, California 95688

Technical Assistance:

Stantec Consulting Services Inc.
1340 Treat Boulevard, Suite 300
Walnut Creek, California 94597

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1.0 Mitigation Monitoring and Reporting Program

1.1 Introduction

The purpose of the Mitigation, Monitoring, and Reporting Program (MMRP) is to briefly describe the roles and responsibilities of government agencies in implementing and enforcing the adopted mitigation measures identified in the Initial Study Mitigated Negative Declaration (ISMND) for the Drake's Point Radio Tower Project (proposed project).

Section 21081.6 of the Public Resources Code requires a Lead Agency that approves or carries out a project with potentially significant environmental effects to adopt a "reporting or monitoring program for the changes to the project which it has adopted or made a condition of a project approval in order to mitigate or avoid significant effects on the environment." The City of Vacaville (City) is the Lead Agency that must adopt the MMRP for the proposed project.

The California Environmental Quality Act (CEQA) Statutes and Guidelines provide direction for clarifying and managing the complex relationships between a Lead Agency and other agencies with respect to implementing and monitoring mitigation measures. In accordance with CEQA Guidelines Section 15097.d, "each agency has the discretion to choose its own approach to monitoring or reporting; and each agency has its own special expertise." This discretion will be exercised by implementing agencies at the time they consider any of the activities identified in the environmental document.

This MMRP is a working guide to facilitate both the implementation of the mitigation measures, and the monitoring, compliance, and reporting activities by the City and any monitors it may designate. If the City adopts the ISMND for the proposed project it will adopt the MMRP.

1.2 Overview of the Mitigation Monitoring and Reporting Program

The City and its contractors will be required to comply with this MMRP in all respects. In any instance where non-compliance occurs, the City-designated environmental monitors will issue a warning to the construction supervisor and the City's Project Manager. Any decisions to halt work due to non-compliance will be made by the City. The City's designated environmental monitors will keep records of any incidents on non-compliance with mitigation measures. Copies of these documents will be supplied to the City.

1.3 Mitigation Monitoring and Reporting Program Matrix

The MMRP Matrix is presented in the following table, and includes the mitigation measures identified in the ISMND prepared for the proposed project. The purpose of the MMRP matrix is to provide the City with a comprehensive list of the mitigation measures. The mitigation measures will be implemented through the verification of required approvals by City staff. The MMRP matrix consists of the following components:

- The list of mitigation measures contained in the ISMND, as adopted by the City.
- The party responsible for implementing the mitigation measures.
- The timing for implementation of the mitigation measure.
- The agency responsible for monitoring the implementation.
- The monitoring action and frequency.
- The completion of implementation which includes the action completed, the date completed, and signature of the agency responsible for monitoring.

The City will be responsible for ensuring compliance with the mitigation measures applicable to the proposed project. Staff will prepare, or require preparation of reports which identify compliance with mitigation measures. Once construction has begun and is underway, the City will carry out monitoring of the mitigation measures associated with construction. The MMRP will be maintained in the City's files for use in construction and operation of the proposed project.

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Mitigation Monitoring and Reporting Program Matrix

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Completion of Implementation	
						Action	Date Completed with Signature
Section 3.1: Aesthetics							
Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.
Section 3.2: Agriculture and Forestry Resources							
Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.
Section 3.3: Air Quality							
<p>MM AIR-1: Application of BMPs for Fugitive Dust Control. The following conditions would be included in the General Notes and/or Grading Plan for the proposed project, under the descriptive heading "Dust and Equipment Exhaust Control" and would be implemented during construction activities:</p> <ul style="list-style-type: none"> • Visible emissions from stationary diesel-powered equipment are not allowed to exceed 40 percent opacity for more than three minutes in any one-hour, as regulated under District Rule 2.3, Ringelmann Chart. • All material excavated, stockpiled, or graded would be sufficiently watered, treated, or covered to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard. Watering should occur at least twice daily, with complete site coverage. • All areas with vehicle traffic would be watered or have dust palliative applied as necessary for regular stabilization of dust emissions. • All onsite and construction traffic would be limited to a speed of 15 miles per hour within the project site and surrounding neighborhood. • All land clearing, grading, earth moving, or excavation activities in the project area would be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 miles per hour. • All inactive portions of the construction site would be covered, revegetated, or watered until a suitable cover is established. Alternatively, the Project Contractor may apply County-approved non-toxic soil stabilizers (according to manufacturer's specifications) to all inactive construction areas 	City Construction contractor	Prior to issuance of grading permits and during construction.	City	The City shall incorporate requirements as part of construction contract specifications and bid documents. The City will require that a dust control program be included in the application for grading permit.	Once prior to issuance of grading permit and then as necessary during construction.		

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<p>(previously graded areas which remain inactive for 96 hours) in accordance with the local grading ordinance.</p> <ul style="list-style-type: none"> All material transported off-site would be securely covered to prevent public nuisance or there must be a minimum of two feet of freeboard in the bed of the transport vehicle. Paved roads adjacent to the project would be swept at the end of each day or more frequently if necessary, to remove excessive or visibly raised accumulations of dirt and/or mud that may have resulted from activities at the project site. The Project Contractor would re-establish ground cover on the site through revegetation and watering in accordance with the local grading and landscape ordinances. A publicly visible sign would be posted with the telephone number and person to contact at the City regarding dust complaints. This person would respond and take corrective action within 48 hours of a complaint or issue notification. The YSAQMD's phone number would also be visible to ensure compliance with applicable regulations. All unnecessary vehicle idling would be restricted adjacent to the project site for a period of five minutes. 							
Section 3.4: Biological Resources							
<p>MM BIO-1: Avoid Disturbance of Special-Status Plants. Pre-construction special-status plant surveys are recommended two weeks prior to construction to survey for any additional special-status plants not identified during the November botanical survey. In the event that additional special-status plants are observed during these surveys, consultation with the appropriate regulatory agency shall be conducted (e.g., USFWS for federally listed species and CDFW for state- and CNPS-listed species), to ensure no project-related impacts to the newly discovered special-status plants. Should impacts occur, the City shall compensate for the impacts to special-status plant populations by replacing or providing substitute resources (e.g., mitigation fees) as defined by regulatory agencies.</p> <p>Additionally, a qualified biologist shall flag for avoidance all</p>	<p>City Construction contractor Qualified biologist</p>	<p>Prior to issuance of grading permits and during construction.</p>	<p>City</p>	<p>The City shall incorporate measures into construction contract specifications and bid documents, where relevant.</p> <p>The qualified biologist shall conduct preconstruction surveys prior to construction and also flag all locations of pappose tarplant.</p> <p>The biologist will provide results to the</p>	<p>Within two weeks before initiation of construction activities.</p>		

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<p>locations of pappose tarplant (known to occur from the November botanical survey). Any flagging used should be removed from the project site at the end of construction.</p>				<p>City in writing. The City shall retain results of survey in a project file.</p>			
<p>MM BIO-2: Avoid Disturbance of Nesting Special-Status and Non-Special-Status Raptors and other Migratory Birds, including Swainson's Hawk. If construction activities are scheduled to occur during the nesting bird season (approximately February 1 through September 15), a qualified wildlife biologist shall conduct the following surveys:</p> <ul style="list-style-type: none"> • Pre-construction nesting bird survey for species protected by the Migratory Bird Treaty Act (MBTA) will be conducted within a 100-foot radius of proposed construction activities no more than two weeks prior to construction. • Swainson's hawk surveys conducted in accordance with the Swainson's hawk Technical Advisory Committee's (2000) Guidelines. • Burrowing owl site assessment and survey conducted in accordance with the Staff Report on Burrowing Owl Mitigation (CDFW, 2012), which includes an assessment survey within 150 meters (approx. 500 feet) of the project area. <p>Surveys shall be conducted within the relevant survey buffers for each species to ensure no nesting birds, including raptors, will be impacted by the project activities. If nesting birds are recorded within their respective buffers, the project applicant shall consult with the CDFW regarding suitable measures to avoid impacting breeding efforts. Measures may include, but are not limited to:</p> <ul style="list-style-type: none"> • Maintaining a one-half-mile buffer for each active Swainson's hawk nest, a 500 foot buffer around each active nest of other raptor species, and a 50-foot buffer around other species; no construction activities shall be permitted within the buffer if they are demonstrated to disturb nesting birds. These buffers may be reduced at the discretion of a qualified biologist, but only in consultation with the CDFW for modification of a Swainson's hawk active 	<p>City Construction contractor Qualified biologist</p>	<p>Prior to issuance of grading permits and during construction.</p>	<p>City</p>	<p>The City shall incorporate measures into construction contract specifications and bid documents, where relevant.</p> <p>The qualified biologist shall conduct preconstruction surveys prior to construction. The biologist will also monitor periodically, if species is identified during the survey.</p> <p>The biologist will provide results to the City in writing.</p> <p>The City shall retain results of survey in a project file.</p>	<p>In accordance with the Swainson's hawk Technical Advisory Committee's (2000) Guidelines.</p> <p>In accordance with the 2012 CDFW Staff Report on Burrowing Owl Mitigation.</p> <p>Within two weeks before initiation of construction activities at any time between February 1 and September 15.</p> <p>As necessary during construction depending on presence of bird nests.</p>		

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<p>nest buffer.</p> <p>If no active nests are detected, then no additional mitigation is required.</p>							
Section 3.5: Cultural Resources							
<p>MM CUL-1: Cultural Materials Discovered During Construction. If any cultural resource is encountered during ground disturbance or subsurface construction activities (e.g., trenching, grading), all construction activities within a 50 foot radius of the identified potential resource shall cease until a Secretary of the Interior qualified archaeologist evaluates the item for its significance and records the item on the appropriate State Department of Parks and Recreation (DPR) 523 series forms. All forms and associated reports will be submitted to the NWIC of the CHRIS. The archaeologist shall determine whether the resource requires further study. If after the qualified archaeologist conducts appropriate technical analyses, the resource is determined to be eligible for listing on the California Register of Historical Resources as a unique archaeological resource as defined in PRC Section 15064.5, the archaeologist shall develop a plan for the treatment of the resource. This shall contain appropriate mitigation measures, including avoidance, preservation in place, data recovery excavation, or other appropriate measures outlined in Public Resources Code Section 21083.2.</p>	City Construction contractor	Prior to issuance of grading permits and during construction.	City	The City shall incorporate requirements as part of construction contract specifications and bid documents.	As necessary during construction.		
<p>MM CUL-2: Worker Awareness Training. Prior to the start of construction, all field personnel shall receive worker's environmental awareness training on cultural resources. The training, which may be conducted with other environmental or safety trainings, will provide a description of cultural resources that may be encountered during construction and outline the steps to follow in the event that a discovery is made.</p>	City Construction contractor	Prior to issuance of grading permits.	City	The City shall incorporate requirements as part of construction contract specifications and bid documents.	Once prior to issuance of grading permit.		
<p>MM CUL-3: Human Burials Encountered During Construction. If ground-disturbing activities uncover previously unknown human remains, Section 7050.5 of the California Health and Safety Code applies, and the following procedures shall be followed:</p> <p>There shall be no further excavation or disturbance of the area where the human remains were found or within 50 feet of the find until the Solano County Coroner and the appropriate City representative are contacted. Duly</p>	City Construction Contractor	Prior to issuance of grading permits and during construction.	City	The City shall incorporate requirements as part of construction contract specifications and bid documents.	As necessary during construction.		

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authorized representatives of the Coroner and the City shall be permitted onto the project site and shall take all actions consistent with Health and Safety Code Section 7050.5 and Government Code Sections 27460, et seq. Excavation or disturbance of the area where the human remains were found or within 50 feet of the find shall not be permitted to re-commence until the Coroner determines that the remains are not subject to the provisions of law concerning investigation of the circumstances, manner, and cause of any death. If the Coroner determines the remains are Native American, the Coroner shall contact the NAHC within 24 hours, and the NAHC shall identify the person or persons it believes to be the "most likely descendant" (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98. If the MLD does not make recommendations within 48 hours, the landowner shall reinter the remains in an area of the property secure from further disturbance. If the landowner does not accept the MLD's recommendations, the owner or the MLD may request mediation by NAHC.							
Section 3.6: Geology and Soils							
MM GEO-1: Geotechnical Design Recommendations. During project construction, the proposed project shall incorporate the design specifications contained within the Geotechnical Exploration Report prepared for the project site. These specifications pertain to, but are not limited to, grading, surface drainage, foundations, slab-on-grade construction, retaining walls, and general construction requirements. Implementation of these specifications shall be documented by the City in the project construction plans.	City Construction Contractor	During construction.	City	City to review project plans and specifications and ensure these specifications are incorporated into the project.	As necessary during construction.		
Section 3.7: Greenhouse Gases							
Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.
Section 3.8: Hazards and Hazardous Materials							
MM HAZ-1: Fire Management Plan. The following measures shall be implemented to reduce the risk of a wild fire in the	City Construction Contractor	Prior to construction and during construction.	City	The City shall incorporate requirements as part	Once during development of project and then as		

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project site during construction activities: <ul style="list-style-type: none"> • Clear easily ignitable grassland vegetation from project site, staging areas, and access routes. • Perform fire watch during construction phase to ensure early warning and fire suppression. • All combustion engines in the project area would be equipped with spark arresters. • Carry onsite fire suppression tools including water, shovels, and fire extinguishers. • Notify City fire department of construction activities prior to performing work. 				of construction contract specifications and bid documents.	necessary during construction.		
Section 3.9: Hydrology and Water Quality							
MM HYD-1: Prepare a SWPPP. Prior to the issuance of any construction related permits, the Contractor shall prepare and submit an NOI to the State Water Board and prepare a SWPPP in compliance with the NPDES GCP requirements. The final drainage plan shall demonstrate the ability to adequately collect onsite stormwater flows during construction in accordance with all applicable standards and requirements by: minimizing impervious surfaces, and directing flows to BMPs; integrating appropriately sized BMPs, such as straw waddles and silt fences, to minimize impact on local water quality by controlling runoff from erosion and potential contaminants; and incorporating dispersion of runoff in combination with site planning to meet Low Impact Development (LID) requirements.	City Construction Contractor	Prior to issuance of grading permits and during construction.	City	City to review the SWPPP prior to approval from the State Water Board. The City shall incorporate requirements as part of construction contract specifications and bid documents and include the approved SWPPP.	Once during contractor specifications review and then as necessary during construction.		
Section 3.10: Land Use and Planning							
Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.
Section 3.11: Minerals							
Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.
Section 3.12: Noise							
MM NOI-1: Construction Noise. Implementation of the following multi-part mitigation measure shall be required to reduce the potential construction period noise impacts. <ul style="list-style-type: none"> • Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are 	City Construction Contractor	During construction.	City	The City shall incorporate requirements as part of construction contract specifications and bid	Once during development of project and then as necessary during construction.		

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<p>in good condition and appropriate for the equipment.</p> <ul style="list-style-type: none"> • Locate stationary noise-generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction area. • Utilize "quiet" air compressors and other stationary noise sources where technology exists. • Construction activities shall be limited to daylight hours between 8 a.m. and 6 p.m. Limit hours of operation of outdoor noise sources through conditions of approval. • If construction activities are required outside of the daytime working hours allowed within the conditions of approval, the City would notify residents 48 hours in advance. If after-hour construction is required due to an emergency, the City would notify nearby residents immediately. • The construction contractor would prohibit unnecessary idling of internal combustion engines. • Where necessary noise-reducing enclosures or temporary barriers would be used around noise-generating equipment. Where feasible existing barrier features (terrain, structures) would be used to block sound transmission especially where sensitive receptors are located less than 50 feet from construction activities and construction noise levels are expected to exceed the maximum exterior noise standard. 				documents.			
Section 3.13: Population and Housing							
Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.
Section 3.14: Public Services							
Refer to Mitigation Measure HAZ-1	Refer to Mitigation Measure HAZ-1	Refer to Mitigation Measure HAZ-1	Refer to Mitigation Measure HAZ-1	Refer to Mitigation Measure HAZ-1	Refer to Mitigation Measure HAZ-1		
Section 3.15: Recreation							
Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.

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Section 3.16: Transportation and Traffic							
Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.
Section 3.17: Tribal Cultural Resources							
Refer to Mitigation Measures CUL-1 and CUL-2.	Refer to Mitigation Measures CUL-1 and CUL-2.	Refer to Mitigation Measures CUL-1 and CUL-2.	Refer to Mitigation Measures CUL-1 and CUL-2.	Refer to Mitigation Measures CUL-1 and CUL-2.	Refer to Mitigation Measures CUL-1 and CUL-2.		
Section 3.18: Utilities and Service Systems							
Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.	Not Applicable.