

Hanson Lane Project Mitigation Monitoring and Reporting Program

May 2023

The California Environmental Quality Act (CEQA) and CEQA Guidelines require Lead Agencies to adopt a program for monitoring the mitigation measures required to avoid the significant environmental impacts of a project. The Mitigation Monitoring and Reporting Program (MMRP) ensures that mitigation measures imposed by the City are completed at the appropriate time in the development process.

The mitigation measures identified in the Initial Study/Mitigated Negative Declaration for the Hanson Lane Project are listed in the MMRP, along with the party responsible for monitoring implementation of the mitigation measure, the milestones for implementation and monitoring, and a sign-off that the mitigation measure has been implemented.

Mitigation Monitoring and Reporting Program Hanson Lane Project				
Timing of Verification	Measure Complete? (check)	Mitigation Measures	Responsibility (Implementation)	Responsibility (Monitoring)
I. Aesthetics				
In conjunction with project improvement plan submittal		Mitigation Measure I-1. <i>In conjunction with development of the proposed project, the developer shall shield all on-site lighting so that nighttime lighting is directed within the project site and does not illuminate adjacent properties. A detailed lighting plan shall be submitted for the review and approval by the Community Development Department and the Public Works Department in conjunction with the project improvement plans. The lighting plan shall indicate the locations and design of the shielded light fixtures.</i>	Project Developer	Community Development Department and Public Works Department
III. Air Quality				
Prior to the issuance of any demolition, grading, or building permits		Mitigation Measure III-1. <i>Prior to the issuance of any demolition, grading, or building permits (whichever occurs first), the project applicant and/or construction contractor shall prepare a construction operations plan that, during construction activities, requires all off-road equipment with engines greater than 50 horsepower to meet U.S. Environmental Protection Agency particulate matter emissions standards for Tier 4 Interim engines. The construction contractor shall maintain records documenting compliance with this requirement, including equipment lists. Off-road equipment descriptions and information shall include, but are not limited to, equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, and engine serial number.</i> <i>The project applicant and/or construction contractor shall submit the construction operations plan and records of compliance to the City of Brentwood Community Development Department.</i>	Project Applicant Project Contractor	Community Development Department
Prior to the issuance of a grading permit		Mitigation Measure III-2. <i>Prior to the issuance of a grading permit, the Applicant/Developer shall prepare an Erosion</i>	Project Applicant	Public Works Department

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		<p><i>Prevention and Dust Control Plan. The plan shall be followed by the project's grading contractor and submitted to the City of Brentwood's Public Works Department, which will be responsible for field verification of the plan during construction.</i></p> <p><i>The plan shall comply with the City's grading ordinance and shall include the following control measures and other measures as determined by the Public Works Department to be necessary in order to achieve full compliance with the City's grading ordinance:</i></p> <ul style="list-style-type: none"> • <i>Cover all trucks hauling construction and demolition debris from the site;</i> • <i>Water all exposed or disturbed soil surfaces at least twice daily;</i> • <i>Use watering to control dust generation during demolition of structures or break-up of pavement;</i> • <i>Pave, apply water three time daily, or apply (non-toxic) soil stabilizers on all unpaved parking areas and staging areas;</i> • <i>Sweep daily (with water sweepers) all paved parking areas and staging areas;</i> • <i>Provide daily clean-up of mud and dirt carried onto paved streets from the site;</i> • <i>Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);</i> • <i>Limit traffic speeds on unpaved roads to 15 mph;</i> • <i>Install sandbags or other erosion control measures to prevent silt runoff to public roadways;</i> • <i>Replant vegetation in disturbed areas as quickly as possible;</i> • <i>Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;</i> 		

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Prior to the initiation of construction activities		<ul style="list-style-type: none"> • <i>Install wind breaks, or plant trees/vegetative wind breaks at windward side(s) or construction areas;</i> • <i>Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph;</i> • <i>Limit the area subject to excavation, grading, and other construction activity at any one time;</i> • <i>Unnecessary idling of construction equipment shall be avoided;</i> • <i>Equipment engines shall be maintained in proper working condition per manufacturers' specifications;</i> • <i>During periods of heavier air pollution (May to October), the construction period shall be lengthened to minimize the amount of equipment operating at one time, provided construction occurs within the hours allowed by the City of Brentwood Municipal Code and General Plan;</i> • <i>Where feasible, the construction equipment shall use cleaner fuels, add-on control devices and conversion to cleaner engines.</i> <p>Mitigation Measure III-3. <i>To the maximum extent feasible, construction employees shall be hired from local populations, which are more likely to have been previously exposed to the fungus that causes Valley Fever, and are, therefore, immune.</i></p>	Project Applicant Project Contractor	Community Development Department
IV. Biological Resources				
Prior to any ground disturbance		<p>Mitigation Measure IV-1(a). <i>Prior to any ground disturbance related to activities covered under the ECCCHCP, a preconstruction survey of the 4.08-acre development plan area shall be completed. The surveys shall establish the presence or absence of western burrowing owl and/or habitat features, and evaluate use by owls in accordance with CDFW survey guidelines.</i></p>	Qualified Biologist	Community Development Department

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During construction activities if burrowing owls are found during the breeding season (February 1 August 31)		<p><i>An approved biologist will conduct a preconstruction survey in areas identified in the planning surveys as having potential burrowing owl habitat. The surveys will establish the presence or absence of western burrowing owl and/or habitat features and evaluate use by owls in accordance with CDFW survey guidelines (California Department of Fish and Game 1995). On the parcel where the activity is proposed, the biologist will survey the proposed disturbance footprint and a 500- foot radius from the perimeter of the proposed footprint to identify burrows and owls. Adjacent parcels under different land ownership will not be surveyed. Surveys should take place near sunrise or sunset in accordance with CDFW guidelines. All burrows or burrowing owls will be identified and mapped. Surveys will take place no more than 30 days prior to construction. During the breeding season (February 1— August 31), surveys will document whether burrowing owls are nesting in or directly adjacent to disturbance areas. During the nonbreeding season (September 1—January 31), surveys will document whether burrowing owls are using habitat in or directly adjacent to any disturbance area. Survey results will be valid only for the season (breeding or nonbreeding) during which the survey is conducted. If burrowing owls and/or burrows are identified in the survey area, Mitigation Measure 3B shall be implemented. If burrowing owls and/or suitable burrows are not discovered, then further mitigation is not necessary.</i></p> <p>Mitigation Measure IV-1(b). <i>If burrowing owls are found during the breeding season (February 1 August 31), the project proponent will avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young. Avoidance will include establishment of a non-disturbance buffer zone (described below). Construction may occur during the breeding season if a qualified biologist</i></p>	<p>Qualified Biologist Project Contractor</p>	<p>Community Development Department</p>

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Prior to any ground disturbance		<p><i>monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the nonbreeding season (September 1 —January 31), the project proponent should avoid the owls and the burrows they are using, if possible. Avoidance will include the establishment of a buffer zone (described below). During the breeding season, buffer zones of at least 250 feet in which no construction activities can occur will be established around each occupied burrow (nest site). Buffer zones of 160 feet will be established around each burrow being used during the nonbreeding season. The buffers will be delineated by highly visible, temporary construction fencing, if occupied burrows for burrowing owls are not avoided, passive relocation will be implemented. Owls should be excluded from burrows in the immediate impact zone and within a 160-foot buffer zone by installing one-way doors in burrow entrances. These doors should be in place for 48 hours prior to excavation. The project area should be monitored daily for 1 week to confirm that the owl has abandoned the burrow. Whenever possible, burrows should be excavated using hand tools and refilled to prevent reoccupation (California Department of Fish and Game 1995). Plastic tubing or a similar structure should be inserted in the tunnels during excavation to maintain an escape route for any owls inside the burrow.</i></p> <p>Mitigation Measure IV-1(c). <i>Prior to any ground disturbance, a pre-construction survey for covered migratory birds shall be completed. This survey shall be conducted in the morning or evening hours within 30 days prior to any construction activities. The entire site and surrounding vegetation, will be surveyed for birds, nests and nesting behavior. Common nesting behavior by birds includes; collecting nesting materials, bringing food items to a nest and vocalizations from young or from adults to attract a mate and to establish or</i></p>	<p>Qualified Biologist Qualified Ornithologist</p>	<p>Community Development Department</p>

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Prior to initiation of construction activities		<p><i>defend a nesting territory. A construction-free buffer of suitable dimensions must be established around any active migratory bird nests (up to 250 feet, depending on the location and species) for the duration of the project or until it has been determined by a qualified ornithologist that the chicks have fledged and are independent of their parents.</i></p> <p>Mitigation Measure IV-2. <u>Notify CDFW.</u> <i>The CDFW maintains jurisdiction over the bed and bank of the bed, channel, and banks of any river, stream, or lake (Fish and Game Code Section 1602) and impacts to these areas may require a Lake or Streambed Alteration Agreement. Prior to initiating construction activities, the project contractor shall notify CDFW of the intentions of the project to determine if a Lake or Streambed Alteration Agreement is required. The information provided shall include a description of all of the activities associated with the proposed project, not just those closely associated with Marsh Creek. Impacts shall be outlined in the application and shall be broken down by temporary and permanent impacts, and a description of the proposed mitigation for biological resource impacts shall be outlined per activity, and then by temporary and permanent impacts. Information regarding project-specific drainage and hydrology changes resulting from project implementation shall be provided, as well as a description of storm water treatment methods. Minimization and avoidance measures shall be proposed as appropriate and may include: preconstruction species surveys and reporting, protective fencing around avoided biological resources, worker environmental awareness training, seeding disturbed areas adjacent to open space areas with native seed, and installation of project-specific storm water BMPs. A fully executed copy of the Lake or Streambed Alteration Agreement, if one is required by CDFW, shall be submitted to the City of Brentwood</i></p>	<p>City Public Works Department</p> <p>CDFW</p>	<p>Community Development Department</p>

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Prior to initiation of construction activities		<p><i>Community Development Department prior to initiation of any on-site ground disturbance activities.</i></p> <p>Mitigation Measure IV-3. ECCC HCP/NCCP Conservation Measure 2.12: <i>All projects that discharge into or fill waters of the United States, including jurisdictional wetlands, are required to obtain applicable permits from the USACE. All projects that discharge into or fill waters of the State, including jurisdictional wetlands, are required to obtain applicable permits from the RWCQB. Projects that fill streams under the jurisdiction of the State are also required to obtain a streambed alteration agreement with CDFW.</i></p> <p><i>All covered activities will implement the following measures to avoid and minimize impacts of covered activities on wetlands, ponds, streams, and riparian woodland/scrub.</i></p> <ul style="list-style-type: none"> • <i>Projects proposing to fill less than 3.0 acres of jurisdictional wetlands and waters do not need additional avoidance analysis beyond that in the HCP/NCCP. Projects proposing to fill greater than 3.0 acres of jurisdictional wetland and waters must conduct a site-specific analysis of avoidance and minimization measures in the wetland delineation report to demonstrate the project avoids and minimizes impacts on these features to the maximum extent practicable. The avoidance and minimization analysis for projects proposing impacts on more than 3.0 acres of jurisdictional wetlands and waters must be reviewed and approved by the Implementing Entity for projects within the urban development area (UDA) or by CDFW and USFWS for projects outside the UDA, consistent with the regional avoidance accomplished by the HCP/NCCP.</i> 	<p>Project Applicant</p> <p>Project Contractor</p> <p>RWCQB</p> <p>CDFW</p> <p>USACE</p>	<p>Community Development Department</p>

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		<p><i>Any regional permit program for aquatic resources that is subsequently adopted by the USACE, RWQCB, or CDFW will contain avoidance and minimization requirements. Those requirements may differ from the avoidance and minimization requirements in this Plan.</i></p> <ul style="list-style-type: none"> • <i>Applicants with streams on site must follow the stream setback requirements in Conservation Measure 1.7.</i> • <i>Applicants for coverage under the HCP/NCCP must follow the guidelines in Conservation Measure 1.10 to minimize the effects of urban development on downstream hydrology, streams, and wetlands.</i> • <i>All wetlands, ponds, streams, and riparian woodland/scrub to be avoided by covered activities will be temporarily staked in the field by a qualified biologist.</i> • <i>Buffer zones should be established where feasible between the aquatic resource and development. Required setbacks for streams are described in Conservation Measure 1.7. Credit for preservation of aquatic habitat will be given only if these features meet minimum distances from dense urban development.</i> • <i>Fencing will be erected between the outer edge of the buffer zone and the project area. The type of fencing will match the activity and impact types. For example, projects that have the potential to cause erosion will require erosion control barriers (see below), and projects that may bring more household pets to a site should be fenced to keep the pets out. The temporal requirements for fencing also depend on the activity and impact type. For</i> 		

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		<p><i>example, fencing for permanent impacts should be permanent, and fencing for short-term impacts should be removed after the activity is completed.</i></p> <ul style="list-style-type: none"> • <i>Personnel conducting ground-disturbing activities within or adjacent to the buffer zone of wetlands, ponds, streams, or riparian woodland/scrub will be trained by a qualified biologist in these avoidance and minimization measures and the permit obligations of project proponents working under this HCP/NCCP. Vehicles and equipment will be parked on pavement, existing roads, and previously disturbed areas.</i> • <i>Trash generated by covered activities will be promptly and properly removed from the site.</i> • <i>No construction or maintenance vehicles will be refueled within 200 feet of wetlands, ponds, streams, or riparian woodland/scrub unless a bermed and lined refueling area is constructed and hazardous material absorbent pads are available in the event of a spill.</i> • <i>Appropriate erosion-control measures (e.g., fiber rolls, filter fences, vegetative buffer strips) will be used on site to reduce siltation and runoff of contaminants into wetlands, ponds, streams, or riparian woodland/scrub. Filter fences and mesh will be of material that will not entrap reptiles and amphibians. Erosion control blankets shall be used as a last resort because of their tendency to biodegrade slowly and trap reptiles and amphibians. Erosion-control measures will be placed between the outer edge of the buffer and the project site.</i> • <i>Fiber rolls used for erosion control will be certified as free of noxious weed seed.</i> 		

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Prior to initiation of construction activities		<ul style="list-style-type: none"> • Seed mixtures applied for erosion control will not contain invasive nonnative species, and will be composed of native species or sterile nonnative species. • Where feasible, stream crossings will be located in stream segments without riparian vegetation, and bridge footings will be built outside the stream banks (i.e., clear span structures). • Herbicide will not be applied within 100 feet of wetlands, ponds, streams, or riparian woodland/scrub; however, where appropriate to control serious invasive plants, herbicides that have been approved for use by EPA in or adjacent to aquatic habitats may be used as long as label instructions are followed and applications avoid or minimize impacts on covered species and their habitats. In seasonal or intermittent stream or wetland environments, appropriate herbicides may be applied during the dry season to control nonnative invasive species (e.g., yellow star-thistle). Herbicide drift should be minimized by applying the herbicide as close to the target area as possible. <p>Mitigation Measure IV-4. ECCC HCP/NCCP Conservation Measure 1.7: A stream setback will be applied to all development projects covered by the HCP/NCCP according to the stream types listed in Table 6-2 of the ECC HCP/NCCP. The setback is measured from the top of the stream bank in an aerial perspective (to eliminate differences in setbacks on different slopes). Where native woody riparian vegetation is present, setbacks will extend, at minimum, to the outer dripline of this vegetation. Stream setbacks will be established for all perennial, intermittent, and ephemeral streams for all covered activities within the UDA. Stream setback requirements have</p>	Project Applicant	Community Development Department

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		<p><i>been developed on the basis of an extensive literature review of applicable research from both local and national sources (Table 6-3) and in consultation with USFWS, CDFW, USACE, SWRCB, RWQCBs, and EPA. For the purpose of determining required stream setbacks, streams will be assigned to one of five categories.</i></p> <ul style="list-style-type: none"> • <i>Concrete channel.</i> • <i>First and second order ephemeral reaches in urban and agricultural areas.</i> • <i>First and second order ephemeral reaches in natural areas.</i> • <i>Perennial, intermittent, or third or higher order ephemeral reaches in urban areas except Marsh Creek mainstem.</i> • <i>Perennial, intermittent, or third or higher order ephemeral reaches in agricultural or natural areas and Marsh Creek mainstem.</i> <p><i>No setbacks are required on irrigation ditches, underground stream reaches, or on drainages and swales that have neither defined bed and bank nor evidence of scour or sediment transport. It is anticipated that these features are likely to be filled in the course of covered development activities. However, where impacts to such features are sufficiently extensive to result in changes to the hydrograph of the watershed, measures will be implemented to maintain the baseline hydrograph, in keeping with requirements of the RWQCB (C3 provisions) and Conservation Measure 1.10 (Maintain Hydrologic Conditions and Minimize Erosion). Irrigation ditches, underground stream reaches, and swales may provide important hydrologic/ecologic support functions for other downstream systems and features. Such support functions include being "catchment areas" or hydrologic</i></p>		

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		<p><i>source areas for surface flows or shallow subsurface flows that support downstream wetlands.</i></p> <p><i>The stream categories above are designed to correlate with existing habitat quality for species covered by the HCP/NCCP and with potential impacts of development to stream functions. Stream setbacks are designed to protect existing habitat quality, to protect water quality and hydrologic processes through buffering, and allow for at least minimal restoration. For informational purposes, the Implementing Entity will create and make available to local jurisdictions digital and hardcopy maps categorizing stream reaches according to this system.</i></p> <p><i>Local jurisdictions will ensure that project proponents seeking coverage under the HCP/NCCP adhere to setback requirements. Rare exceptions to the requirements may be granted by local jurisdictions according to the limitations on exceptions to setback requirements described in Table 6-2 if the local agency finds that complete adherence to the setback requirement is not practicable. Additional, site-specific exceptions will be considered case by case on the basis of factors such as unusual topography or reasonable economic use of a highly constrained site and shall require the approval of the Implementing Entity for projects within the UDA or the approval of CDFW and USFWS for projects outside the UDA (see Chapter 8, Section 8.7 for more information). Activities granted any such exception must mitigate these additional impacts as described below. Technical assistance will be provided by the Implementing Entity, if needed.</i></p> <p><i>Project proponents are encouraged to site trails and access roads outside the required setback to reduce disturbance to wildlife that use adjacent streams and riparian habitats. When roads and trails cannot be sited outside the required setback,</i></p>		

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		<p><i>they must be sited as far from the stream channel as practicable, must adhere to limitations on exceptions to stream setback requirements described in Table 6-2, and must mitigate additional impacts as described below. Project proponents are encouraged to use permeable or semi-permeable surfaces on roads and trails within stream setbacks as long as they are consistent with safety and zoning limits. If such surfaces are used, the project may be eligible for fee reductions (see below).</i></p> <p><i>Water quality treatment wetlands and grassy swales may be included within the setback if consistent with the biological goals and objectives of the Plan and the biological goals of the setback.</i></p> <p><i>The HCP/NCCP development fee will not apply to the portions of the development project within the stream setback if the land in the stream setback is precluded from future development (including active recreational facilities such as turf) by restrictions placed in the deed (see Section 9.3.1). If the stream setback deed restriction exceeds the minimum required, the fee may be waived on the entire protected area provided that the Implementing Entity finds that the entire protected area provides a stream buffer benefit. Roads or trails constructed in the outer third of the setback with permeable or semi-permeable surfaces may be accommodated within the deed restriction; projects with such features retain eligibility for the fee waiver.</i></p> <p><i>If deed restrictions are not provided on the stream setback or if the development is granted an exception to the stream setback, the project proponent shall be charged the applicable HCP/NCCP development fee over the entire area (i.e., development area and the diminished setback). Development granted an exception to the stream setback shall also be</i></p>		

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		<p><i>required to mitigate for the loss of stream buffer by restoring riparian vegetation on site or off-site at a 0.5 to 1 ratio or to pay one half the riparian impact fee per acre of setback encroachment. Development that causes fill of streams or other jurisdictional wetlands and waters shall also be subject to the wetland fee described in Section 9.3.1. All fee requirements described in this paragraph may also be satisfied with the applicable land-in-lieu of fee provisions described in Section 8.6.7 or with the applicable provisions in Section 9.3.1 for applicants to perform direct mitigation for impacts on jurisdictional wetlands and waters in lieu of paying a fee.</i></p> <p><i>The required stream setbacks proposed by this measure are designed to maintain existing habitat value for covered species, which is generally low within the UDA. Existing habitat value is largely correlated with adjacent land use. While these setbacks are designed to maintain a limited restoration potential, this measure is not intended to be an urban creeks restoration program, which is outside the scope of the HCP/NCCP.</i></p> <p><i>The stream setback measure is intended to achieve the following purposes.</i></p> <ul style="list-style-type: none"> <i>• Maintain or improve water quality by filtering sediments and pollutants from urban runoff before they reach the stream.</i> <i>• Allow for protection of preserved and restored riparian woodland and scrub within and adjacent to the stream channel.</i> <i>• Maintain a buffer zone between urban development and existing and restored nesting habitat for Swainson’s hawk and other bird species.</i> 		

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		<ul style="list-style-type: none"> • <i>Maintain and enhance the water quality of the stream to protect native fish populations, including populations of special-status species that occur in downstream reaches (e.g., fall-run Chinook salmon in Marsh Creek).</i> • <i>Maintain a more viable wildlife corridor for some species (e.g., California red-legged frog, foothill yellow-legged frog) than would be present with a narrower buffer zone.</i> • <i>Maximize the natural flood protection value of the floodplain.</i> • <i>Provide for recreational trails along the corridor that are compatible with wildlife use.</i> <p><i>Setback requirements that are larger or more restrictive than those described in this conservation measure and in Table 6-2 could accomplish additional goals or may be necessary to comply with other regulations, but are not required by this Plan. For example, a wider corridor could provide aesthetic benefits and could increase habitat values, water quality protection, and opportunities for recreation. A minimum stream setback of 100 feet has been recommended in Brentwood to achieve habitat protection and enhancement goals (Natural Heritage Institute 2002). This setback is based on an extensive review of existing conditions in Brentwood and published literature on stream setbacks (e.g., Young et al. 1980; Lynch et al. 1985; Magette et al. 1987; Herson-Jones et al. 1995; Spackman and Hughes 1995; Hagar 1999). Tables 6-3 and 6-4 summarize available data on buffers for a variety of purposes (including some that go beyond the purposes of this conservation measure), and provide examples of existing and proposed buffer requirements elsewhere in the greater San Francisco Bay Area.</i></p>		

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See Mitigation Measures IV-3 and IV-4.		<p><i>Contra Costa County has policies encouraging stream setbacks from new development. The Conservation Element of the General Plan (Contra Costa County 1996b) states:</i></p> <p><i>Setback areas shall be provided along natural creeks and streams in areas planned for urbanization. The setback areas shall be of a width adequate to allow maintenance and to prevent damage to adjacent structures, the natural channel and associated riparian vegetation. The setback area shall be a minimum of 100 feet; 50 feet on each side of the centerline of the creek (Policy 8-89).</i></p> <p><i>The County also requires minimum setbacks to meet water quality and erosion control goals through a stream ordinance for unimproved earthen channels. This ordinance requires a “structure setback line” that varies between 30 feet and 50 feet from top of bank depending on the height of top of bank above the channel invert (County Code Title 9, Division 914-14.012). Some participating cities have or will have their own similar setback ordinances. All covered activities must also meet County and city setback requirements, where applicable.</i></p> <p>Mitigation Measure IV-5. Implement Mitigation Measures IV-3 and IV-4.</p>	See Mitigation Measures IV-3 and IV-4.	See Mitigation Measures IV-3 and IV-4.
V. Cultural Resources				
Prior to grading permit issuance		<p>Mitigation Measure V-1. Prior to grading permit issuance, the developer shall submit plans to the Community Development Department for review and approval which indicate (via notation on the improvement plans) that a qualified archaeologist shall conduct a Cultural Resources Worker Environmental Awareness Program (WEAP) training for all personnel involved in ground-disturbing, site preparation construction activities on the project site prior to construction and ground-disturbing activities. The training shall include</p>	Project Developer Qualified Archaeologist	Community Development Department

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Prior to grading permit issuance		<p><i>basic information about the types of artifacts that might be encountered during construction activities, and procedures to follow in the event of a discovery. The training shall be provided for any additional personnel added to the project even after the initiation of construction and ground disturbing activities.</i></p> <p>Mitigation Measure V-2. <i>Prior to grading permit issuance, the developer shall submit plans to the Community Development Department for review and approval which indicate (via notation on the improvement plans) that if historic and/or cultural resources are encountered during site grading or other site work, all such work shall be halted immediately within 100 feet and the contractor shall immediately notify the Community Development Department of the discovery. In such case, a qualified archaeological monitor shall be retained by the developer, at its own expense, and shall evaluate any potentially important discovery. Significance determinations shall be measured in terms of criteria for inclusion on the California Register of Historical Resources (Title 14 CCR, §4852[a]), and the definition of tribal cultural resources set forth in Public Resources Code Section 21074. The archaeologist shall be required to submit to the Community Development Department for review and approval a report of the findings and method of curation or protection of the resources. Comments on the report shall be submitted by the Native American tribes within 30 days of receipt of the report. Further grading or site work within the area of discovery shall not be allowed until the preceding work has occurred.</i></p>	Project Developer Qualified Archaeologist	Community Development Department
Prior to grading permit issuance		<p>Mitigation Measure V-3. <i>Prior to grading permit issuance, the developer shall submit plans to the Community Development Department for review and approval which indicate (via notation on the improvement plans) that if human remains, or remains that are potentially human, are found during</i></p>	Project Developer Qualified Archaeologist	Community Development Department

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		<p><i>construction, a professional archeologist shall ensure reasonable protection measures are taken to protect the discovery from disturbance. The archaeologist shall notify the Contra Costa County Coroner (per §7050.5 of the State Health and Safety Code). The provisions of §7050.5 of the California Health and Safety Code, §5097.98 of the California Public Resources Code, and Assembly Bill 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, then the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (§5097.98 of the Public Resources Code). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the project contractor does not agree with the recommendations of the MLD, the NAHC can mediate (§5097.94 of the Public Resources Code). If an agreement is not reached, the qualified archaeologist or MLD must rebury the remains where they will not be further disturbed (§5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center, using an open space or conservation zoning designation or easement, or recording a reinterment document with the county in which the property is located (AB 2641). Work cannot resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.</i></p>		<p>Contra Costa County Coroner NAHC</p>
VII. Geology and Soils				
Prior to the issuance of any building permits		Mitigation Measure VII-1. All project buildings shall be designed in conformance with the current edition of the California Building Code (CBC).	Project Developer	Community Development Department
Prior to grading permit issuance		Mitigation Measure VII-2. Prior to grading permit issuance, the applicant shall submit a final geotechnical evaluation of the	Project Applicant	Director of Public

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Timing of Verification	Measure Complete? (check)	Mitigation Measures	Responsibility (Implementation)	Responsibility (Monitoring)
<p>Prior to issuance of grading and building permits</p> <p>See Mitigation Measure VII-3</p> <p>Prior to grading permit issuance</p>		<p><i>project site that analyzes soil stability including soil expansion, and the potential for lateral spreading, subsidence, liquefaction or collapse. The report shall identify any on site soil and seismic hazards and provide design recommendations for onsite soil and seismic conditions. The geotechnical evaluation shall be reviewed and approved by the Director of Public Works/City Engineer, Chief Building Official, and a qualified Geotechnical Engineer to ensure that all geotechnical recommendations specified in the geotechnical report are properly incorporated and utilized in the project design in order to adhere to all geotechnical requirements contained in the California Building Code.</i></p> <p>Mitigation Measure VII-3. All grading and foundation plans for the development shall be designed by a Civil and Structural Engineer and reviewed and approved by the Director of Public Works/City Engineer, Chief Building Official, and a qualified Geotechnical Engineer prior to issuance of grading and building permits to ensure that all geotechnical recommendations specified in the geotechnical report are properly incorporated and utilized in the project design in order to adhere to all geotechnical requirements contained in the California Building Code.</p> <p>Mitigation Measure VII-4. Implement Mitigation Measure VII-3.</p> <p>Mitigation Measure VII-5. Prior to grading permit issuance, the applicant shall submit a final grading plan to the Director of Public Works/City Engineer for review and approval. If the grading plan differs significantly from the proposed grading illustrated on the approved project plans, plans that are consistent with the new revised grading plan shall be provided for review and approval by the Director of Public Works/City Engineer.</p>	<p>Qualified Civil and Structural Engineer</p> <p>City Public Works Department</p> <p>See Mitigation Measure VII-3</p> <p>Project applicant</p>	<p>Works/City Engineer</p> <p>Chief Building Official</p> <p>Qualified Geotechnical Engineer</p> <p>Director of Public Works/City Engineer</p> <p>Chief Building Official</p> <p>Qualified Geotechnical Engineer</p> <p>See Mitigation Measure VII-3</p> <p>Director of Public Works/City Engineer</p>

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Timing of Verification	Measure Complete? (check)	Mitigation Measures	Responsibility (Implementation)	Responsibility (Monitoring)
Prior to grading permit issuance		Mitigation Measure VII-6. Any applicant for a grading permit shall submit an erosion control plan to the Director of Public Works/City Engineer for review and approval. The plan shall identify protective measures to be taken during construction, supplemental measures to be taken during the rainy season, the sequenced timing of grading and construction, and subsequent revegetation and landscaping work to ensure water quality in creeks and tributaries in the General Plan Area is not degraded from its present level. All protective measures shall be shown on the grading plans and specify the entity responsible for completing and/or monitoring the measure and include the circumstances and/or timing for implementation.	Project applicant	Director of Public Works/City Engineer
During construction activities		Mitigation Measure VII-7. Grading, soil disturbance, or compaction shall not occur during periods of rain or on ground that contains freestanding water. Soil that has been soaked and wetted by rain or any other cause shall not be compacted until completely drained and until the moisture content is within the limit approved by a Soils Engineer. Approval by a Soils Engineer shall be obtained prior to the continuance of grading operations. Confirmation of this approval shall be provided to the Public Works Department prior to commencement of grading.	Project Contractor	Soils Engineer Public Works Department
See Mitigation Measure VII-2		Mitigation Measure VII-8. Implement Mitigation Measure VII-2.	See Mitigation Measure VII-2	See Mitigation Measure VII-2
If ground disturbing activities result in the discovery of unique paleontological resources		Mitigation Measure VII-9. Should construction or grading activities result in the discovery of unique paleontological resources, all work within 100 feet of the discovery shall cease. The Community Development Department shall be notified, and the resources shall be examined by a qualified archaeologist, paleontologist, or historian, at the contractor's expense, for the purpose of recording, protecting, or curating the discovery as appropriate. The archaeologist,	Project Contractor Qualified Archaeologist, Paleontologist, or Historian	Community Development Department

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Timing of Verification	Measure Complete? (check)	Mitigation Measures	Responsibility (Implementation)	Responsibility (Monitoring)
		<i>paleontologist, or historian shall submit to the Community Development Department for review and approval a report of the findings and method of curation or protection of the resources. Work may only resume in the area of discovery when the preceding work has occurred. The language of this mitigation shall be included via notation on the project improvement plans.</i>		
VIII. Greenhouse Gas Emissions				
Prior to building permit issuance		Mitigation Measure VIII-1. <i>Prior to building permit issuance, the project applicant shall submit improvement plans to the City of Brentwood Community Development Department for review and approval which indicate (via notation on the improvement plans) that the proposed project shall be designed such that the project is built all-electric, and natural gas infrastructure shall be prohibited on-site.</i>	Project Applicant	Community Development Department
IX. Hazards ad Hazardous Materials				
Prior to initiation of ground-disturbing activities		Mitigation Measure IX-1. <i>Prior to initiation of ground-disturbing activities, the project applicant shall complete testing of on-site soils for organochlorine pesticides (OCPs) and arsenic in accordance with U.S. Environmental Protection Agency (USEPA) Method 8081A. In the event that soil is determined to be hazardous by exceeding the USEPA Regional Screening Level for residential exposure scenarios, the soil shall be transported and disposed of at a Class I facility permitted by the California Department of Toxic Substances Control. Hazardous waste shall be transported to disposal by a licensed hazardous waste hauler under a uniform hazardous waste manifest. The results of soil sampling and analysis, as well as verification of proper remediation and disposal, if warranted, shall be submitted to the City's Community Development Department for review and approval.</i>	Project Applicant	Community Development Department
During ground-disturbing activities		Mitigation Measure IX-2. <i>During ground-disturbing activities, if one or more wells and/or septic systems are identified on-</i>	Project Applicant	Contra Costa County

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Timing of Verification	Measure Complete? (check)	Mitigation Measures	Responsibility (Implementation)	Responsibility (Monitoring)
		<i>site, the project applicant shall hire a licensed contractor to obtain the applicable abandonment permit from Contra Costa County Environmental Health Division (CCCEHD), and properly abandon the on-site wells and/or septic systems for review and approval by the CCCEHD and the City's Community Development Department.</i>	Licensed Contractor	Environmental Health Division (CCCEHD) Community Development Department
X. Hydrology and Water Quality				
Prior to issuance of grading permits		Mitigation Measure X-1. <i>Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP). The Developer shall file the Notice of Intent (NOI) and associated fee to the SWRCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of BMPs. The contractor shall implement BMPs to reduce pollutants in stormwater discharges consistent with the requirements established in 15.52.60(F): Erosion and Sediment Control of the City's Municipal Code. The SWPPP shall be submitted to the Director of Public Works/City Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.</i>	Project Contractor Project Applicant	Director of Public Works/City Engineer
Prior to the completion of construction		Mitigation Measure X-2. <i>Prior to the completion of construction, the applicant shall prepare and submit, for the City's review, an acceptable Stormwater Control Operation and Maintenance Plan. In addition, prior to the sale, transfer, or permanent occupancy of the site, the applicant shall be responsible for paying for the long-term maintenance of treatment facilities, and executing a Stormwater Management Facilities Operation and Maintenance Agreement and Right of</i>	Project Applicant	Director of Public Works/City Engineer

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Prior to the issuance of grading permits.		<p><i>Entry in the form provided by the City of Brentwood. The applicant shall accept the responsibility for maintenance of stormwater management facilities until such responsibility is transferred to another entity.</i></p> <p><i>The applicant shall submit, with the application of building permits, a draft Stormwater Facilities and Maintenance Plan, including detailed maintenance requirements and a maintenance schedule for the review and approval by the Director of Public Works/City Engineer. Typical routine maintenance consists of the following:</i></p> <ul style="list-style-type: none"> <i>• Limit the use of fertilizers and/or pesticides. Mosquito larvicides shall be applied only when absolutely necessary.</i> <i>• Replace and amend plants and soils as necessary to insure the planters are effective and attractive. Plants must remain healthy and trimmed if overgrown. Soils must be maintained to efficiently filter the storm water.</i> <i>• Visually inspect for ponding water to ensure that filtration is occurring.</i> <i>• After all major storm events, remove bubble-up risers for obstructions and remove if necessary.</i> <i>• Continue general landscape maintenance, including pruning and cleanup throughout the year.</i> <i>• Irrigate throughout the dry season. Irrigation shall be provided with sufficient quantity and frequency to allow plants to thrive.</i> <i>• Excavate, clean and or replace filter media (sand, gravel, topsoil) to insure adequate infiltration rate (annually or as needed).</i> <p>Mitigation Measure X-3. <i>Design of both the on-site drainage facilities shall meet with the approval of both the Director of</i></p>	Project Applicant	Director of Public Works/City

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Timing of Verification	Measure Complete? (check)	Mitigation Measures	Responsibility (Implementation)	Responsibility (Monitoring)
Prior to the issuance of grading permits.		<p><i>Public Works/City Engineer and the Contra Costa County Flood Control and Water Conservation District prior to the issuance of grading permits.</i></p> <p>Mitigation Measure X-4. <i>Contra Costa County Flood Control and Water Conservation District drainage fees for the Drainage Area shall be paid prior to issuance of grading permits to the satisfaction of the Director of Public Works/City Engineer.</i></p>	Project Applicant	<p>Engineer</p> <p>Contra Costa County Flood Control and Water Conservation District</p> <p>Director of Public Works/City Engineer</p>
Prior to the issuance of grading permits.		<p>Mitigation Measure X-5. <i>The Applicant/Developer shall ensure that the project site shall drain into a street, public drain, or approved private drain, in such a manner that un-drained depressions shall not occur. Satisfaction of this measure shall be subject to the approval of the Director of Public Works/City Engineer.</i></p>	Project Applicant/Developer	Director of Public Works/City Engineer
Prior to the issuance of grading permits.		<p>Mitigation Measure X-6. <i>The construction plans shall indicate roof drains emptying into a pipe leading to the project bioswale areas for the review and approval of the Director of Public Works/City Engineer prior to the issuance of building permits.</i></p>	Project Applicant Project Contractor	Director of Public Works/City Engineer
Prior to the issuance of grading permits.		<p>Mitigation Measure X-7. <i>The improvement plans shall indicate concentrated drainage flows not crossing sidewalks or driveways for the review and approval of the Director of Public Works/City Engineer prior to the issuance of grading permits.</i></p>	Project Applicant Project Contractor	Director of Public Works/City Engineer
See Mitigation Measure X-2		<p>Mitigation Measure X-8. <i>Implement Mitigation Measure X-2</i></p>	See Mitigation Measure X-2	See Mitigation Measure X-2

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Timing of Verification	Measure Complete? (check)	Mitigation Measures	Responsibility (Implementation)	Responsibility (Monitoring)
See Mitigation Measure X-4 Prior to the issuance of grading permits		<p>Mitigation Measure X-9. Implement Mitigation Measure X-4</p> <p>Mitigation Measure X-10. Prior to the issuance of grading permits, the project applicant shall ensure that the final improvements plans prepared for the proposed project show the subdivisions compliance with applicable standards set forth in Brentwood Municipal Code Sections 15.07.300 and 15.07.320 regarding project construction and design. The final improvement plans compliance with the aforementioned Municipal Code requirements shall be submitted for review and approval to the City Engineer.</p>	See Mitigation Measure X-4 Project Applicant	See Mitigation Measure X-4 City Engineer
XIII. Noise				
Prior to issuance of grading permits Prior to grading permit issuance., and during all phases of construction		<p>Mitigation Measure XIII-1. Construction activities shall be limited to 7:00 AM to 6:00 PM Monday-Friday and 8:00 AM to 5:00 PM on Saturday. Construction shall be prohibited on Sundays and City holidays. These criteria shall be included in the grading plan submitted by the applicant/developer for review and approval of the Director of Public Works/Engineering prior to issuance of grading permits. Exceptions to allow expanded construction activities shall be reviewed on a case-by-case basis as determined by the Chief Building Official and/or City Engineer, and shall not be allowed on any date or time that would violate the City's applicable noise standards.</p> <p>Mitigation Measure XIII-2. The project contractor shall ensure that the following construction noise BMPs are met on-site during all phases of construction:</p> <ul style="list-style-type: none"> • All equipment driven by internal combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed 	Project Applicant/ Developer Project Contractor Project Developer	Director of Public Works/ Engineering Chief Building Official and/or City Engineer Director of Public Works/ Engineering

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		<p><i>original factory specifications. Mobile or fixed “package” equipment (e.g., arc welders, air compressors) shall be equipped with shrouds and noise-control features that are readily available for that type of equipment.</i></p> <ul style="list-style-type: none"> • <i>All mobile or fixed noise-producing equipment used on the project site that are regulated for noise output by a federal, state, or local agency shall comply with such regulations while in the course of project activity.</i> • <i>The construction contractor shall utilize “quiet” models of air compressors and other stationary noise sources where technology exists.</i> • <i>At all times during project grading and construction, stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from residences.</i> • <i>Unnecessary idling of internal combustion engines shall be prohibited.</i> • <i>Construction staging areas shall be established at locations that would create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction activities, to the extent feasible.</i> • <i>Construction site and access road speed limits shall be established and enforced during the construction period.</i> • <i>The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.</i> • <i>Neighbors located adjacent to the construction site shall be notified of the construction schedule in writing.</i> 		

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Timing of Verification	Measure Complete? (check)	Mitigation Measures	Responsibility (Implementation)	Responsibility (Monitoring)
		<ul style="list-style-type: none"> The construction contractor shall designate a "noise disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall be responsible for determining the cause of the noise complaint (e.g., starting too early, poor muffler, etc.) and instituting reasonable measures as warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site. <p>Construction noise BMPs shall be included in the grading plan submitted by the developer for review and approval by the Director of Public Works/Engineering prior to grading permit issuance.</p>		
XV. Public Services				
Prior to building permit issuance		Mitigation Measure XV-1. Prior to building permit issuance, the developer shall submit to the Community Development Department written proof from the Liberty Union High School District and the Brentwood Union School District that appropriate school mitigation fees have been paid.	Project Developer	Community Development Department Liberty Union High School District Brentwood Union School District
Prior to building permit issuance		Mitigation Measure XV-2. Prior to building permit issuance, the project applicant shall pay the required park in-lieu fees as identified in the City's Development Fee Program.	Project Applicant	Community Development Department
XVI. Recreation				
See Mitigation Measure XV-2		Mitigation Measure XVI-1. Implement Mitigation Measure XV-2	See Mitigation Measure XV-2	See Mitigation Measure XV-2

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XVIII. Tribal Cultural Resources				
During project-related construction activities		<p><i>Mitigation Measure XVIII-1. If cultural resources are discovered during project-related construction activities, all ground disturbances within a minimum of 50 feet of the find shall be halted until a qualified professional archaeologist can evaluate the discovery. The archaeologist shall examine the resources, assess their significance, and recommend appropriate procedures to the lead agency to either further investigate or mitigate adverse impacts. If the find is determined by the lead agency in consultation with the Native American tribe traditionally and culturally affiliated with the geographic area of the project site to be a tribal cultural resource and the discovered archaeological resource cannot be avoided, then applicable mitigation measures for the resource shall be discussed with the geographically affiliated tribe. Applicable mitigation measures that also take into account the cultural values and meaning of the discovered tribal cultural resource, including confidentiality if requested by the tribe, shall be completed (e.g., preservation in place, data recovery program pursuant to Public Resources Code §21083.2[i]). During evaluation or mitigative treatment, ground disturbance and construction work could continue on other parts of the project site.</i></p>	Qualified Archaeologist	<p>Community Development Department</p> <p>Native American Tribe traditionally and culturally affiliated with the geographic area of the project site</p>