

MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that a Lead Agency establish a program to monitor and report on mitigation measures adopted as part of the environmental review process to avoid or reduce the severity and magnitude of potentially significant environmental impacts associated with project implementation. CEQA (Public Resources Code Section 21081.6 (a) (1)) requires that a Mitigation Monitoring and Reporting Program (MMRP) be adopted at the time that the public agency determines to approve a project for which an EIR or a Negative Declaration (ND) has been prepared, to ensure that mitigation measures identified in the EIR or ND are fully implemented.

The MMRP for the Calabazas Creek Open Space Preserve project is presented in **Table 1, Mitigation and Monitoring Reporting Program**. **Table 1** includes the full text of mitigation measures identified in the Initial Study/Mitigated Negative Declaration. The MMRP describes implementation and monitoring procedures, responsibilities, and timing for each mitigation measure, including:

Number: Identifies the number of the mitigation measure.

Mitigation Measure: Provides full text of the mitigation measure as provided in the final Initial Study/Mitigated Negative Declaration.

Monitoring/Reporting Action(s): Designates responsibility for implementation of the mitigation measure and when appropriate, summarizes the steps to be taken to implement the measure.

Mitigation Timing: Identifies the stage of the project during which the mitigation action will be taken.

Monitoring Schedule: Specifies procedures for documenting and reporting mitigation implementation.

The Sonoma County Agricultural Preservation and Open Space District (“District”), as the lead agency under CEQA, may modify the means by which a mitigation measure will be implemented, as long as the alternative means ensure compliance during project implementation. The District is responsible for the overall administration of the program and for assisting relevant departments and project managers in their oversight and reporting responsibilities. The District is also responsible for ensuring the relevant parties understand their charge and complete the required procedures accurately and on schedule.

**Table 1
Mitigation Monitoring and Reporting Program**

Number	Mitigation Measure	Monitoring/Reporting Action(s)	Mitigation Timing	Monitoring Schedule
AIR QUALITY				
AIR-1:	<p>The construction contractor(s) shall implement the following BMPs during project construction:</p> <ul style="list-style-type: none"> • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible and feasible. Building pads shall be laid as soon as possible and feasible after grading, unless seeding or soil binders are used. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. 	Include in construction contract(s)	Monitor compliance during construction	Confirm and document during construction

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	<ul style="list-style-type: none"> All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. 			
BIOLOGICAL RESOURCES				
BIO-1:	A qualified biologist will conduct a pre-construction survey of the areas that will be disturbed in order to control erosion and sedimentation and invasive plant species. If substantial stands of special-status plants are detected, the area will be fenced with environmentally sensitive area (ESA) fencing and will not be disturbed. If Napa false indigo or narrow-flowered California brodiaea are identified, the District will consult with the CDFW to determine whether the plants should be relocated or not, or whether other mitigation measures acceptable to the CDFW should be implemented.	Retain qualified biologist to conduct pre-construction survey, implement recommendations, and consult with the CDFW if necessary	Prior to start of construction or management activities	Confirm and document prior to construction or management activities
BIO-2:	Erosion control projects that could affect the bed and bank of Calabazas Creek shall be completed during the dry season and sediment control measures shall be implemented to ensure that sediment from the work sites is not discharged into the creek.	Oversee implementation of erosion control measures	Prior to start and during construction of erosion control projects	Confirm and document during construction
BIO-3:	A qualified biologist shall survey the area to be disturbed during erosion control work and shall guide the installation of drift fences to ensure that the amphibian species do not enter the work area.	Retain qualified biologist to survey and installation of the drift fence and other measures.	During construction activities	Confirm and document during construction

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BIO-4:	Qualified biologists shall conduct bullfrog hunting during control activities and targeted, close-range hunting methods such as gigging or air gun shall be used.	Retain qualified biologist to conduct invasive species control activities	When implementation of IAM-1 is proposed	Confirm and document upon completion of activity
BIO-5:	Control activities for invasive wild turkeys should be conducted during the non-breeding season (between September 1 and January 30) for special-status birds. Lead bullets should not be utilized for invasive species control activities.	Retain qualified biologist to conduct invasive species control activities	When implementation of IAM-2 is proposed	Confirm and document upon completion of activity
BIO-6:	Before commencing any activities that would place fill in jurisdictional waters or work within a stream, the District will obtain appropriate federal and state permits and comply with the provisions of the permits.	Obtain necessary permits	Prior to filling of wetlands	Confirm and document prior to filling of wetlands
BIO-7:	<p>If feasible, all project-related activities, including (but not limited to) tree and shrub removal, other vegetation clearing, grading, or other ground-disturbing and noise-generating activities shall be conducted during the non-breeding season for Northern spotted owl (NSO) (September 1 through February 28) and for special-status and non-special-status migratory birds and raptors (between August 16 and February 14).</p> <p><i>Northern Spotted Owl</i></p> <p>If any activities are scheduled to occur during the breeding season of NSO (March 1 through August 31 for California), a qualified avian biologist with knowledge of NSO shall be retained by the District to conduct the surveys for the species consistent with the latest Northern Spotted Owl Survey Protocol put forth by the US Fish and Wildlife Service (USFWS).</p> <p>If an active nest is located on or within the survey area established for the project, protocols laid out in the USFWS survey protocol shall be</p>	Retain qualified biologist to conduct surveys, and guide the implementation of the measures.	Prior to start and during construction and management activities	Confirm and document upon completion of construction/activity

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	<p>followed and implemented, and USFWS consulted as necessary.</p> <p><i>Other Protected Nesting Birds</i></p> <p>If any activities are scheduled to occur during the breeding season of other protected bird species, a qualified avian biologist, with knowledge of the species, shall be retained to conduct focused nesting surveys within 15 days of the start of ground-disturbing or noise-generating construction activities within the appropriate habitat.</p> <p>Specifically, tree, shrub, and ground nesting surveys for special-status birds (including American peregrine falcon, white-tailed kite, and Nuttall's woodpecker), and other migratory birds and raptors shall be conducted before any disturbances occur in or near suitable nesting habitat within 500 feet of the construction work area.</p> <p>If an active nest is located on or within 500 feet of the project area, the California Department of Fish and Wildlife (CDFW) shall be consulted to determine an appropriate no-disturbance buffer around the nest until the nest is no longer active and the young have fledged or the nest has failed. No disturbance shall be allowed within this exclusion area without consulting with the CDFW. A wildlife biologist shall monitor the nest site during construction at least once a week, or at a frequency determined by the CDFW, to ensure that the nest site is not disturbed and the buffer is maintained.</p>			
BIO-8:	<p>A qualified biologist will conduct a pre-project survey of the areas that will be disturbed by any of the program-level activities. If special-status plants are detected, the area will be fenced with environmentally sensitive area (ESA) fencing and will not be disturbed. Similarly, areas with substantial stands of special-status plant species will be identified and excluded from the burn areas.</p>	<p>Retain qualified biologist to conduct survey and oversee implementation of measures</p>	<p>Prior to implementation of prescribed burns</p>	<p>Confirm and document upon completion of activity</p>

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BIO-9:	To reduce impacts from erosion, (1) burns shall be conducted during the dry season, and (2) measures including installation of straw wattles across steep slopes, silt fencing installed near streams and creeks, native seed broadcasted across exposed soils, and jute netting installed in areas vulnerable to erosion shall accompany prescribed burns in less vegetated areas.	Install erosion control measures in areas subjected to prescribed burns	Following the prescribed burn event	Confirm and document after installation of measures
BIO-10:	<p>If feasible, all project-related activities, including (but not limited to) tree and shrub removal, other vegetation clearing, grading, or other ground-disturbing and noise-generating activities shall be conducted during the non-breeding season for Northern spotted owl (NSO) (September 1 through February 28) and (between August 16 and February 14) for special-status and non-special-status migratory birds and raptors.</p> <p><i>Northern Spotted Owl</i></p> <p>If any activities are scheduled to occur during the breeding season of NSO (March 1 through August 31 for California), a qualified avian biologist with knowledge of NSO shall be retained by the District to conduct the surveys for the species consistent with the latest Northern Spotted Owl Survey Protocol put forth by the US Fish and Wildlife Service (USFWS).</p> <p>If an active nest is located on or within the survey area established for the project, protocols laid out in the USFWS survey protocol shall be followed and implemented, and USFWS consulted as necessary.</p> <p><i>Other Protected Nesting Birds</i></p> <p>If any activities are scheduled to occur during the breeding season of other protected bird species, a qualified avian biologist, with knowledge of the species, shall be retained to conduct focused nesting surveys within 15 days of the start of ground-disturbing or noise-generating construction activities within the appropriate habitat.</p> <p>Specifically, tree, shrub, and ground nesting surveys for special-status birds (including American peregrine falcon, white-tailed kite, and Nuttall's woodpecker), and other migratory birds and raptors shall be conducted before any disturbances occur in or near suitable nesting</p>	Retain qualified biologist to conduct surveys, implement the measures, and monitor.	Prior to start of any program-level activity	Confirm and document upon completion of activity

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	<p>habitat within 500 feet of the construction work area.</p> <p>If an active nest is located on or within 500 feet of the project area, the California Department of Fish and Wildlife (CDFW) shall be consulted to determine an appropriate no-disturbance buffer around the nest until the nest is no longer active and the young have fledged or the nest has failed. No disturbance shall be allowed within this exclusion area without consulting with the CDFW. A wildlife biologist shall monitor the nest site during construction at least once a week, or at a frequency determined by the CDFW, to ensure that the nest site is not disturbed and the buffer is maintained.</p> <p>CDFW shall be consulted before any prescribed burns are conducted to obtain guidance on minimizing impacts on special-status species.</p>			
CULTURAL RESOURCES				
CUL-1:	<p>Prior to development within erosion control sites and removal of invasive species, if a historic-era site is near the work site, the historic-era site shall be examined to determine whether the site is located within or outside of the area of disturbance. If the historic-era site is outside the area of disturbance or can be avoided, ESA fencing shall be placed around the site and the area shall not be disturbed.</p> <p>If the historic-era site is located within the area of disturbance and cannot be avoided by construction or other project activities, a qualified archaeologist shall be retained to carry out test investigations to determine the potential of the site to yield important information. The resource will be subject to archaeological and/or historic research, as appropriate, in order to recover the site's important scientific data and realize its historical significance. This work may include archaeological data recovery, archival research, and oral interviews (as appropriate), and will be documented in a technical report to be filed at the Northwest Information Center of the California Historical Resources Information System. Sites of exceptional public interest may also be documented in interpretive products such as web pages, displays, and pamphlets.</p>	Retain qualified archaeologist to implement identified measures	Prior to start of construction or management activity	Confirm and document upon completion of activity

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CUL-2:	To address impacts to the multi-component archaeological site, Mitigation Measure CUL-1 shall be implemented.	See above	See above	See above
CUL-3	Prior to any construction or ground disturbing activities, construction personnel shall be informed of the potential for encountering significant prehistoric or historic-era cultural resources. All construction personnel shall be informed of the need to stop work if prehistoric or historic-era cultural materials are encountered during construction or other project activities. All work in the immediate vicinity will halt until a qualified archaeologist can evaluate the find in consultation with the affiliated Native American tribe and make recommendations to the District. Construction personnel will also be informed of the requirements that unauthorized collection resources are prohibited.	Include in construction contract and retain a qualified archaeologist in the event that a resource is encountered	Prior to start and during construction	Confirm and document during construction
CUL-4	Prior to any construction or ground disturbing activities, construction personnel will be informed of the potential for encountering significant paleontological. All construction personnel will be informed of the need to stop work in the vicinity of a potential discovery until a qualified paleontologist has been provided the opportunity to assess the significance of the find and implement appropriate measures to protect, scientifically remove, or otherwise treat the find. Construction personnel will also be informed that all resources are the property of the District and that unauthorized collection of resources is prohibited.	Include in construction contract and retain a qualified paleontologist in the event that a resource is encountered	Prior to start and during construction	Confirm and document during construction
CUL-5	The treatment of human remains and of associated or unassociated funerary objects discovered during any soil-disturbing activity within the project site shall comply with applicable State laws. This shall include immediate notification of the District and Sonoma County coroner. In the event of the coroner's determination that the human remains are	Include in construction contract and retain a qualified archaeologist in the event that a burial or funerary objects are encountered	Prior to start and during construction	Confirm and document during construction

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	<p>Native American, notification of the Native American Heritage Commission is required, who shall appoint a Most Likely Descendant (MLD) (Public Resources Code Section 5097.98).</p> <p>The District and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. The California Public Resources Code allows 48 hours to reach agreement on these matters. If the MLD and the other parties do not agree on the reburial method, the project will follow Public Resources Code Section 5097.98(b) which states that "the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."</p>			
CUL-6	<p>Prior to the use of prescribed burns and/or propane-flaming activities, a qualified archaeologist shall confirm and mark on the ground the location of all archaeological resources in the eradication area. The location of these cultural resources would be disclosed to the wildland fire officials to ensure prescribed burns and/or propane-flaming and support activities are not permitted in these areas.</p>	<p>Retain a qualified archaeologist</p>	<p>Prior to conducting a prescribed burn</p>	<p>Confirm and document as part of the prescribed burn project documentation</p>