

**Mitigation Monitoring and Reporting Program  
County File #CDMS23-00003/CDDP23-03046  
Rodeo – Second Street Minor Subdivision and Residential  
Development Plan**

**0 2<sup>nd</sup> Street  
Rodeo, CA 94549**

**January 08, 2025**

## SECTION 4: BIOLOGICAL RESOURCES

### Potentially Significant Impacts:

**Potential Impact BIO-1:** *Development activities occurring during the nesting period for birds (approximately February 1 – August 31), including site grading, soil excavation, and/or tree removal and vegetation pruning/removal poses potential risk to nesting passerine and raptor bird species.*

### Mitigation Measure(s):

**Mitigation Measure BIO-1:** *No more than seven (7) days prior to ground disturbing activities occurring during the nesting period for birds (approximately February 1 – August 31), a nesting bird survey shall be performed by a CDFW qualified biologist to ensure that the project avoids impacting any active nests. If active bird nests are detected, a suitable nest buffer should be installed (typically 100 feet for passerines, and up to 500 feet for raptors, depending on species). Preconstruction surveys are not necessary prior to project activities occurring outside of nesting bird season.*

Implementing Action:

COA

Timing of Verification:

Prior to ground disturbance relating to grading/building activities

Party Responsible for Verification:

Project proponent, CDD staff, consulting Biologist

Compliance Verification:

Review of Biologists report or other verification provided to CDD staff.

## SECTION 5: CULTURAL RESOURCES

**Potentially Significant Impacts:** *Construction activities requiring excavation or earth movement could uncover previously unrecorded significant cultural resources and/or human remains.*

### Mitigation Measure(s):

**Mitigation Measure CUL-1:** *Should archaeological materials be uncovered during grading, trenching, or other on-site excavation(s), all earthwork within 30 yards of the materials shall be stopped until a professional archeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA) and any Native*

#### Abbreviations:

Condition of Approval (COA)

Community Development Division (CDD)

Building Inspection Division (BID)

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American tribe(s) that have requested consultation and/or demonstrated interest in the project site has had an opportunity to evaluate the significance of the find, and, if deemed necessary, suggest appropriate mitigation(s).

**Mitigation Measure CUL-2:** *If any significant cultural materials such as artifacts, human burials, or the like are encountered during construction operations, such operations shall cease within 100 feet of the find, the Community Development Division (CDD) shall be notified within 24 hours, and a qualified archaeologist contacted and retained for further recommendations. Significant cultural materials include, but are not limited to, aboriginal human remains, chipped stone, groundstone, shell and bone artifacts, concentrations of fire cracked rock, ash, charcoal, and historic features such as privies or walls and other structural remains.*

**Mitigation Measure CUL-3:** *Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may be those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the land owner for treatment and disposition of the ancestor's remains. The land owner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.*

**Mitigation Measure CUL-4:** *Appropriate mitigation of any discovered cultural resources may include monitoring of further construction and/or systematic excavation of the resources. Any artifacts or samples collected as part of the initial discovery, monitoring, or mitigation phases shall be properly conserved, catalogued, evaluated, and curated, and a report shall be prepared documenting the methods, results, and recommendations. The report shall be submitted to the Northwest Information Center and appropriate Contra Costa County agencies.*

Implementing Action:

COA

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Timing of Verification:	Upon discovery of archaeological materials or human remains
Party Responsible for Verification:	Project proponent, CDD staff, consulting archaeologist
Compliance Verification:	Review of archaeologist's report or other verification provided to CDD staff

**SECTION 13: NOISE**

**Potentially Significant Impacts:** *During project construction, a temporary increase in ambient noise levels would occur, and there may be periods of time when there would be ground borne vibrations or loud noise from construction equipment, vehicles, and tools. The temporary activities during the construction phase of the project have the potential for generating noise levels in excess of standards described in the Noise Element of the County General Plan. The implementation of the following mitigations ensures such impacts occur at less than significant levels:*

**Mitigation Measure(s):**

**Mitigation Measure NOI-1:** *Unless otherwise authorized by the Zoning Administrator in writing, all construction activities, including delivery of construction materials, shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:*

- New Year's Day (State and Federal)*
- Birthday of Martin Luther King, Jr. (State and Federal)*
- Washington's Birthday (Federal)*
- Lincoln's Birthday (State)*
- President's Day (State)*
- Cesar Chavez Day (State)*
- Memorial Day (State and Federal)*
- Juneteenth National Independence Holiday (Federal)*
- Independence Day (State and Federal)*
- Labor Day (State and Federal)*
- Columbus Day (Federal)*
- Veterans Day (State and Federal)*
- Thanksgiving Day (State and Federal)*
- Day after Thanksgiving (State)*
- Christmas Day (State and Federal)*

**Mitigation Measure NOI-2:** *Transportation of heavy equipment (e.g., graders, cranes, excavators, etc.) and trucks to and from the site shall be limited to weekdays between the*

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hours of 9:00 AM and 4:00 PM and prohibited on Federal and State holidays. This restriction does not apply to typical material and equipment delivery or grading activities.

**Mitigation Measure NOI-3:** The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.

**Mitigation Measure NOI-4:** The applicant shall notify neighbors within 300 feet of the subject property at least one week in advance of grading and construction activities.

**Mitigation Measure NOI-5:** The applicant shall designate a construction noise coordinator who will be responsible for implementing the noise control measures and responding to complaints. This person's name and contact information shall be posted clearly on a sign at the project site and shall also be included in the notification to properties within 300 feet of the project site. The construction noise coordinator shall be available during all construction activities and shall maintain a log of complaints, which shall be available for review by County staff upon request.

**Mitigation Measure NOI-6:** Prior to the issuance of building permits, a preconstruction meeting shall be held with the job inspectors, designated construction noise coordinator, and the general contractor/onsite manager in attendance. The purpose of the meeting is to confirm that all noise mitigation measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed and in place prior to beginning grading or construction activities. The applicant shall provide written confirmation to CDD staff verifying the time and date that the meeting took place and identifying those in attendance.

Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp approval of construction plans for building permits
Party Responsible for Verification:	Project proponent, CDD Staff
Compliance Verification:	CDD staff review of construction drawings, or other verification provided to CDD staff

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