

Dk Engineering c/o Benoit McVeigh, (Applicant) Dobbins Properties LLC (Owner)

Mitigation Monitoring and Reporting Program
County File #CDSD23-09646, CDRZ23-03270, CDGP21-00004, & CDDP23-03012

0 Camino Pablo (@ Tharp Ave.)
Moraga, CA 94556

December 13, 2024

SECTION 2: AGRICULTURAL RESOURCES

Potential Impact: The redesignation of agricultural lands located within the ULL to allow for urban development is considered a potentially significant adverse environmental impact affecting the County's ability to maintain the 65/35 Land Preservation Standard.

Mitigation Measures:

Agricultural Resources 1: A conservation easement shall be established over the 16-acre open space Parcel A of the Vesting Tentative Map, whereby development rights over the area shall be transferred to the County. This will substantially limit the extent to which future conversion of agricultural lands could occur in the vicinity by providing permanent protection of open space land that comprises roughly 65% of the project site.

Implementing Action:	COA
Timing of Verification:	Concurrent with the recordation of Final Map.
Responsible Department, Agency, or Party:	Project Proponent and CDD Staff.
Compliance Verification:	CDD staff review of Grant Deed of Development Rights, and subsequent acceptance of GDDR by the County Board of Supervisors.

SECTION 3: AIR QUALITY

Potential Impact: If emissions control measures are not implemented, fugitive dust could be significant during grading and other earthwork on the project site, resulting in a potentially significant adverse environmental impact.

Mitigation Measures:

Air Quality 1: The following dust control measures, as recommended by the Bay Area Air Quality Management District (BAAQMD), shall be included on the construction drawings for the proposed project and implemented during construction:

- All exposed non-paved surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and access roads) shall be watered at least two times per day and/or non-toxic soil stabilizers shall be applied to exposed non-paved surfaces.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered and/or shall maintain at least 2 feet of freeboard.
- All visible mud or dirt tracked 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 miles per hour.

Abbreviations:

Condition of Approval (COA)
Community Development Division (CDD)

Mitigation Monitoring and Reporting Program

CDSD23-09646

Page 2 of 18

<ul style="list-style-type: none"> • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph. • All truck equipment, including their tires, shall be washed off prior to leaving the site. • Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted wood chips, mulch or gravel. • The prime construction contractor shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The County and the construction contractor shall take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations. 	
Implementing Action:	COA
Timing Verification:	Prior to CDD stamp approval of project plan sets for a grading or building permit, all construction plan sets shall include Basic Construction measures.
Responsible Department or Agency:	Project proponent and CDD.
Compliance Verification:	CDD review of plans prior to stamp-approval plans for Plan Check of building or grading permit.
<p>Potential Impact: Exhaust from diesel powered vehicles and equipment on the site can pose an elevated health risk to child receptors would be considered a potentially significant adverse environmental impact.</p>	
<p>Mitigation Measures:</p>	
<p>Air Quality 2: The following emissions measures, as recommended by the Bay Area Air Quality Management District (BAAQMD), shall be included on the construction drawings for the proposed project and implemented during construction:</p> <ul style="list-style-type: none"> • 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). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. 	

Abbreviations:

Condition of Approval (COA)
Community Development Division (CDD)

Mitigation Monitoring and Reporting Program

CDSD23-09646

Page 3 of 18

<ul style="list-style-type: none"> • The applicant shall require construction contractors to reduce construction related fugitive VOC emissions by ensuring that low-VOC coatings having a VOC content of 50 grams per liter or less are used during the coating of the buildings interiors and exterior surfaces. • All construction equipment larger than 50 horsepower used at the site for more than two continuous days or 20 hours total shall utilize diesel engines that are USEPA certified “Tier 4 final” emission standards for particulate matter and be equipped with CARB-certified Level 3 Diesel Particulate Filters. Prior to the CDD stamp approval of any construction plans for the issuance of demolition, construction, or grading permits, the construction contractor shall submit the specifications of the equipment to be used during construction to CDD staff. 	
Implementing Action:	COA
Timing Verification:	Prior to CDD stamp approval of project plan sets for a grading or building permit, all construction plan sets shall include Basic Construction measures.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	CDD review of plans prior to stamp-approval plans for Plan Check of building or grading permit.
SECTION 3: BIOLOGICAL RESOURCES	
Potential Impact: If any of the special status plant species are present, construction activities could result in the loss of the special-status species, resulting in a potentially significant adverse environmental impact.	
Mitigation Measures:	
<p>Biological Resources 1: Prior to issuance of a grading permit, special-status plant surveys shall be conducted for the bent-flowered fiddleneck (<i>Amsinckia lunaris</i>), Mt. Diablo fairy lantern (<i>Calochortus pulchellus</i>), and Diablo helianthella (<i>Helianthella castanea</i>). The plant surveys shall be conducted during the March through June blooming period in which the species are most identifiable. These surveys shall be conducted in compliance with all survey guidelines published by the California Department of Fish and Wildlife (CDFW, 2018), U.S. Fish and Wildlife Service (USFWS, 2011), and California Native Plant Society (CNPS, 2001). If the survey finds any of the listed special-status plant species on the project site, the applicant shall consult with the USFWS and/or CDFW, as appropriate, to develop an approved mitigation plan to ensure that potential impacts to the identified species are less than significant. The applicant shall fully implement the mitigation plan prior to initiation of any project construction activity.</p>	
Implementing Action:	COA

Abbreviations:

Condition of Approval (COA)
Community Development Division (CDD)

Mitigation Monitoring and Reporting Program

CDSD23-09646

Page 4 of 18

Timing of Verification:	Prior to ground disturbance. During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent, Consulting Biologist and CDD.
Compliance Verification:	CDD review of Biological Survey results.
Potential Impact: Project construction activities could disturb the California Red Legged Frog (CRLF), interfere with their migration, and/or result in the death of individual frogs, resulting in a potentially significant adverse environmental impact.	
Mitigation Measures:	
<p><u>Biological Resources 2:</u> Prior to commencement of construction activities, a qualified wildlife biologist shall survey the project site for California red-legged frog (CRLF) to verify the absence or presence of the species. One day and one night survey shall be conducted during the non-breeding season. At least one survey must be completed between January 1 and August 15. Day surveys shall be conducted between 1 hour after sunrise and 1 hour before sunset. Night surveys are used to identify and locate adult and metamorphosed frogs and shall be conducted no earlier than 1 hour after sunset. Surveys shall be performed in accordance with applicable U.S. Fish and Wildlife Service (USFWS) protocol. Because the potential for CRLF to occur on the project site is limited to a dispersal capacity only, surveys performed during the breeding season to identify eggs and larvae are not required.</p> <p>Once site clearing or grading commences, all ruts, holes, and burrows shall be inspected for CRLF by a qualified biologist prior to and during excavation or removal in order to look for and avoid amphibians that may be present on the project property. If any CRLF are found during initial site disturbance, a qualified biologist possessing a valid federal Endangered Species Act (ESA) Section 10(a)(1)(A) permit or USFWS-approved under an active biological opinion, shall be contracted to trap and to move amphibians to nearby suitable habitat outside the fenced project site.</p>	
Implementing Action:	COA
Timing of Verification:	Prior to ground disturbance. During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent, Consulting Biologist, and CDD.
Compliance Verification:	CDD review of Biological Survey results.
Potential Impact: <u>Project construction activities could injure or kill individual alameda whipsnakes, resulting in a potentially significant adverse environmental impact.</u>	
Mitigation Measures:	
<p><u>Biological Resources 3:</u> Prior to commencement of ground disturbance or vegetation removal from the project site, a qualified wildlife biologist shall perform a preconstruction survey the project site for Alameda whipsnake to determine the presence or absence of this species. The survey shall be conducted</p>	

Abbreviations:

Condition of Approval (COA)
Community Development Division (CDD)

Mitigation Monitoring and Reporting Program

CDS23-09646
Page 5 of 18

no more than 48 hours prior to vegetation removal or ground disturbance. If any whipsnakes are identified, the biologist shall develop appropriate mitigation to protect the species and compensate for lost Alameda whipsnake habitat. The mitigation shall be determined in consultation with the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) and implemented to the satisfaction of those agencies. Incidental take permits shall be obtained from these agencies prior to the County issuing a grading permit.

Implementing Action:	COA
Timing of Verification:	Prior to ground disturbance. During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	CDD review of Biological Survey results.

Potential Impact: Project construction activities could destroy burrows in use by the Western bumblebee or kill individual bumblebees, resulting in a potentially significant adverse environmental impact.

Mitigation Measures:

Biological Resources 4: Implementation of the below mitigation measures would reduce construction period impacts on the Western bumblebee to a less than significant level.

Prior to commencement of ground disturbance or vegetation removal from the project site, a qualified wildlife biologist shall perform a preconstruction survey of the project site for Western bumblebee to determine the presence or absence of this species. The survey shall be conducted no more than 48 hours prior to vegetation removal or ground disturbance. If any Western bumblebee are identified, the biologist shall develop appropriate mitigation to protect the species and compensate for potential habitat loss. The mitigation shall be determined in consultation with the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) and implemented to the satisfaction of those agencies. Incidental take permits shall be obtained from these agencies prior to the County issuing a grading permit.

Implementing Action:	COA
Timing of Verification:	Prior to ground disturbance. During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent, Consulting Biologist, and CDD.
Compliance Verification:	CDD review.

Abbreviations:

Condition of Approval (COA)
Community Development Division (CDD)

Mitigation Monitoring and Reporting Program

CDSD23-09646

Page 6 of 18

Potential Impact: Project construction disturbance could result in the loss of nesting habitat, disturbance to nesting birds, and possibly death of adults and/or young.

Mitigation Measures:

Biological Resources 5: If project grading or construction is scheduled to take place between February 1 and August 31, a preconstruction survey of the project vicinity for nesting birds shall be conducted by a qualified biologist experienced with the nesting behavior of bird species of the region. The survey shall determine if active nests are present within the planned area of disturbance or within 200 feet of the construction zone for passerines and within 500 feet for raptors. The survey shall be performed no more than 14 days prior to the commencement of construction activities that would occur during the nesting/breeding season. If ground disturbance activities are delayed following a survey, then an additional preconstruction survey shall be conducted such that no more than two weeks will have elapsed between the last survey and the commencement of ground disturbance activities. Copies of the preconstruction survey(s) shall be submitted to the Contra Costa County Department of Conservation and Development, Community Development Division (CDD) and the California Department of Fish and Wildlife.

If an active bird nest is found within the survey radii, species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. If an active nest is present, a minimum exclusion buffer of 100 feet shall be maintained during construction activities for passerine birds, and a minimum of 200 feet for raptors. The distance shall be determined by a competent biologist based on the site conditions—such as whether the nest is in a line of sight of the construction—and the sensitivity of the birds nesting. The nest site(s) shall be monitored by the biologist periodically to see if the birds are stressed by the construction activities and if the protective buffer needs to be increased. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area. A survey report by a qualified biologist verifying that no active nests are present, or that the young have fledged, shall be submitted prior to initiation of grading in the nest-setback zone. The qualified biologist shall serve as a biological monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur. All buffers shall be shown on all sets of construction drawings.

Implementing Action:	COA
Timing of Verification:	Prior to ground disturbance. During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent, Consulting Biologist, and CDD.
Compliance Verification:	CDD review.

SECTION 5: CULTURAL RESOURCES

Abbreviations:

Condition of Approval (COA)
Community Development Division (CDD)

Mitigation Monitoring and Reporting Program

CDSD23-09646

Page 7 of 18

Potential Impact: There is a possibility that buried archaeological resources could be present and accidental discovery could occur during grading and other earthwork on the project site, resulting in a potentially significant adverse environmental impact on archaeological resources.

Mitigation Measures:

Cultural Resources 1: The following Mitigation Measures shall be implemented during project construction.

- a. A program of onsite education to instruct all construction personnel in the identification of archaeological deposits shall be conducted by a certified archaeologist prior to the start of any grading or construction activities.
- b. If archaeological materials are uncovered during grading, trenching, or other onsite excavation, all work within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), and the Native American tribe(s) that has requested consultation and/or demonstrated interest in the project site, have had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s) if deemed necessary.

Implementing Action:	COA
Timing of Verification:	Prior to ground disturbance. During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	Include on plan sets during plan check and submittal of archaeologist report in the event of a find, for CDD review.

Potential Impact: Construction activities on the project site could result in a potentially significant adverse environmental impact due to disturbance of human remains.

Mitigation Measures:

Cultural Resources 2: Should human remains be uncovered during grading, trenching, or other onsite 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 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

Abbreviations:

Condition of Approval (COA)
Community Development Division (CDD)

Mitigation Monitoring and Reporting Program

CDSD23-09646

Page 8 of 18

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 landowner for treatment and disposition of the ancestor's remains. The landowner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

Implementing Action:	COA
Timing of Verification:	Prior to ground disturbance. During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	CDD review.

SECTION 6: ENERGY

Potential Impact: If emissions control measures are not implemented, energy use during project construction could be significant particularly during grading and other earthwork on the project site, resulting in a potentially significant adverse environmental impact.

Mitigation Measures:

Implementation of mitigations measure **Air Quality 2** would reduce project impacts related to energy usage.

SECTION 7: GEOLOGY & SOILS

Potential Impact: A strong seismic event could result in landslides that seriously damage the proposed project and put its occupants at risk.

Mitigation Measures:

Geology 1: At least 60 days prior to recording the final Subdivision Map, requesting issuance of construction permits or installation of utility improvements, the project proponent shall submit a design-level geotechnical report for the project, based on adequate subsurface exploration, laboratory testing and engineering analysis. The scope of the geotechnical investigation should address to fully evaluated the following potential geologic/ geotechnical and seismic hazards, including corrosion potential testing. The report shall also provide a) recommendations and specifications pertaining to foundation design, including any proposed foundation retaining walls, b) pavement design, c) evaluation of the drainage design, including the proposed bio-retention facilities and their effect on planned improvements. The report shall also address d) temporary shoring and support of excavations, e) updated California Building Code seismic parameters, and f) outline the recommended geotechnical monitoring, which shall include the monitoring of foundation related work as it pertains to geotechnical recommendations. Two monitoring reports shall be required: One following rough grading, which shall present all test data gathered as well as geologic mapping of exposures created during grading, and a map showing the location and estimated depth of subdrains and the location of all cleanouts, and the geotechnical

Abbreviations:

Condition of Approval (COA)
Community Development Division (CDD)

Mitigation Monitoring and Reporting Program

CDSD23-09646
Page 9 of 18

engineer's opinion on the compliance of the as graded project with the recommendations in the design level report. Lastly, a monitoring report shall be required prior to the final building inspection. It shall document monitoring of final grading, backfilling of utility, foundation preparation and subgrade preparation work for improvements, etc., and shall be submitted prior to requesting the final building inspection for each lot. (This monitoring report can be segmented so that one letter can document monitoring performed on all lots, or a grouping of lots or a series of monitoring reports for each lot).

Geology 2: The geotechnical report shall be subject to review by the County's peer review geologist, and review/approval of the Zoning Administrator. Improvement, grading and building plans shall carry out the recommendations of the approved report.

Geology 3: The geotechnical report required by Geology 1 routinely includes recommended geotechnical observation and testing services during construction. These services are essential to the success of the project. They allow the geotechnical engineer to (i) ensure geotechnical recommendations for the project are properly interpreted and implemented by contractors, (ii) allow the geotechnical engineer to view exposed conditions during construction to ensure that field conditions match those that were the basis of the design recommendations in the approved report, and (iii) provide the opportunity for field modifications of geotechnical recommendations (with BID approval), based on exposed conditions. The monitoring shall commence during clearing, and extend through grading, placement of engineered fill, installation of recommended drainage facilities, and foundation related work. A **hard hold** shall be placed on the "final" grading inspection, pending submittal of a report from the project geotechnical engineer that documents their observation and testing services to that stage of construction, including monitoring and testing of backfilling required for utility and drainage facilities.

Similarly, a **hard hold** shall be placed on the final building inspection for each dwelling, pending submittal of a letter-report from the geotechnical engineer documenting the monitoring services associated with implementation of final grading, drainage, and foundation-related work. The geotechnical monitoring shall include documentation of conformance of retaining wall, pier hole drilling/ foundation preparation work and installation of drainage improvements.

Geology 4: All grading, excavation and filling shall be conducted during the dry season (April 15 through October 15) only, and all areas of exposed soils shall be revegetated to minimize erosion and subsequent sedimentation. After October 15, only erosion control work shall be allowed by the grading permit. Any modification to the above schedule shall be subject to review by the Grading Inspector, and the review / approval of the Zoning Administrator.

Geology 5: Prior to filing of the Final Map, the project proponent shall join with an existing Geologic Hazard Abatement District (GHAD) or create a new independent GHAD formed pursuant to Public Resources Code Section 26500. The GHAD documents are subject to review and approval by the CDD. GHAD formation requires a Plan of Control and an Engineers Report. These documents must be prepared

Abbreviations:

Condition of Approval (COA)
Community Development Division (CDD)

Mitigation Monitoring and Reporting Program

CDSD23-09646

Page 10 of 18

by licensed professionals (engineering geologists and geotechnical engineers) and are subject to technical review by the Department of Conservation & Development. The project proponent is responsible for funding the technical review.

- A. If the GHAD is to own the open space parcels, it will assume responsibilities that relate to their position as a GHAD and also the duties as a responsible property owner. The GHAD is charged with responsibilities relate to the prevention, mitigation, abatement, or control of geologic hazards, which includes (a) maintenance of facilities that enhance geologic as well as hydrogeologic stability, such as drainage facilities and associated improvements. The drainage facilities to be maintained by the GHAD shall include retaining on open space parcels, BMP water quality treatment facilities, concrete lined drainage ditches and open space storm drainage facilities, and other peripherally related open space responsibilities (e.g. erosion control, mowing.
- B. The Plan of Control shall include (a) background information on the project and the open space, (b) characterize the geologic and seismic setting of the site, (c) provide a detailed evaluation of potential geologic hazards, (d) provide criteria for GHAD responsibility, (e) address activation of assessments and outline the process for transferring responsibility to the GHAD, (f) describe general landslide mitigation, (g) establish priorities for GHAD expenditures, and (h) outline the monitoring and maintenance schedule, including, but not limited to, provision for monitoring performance of GHAD maintained facilities in the aftermath of an earthquake that yields strong to violent earthquake shaking in the West County area. The engineers report shall provide the financial details needed to implement the Plan of Control.

Geology 6: A recorded deed disclosure shall provide notice to all the owners of the 13 residential lots of the existence of the Geologic Hazard Abatement District (GHAD) and its responsibilities, in addition to any easements and improvements granted to the GHAD. This notice may include provision for removal of landscaping or structures within the easements granted to the District without compensation. **At least 30 days prior to requesting a final building inspection for single-family residential development on any lot resultant from the proposed subdivision,** the applicant shall provide CDD staff with documentary evidence that the deed disclosure has been recorded on that lot.

Potential Impact: Soil erosion could occur during grading and other earthwork on the project site, resulting in a potentially significant adverse environmental impact.

Mitigation Measures:

Geology 7: Prior to the issuance of a grading or building permit, whichever occurs first, the applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) and an Erosion Control Plan for review and approval by the Department of Conservation and Development, Building Inspection Division (BID) and by the Department of Public Works. The SWPPP shall identify the "best management practices" that are most appropriate for the site, and the "Erosion Control Plan" shall provide the details of the erosion

Abbreviations:

Condition of Approval (COA)
Community Development Division (CDD)

Mitigation Monitoring and Reporting Program
CDSD23-09646
Page 11 of 18

control measures to be applied on the site and maintained throughout the winter rainy season. In addition, the SWPP shall include dust control measures which are most appropriate for the project site. These measures may include, but would not be limited to, watering or seeding disturbed areas, covering stockpiles of dirt or aggregate, or other soil stabilization practices.	
Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent, CDD, Project Geologist, Peer Review Geologist.
Compliance Verification:	CDD review.
Potential Impact: Subsidence of soils could damage building foundations and site pavements, resulting in a potentially significant adverse environmental impact.	
Mitigation Measures:	
Implementation of Geology 1 through Geology 6 would reduce the impact to a less than significant level.	
Potential Impact: The potential for expansive soils at the site could pose a risk to residents of the project, resulting in a potentially significant adverse environmental impact.	
Mitigation Measures:	
Implementation of Geology 1 through Geology 6 would reduce the impact to a less than significant level.	
Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent, CDD, Project Geologist Peer Review Geologist.
Compliance Verification:	CDD review.
Potential Impact: There is some potential for encountering paleontological resources on the site during project construction and the accidental discovery could occur during grading and other earthwork on the site, resulting in a potentially significant impact on unique paleontological resources and geologic features.	
Mitigation Measures:	
Implementation of Cultural Resources 1 would reduce such impacts to a less than significant level.	

Abbreviations:

Condition of Approval (COA)
Community Development Division (CDD)

Mitigation Monitoring and Reporting Program
CDS23-09646
Page 12 of 18

Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	CDD review.
SECTION 10: HYDROLOGY AND WATER QUALITY	
Potential Impact: Soil erosion and the leaks and spills due to construction equipment could occur during grading and other earthwork on the project site, resulting in a potentially significant adverse environmental impact on water quality.	
Mitigation Measures:	
Implementation of Geology 7 reduces these impacts to a less than significant level.	
Implementing Action:	COA
Timing of Verification:	During initial review of construction plan sets and throughout project.
Responsible Department, Agency, or Party:	Project proponent, County Department of Public Works (PW), and CDD.
Compliance Verification:	PW review of construction level plans, final SWCP, and hydrological analysis verifies C.3 compliance.
SECTION 13: NOISE	
Potential Impact: Grading and construction activities could result in potentially significant temporary noise increases adversely affecting occupants of nearby residents.	
Mitigation Measures:	
<p>Noise 1: The following standard County noise reduction measures shall be implemented during project construction and shall be included on all construction plans.</p> <ul style="list-style-type: none"> a. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors. b. 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. c. A publicly visible sign shall be posted on the property with the telephone number and person to contact regarding construction-related complaints. This person shall respond and take corrective 	

Abbreviations:

Condition of Approval (COA)
Community Development Division (CDD)

Mitigation Monitoring and Reporting Program
CDSD23-09646
Page 13 of 18

action within 24 hours. The Department of Conservation and Development, Community Development Division (CDD) phone number shall also be visible to ensure compliance with applicable regulations.

- d. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities 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)

For specific details on the actual date the State and Federal holidays occur, please visit the following websites:

Federal Holidays: [Federal Holidays \(opm.gov\)](https://www.opm.gov)

California Holidays: [State Holidays \(sos.ca.gov\)](https://sos.ca.gov)

- e. Large trucks and heavy equipment are subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00 AM to 4:00 PM.

Abbreviations:

Condition of Approval (COA)

Community Development Division (CDD)

Mitigation Monitoring and Reporting Program

CDSD23-09646

Page 14 of 18

Noise 2: The following noise reduction measures as recommended in the 2024 Illingworth & Rodkin *Camino Pablo Noise and Vibration Assessment* shall be implemented during project construction and shall be included on all construction plans.

- a. Construction of residences shall be stages such that residential units at the west and south boundaries of the site shall be constructed as early as possible to provide acoustical shielding for adjacent offsite residences. Constructing units along the western and southern boundaries of the site will provide approximately 10 dB of noise reduction during the remainder of project construction activities.
- b. Temporary noise barriers shall be constructed, where feasible, to screen any stationary noise-generating equipment located within 200 feet of adjacent offsite residences. Temporary noise barrier fences will provide a 5 dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receiver and if the barrier is constructed in a manner that eliminates any cracks or gaps.
- c. Construction staging areas shall be established at onsite locations that will create the greatest distance between the construction-related noise sources and adjacent offsite residences for the duration of project construction.
- d. Material stockpiles as well as equipment parking areas shall be located as far as feasible from adjacent offsite residences.

Noise 3: The 2024 Illingworth & Rodkin *Camino Pablo Noise and Vibration Assessment* recommended construction notification. Accordingly, the following additional noise mitigations shall be implemented.

- a. At least one week prior to commencement of grading or any other construction activity, the applicant shall provide written notification to occupants of properties within 300 feet of the exterior boundary of the construction site that construction work will commence. The notice shall include the telephone number and person to contact regarding construction-related complaints. This person shall respond and take corrective action within 24 hours. The CDD phone number shall also be visible to ensure compliance with applicable regulations.
- b. A copy of the notice shall be concurrently transmitted to the CDD. The notice shall be accompanied by a list of the names and addresses of the property owners noticed and a map identifying the notification area.

Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp approval of plans for the issuance of a grading or building permit.
Responsible Department, Agency, or Party:	Project proponent and CDD.

Abbreviations:

Condition of Approval (COA)
Community Development Division (CDD)

Mitigation Monitoring and Reporting Program
CDSD23-09646
Page 15 of 18

Compliance Verification:	CDD review.
SECTION 15: PUBLIC SERVICES	
Potential Impact: Without the creation and implementation of a Fire Protection Plan, the project could have a potentially significant adverse environmental impact on fire protection services in the area.	
Mitigation Measures:	
<p>Public Services 1: The applicant shall submit a Wildfire Protection Plan (WPP) for review and approval by the Moraga-Orinda Fire District (MOFD). The final fire protection plan shall include items listed in section 4903.2.1.1 and the following:</p> <ul style="list-style-type: none"> i. A map identifying all proposed plants in the fuel modification zones with a legend that includes a symbol for each proposed plant species. The plan shall include specific information on each species proposed, including but not limited to: <ul style="list-style-type: none"> a. The plant life-form b. The scientific and common name; and c. The expected height and width for mature growth ii. Identification of irrigated and non-irrigated zones. iii. Requirements for vegetation reduction around emergency access and evacuation routes. iv. Identification of points of access for equipment and personnel to maintain vegetation in common areas. v. Legally binding statements regarding community responsibility for maintenance of fuel modification zones. vi. Legally binding statements to be included in covenants, conditions and restrictions regarding property owner responsibilities for vegetation maintenance. 	
Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp approval of plans for the issuance of a grading or building permit for the development of any resultant lot.
Responsible Department, Agency, or Party:	Project proponent, MOFPD, and CDD.
Compliance Verification:	CDD review.
SECTION 18: TRIBAL CULTURAL RESOURCES	

Abbreviations:

Condition of Approval (COA)
Community Development Division (CDD)

Mitigation Monitoring and Reporting Program
CDSD23-09646
Page 16 of 18

Potential Impact: Damage or destruction of archaeological resources and disturbance of human remains during project construction would be potentially significant adverse environmental impacts.	
Mitigation Measures:	
Implementation of Cultural Resources 1 and Cultural Resources 2 would reduce the impacts to less than significant levels.	
Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp approval of plans for the issuance of a grading or building permit.
Responsible Department, Agency, or Party:	Project proponent and CDD.
Compliance Verification:	CDD review.
SECTION 20: WILDFIRE	
Potential Impact: Without a project contribution to upgrading fire facilities and equipment and the creation and implementation of a Wildfire Protection Plan, the project could exacerbate wildfire risks in the project vicinity, thereby causing potentially significant adverse environmental impacts.	
Mitigation Measures:	
Implementation of Public Services 1 and Public Services 2 would reduce the impacts to less than significant levels.	
Potential Impact: There is landslide potential on the site that could posed risk to people and/or property.	
Mitigation Measures:	
The implementation of Geology 1 through Geology 5 includes corrective measures to address historic landslide deposits and improve slope stability, reducing such impacts to a less than significant level.	
Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp approval of plans for the issuance of a grading or building permit for the development of any resultant lot.
Responsible Department, Agency, or Party:	Project proponent, Project Geologist, Peer Review Geologist, and CDD.
Compliance Verification:	CDD review.
SECTION 21: MANDATORY FINDINGS OF SIGNIFICANCE	

Abbreviations:

Condition of Approval (COA)
Community Development Division (CDD)

Mitigation Monitoring and Reporting Program
CDSD23-09646
Page 17 of 18

<p>Potential Impact: Without a project contribution to upgrading fire facilities and equipment and the creation and implementation of a Wildfire Protection Plan, the project could exacerbate wildfire risks in the project vicinity, thereby causing potentially significant adverse environmental impacts.</p>
--

<p>Mitigation Measures:</p>

<p>Mitigation measures recommended in the respective Environmental Checklist sections address these potentially significant impacts, reducing all such impacts to less than significant levels.</p>

Abbreviations:

Condition of Approval (COA)
Community Development Division (CDD)

Mitigation Monitoring and Reporting Program

CDSD23-09646

Page 18 of 18