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**Mitigation Monitoring and Reporting Program
County File #CDMS25-00003**

**2485 Caballo Ranchero Drive
Diablo, CA 94528**

August 17, 2026

SECTION 1: AESTHETICS

Potential Impact: The change in ambient nighttime light levels on the project site, and the extent to which project lighting would spill off the project site and affect adjacent light-sensitive areas, would determine whether the project could adversely affect nighttime views in the area. Project lighting could create a potentially significant adverse environmental impact due to substantial new light and glare on neighboring properties.

Mitigation Measures:

Aesthetics 1: Prior to submittal of a building permit, a Lighting Plan shall be submitted for review and approval of CDD. At a minimum, the plan shall include the following measures:

- a. All outdoor lighting, including façade, yard, security, and streetlights, shall be oriented down, onto the project site or road.
- b. Back shields or functionally similar design elements shall be installed on every lighting pole to reduce lighting from spilling off site, and to ensure that lighting remains within the project site.

Implementing Action:	COA
Timing of Verification:	During Compliance Review, prior to CDD approval of construction plans for a building permit, and during construction.
Responsible Department, Agency, or Party:	Project proponent, CDD, and Building Inspection.
Compliance Verification:	Submittal of lighting plan(s) for CDD review; Include CDD approved lighting plan(s) in construction plans for CDD review; and implementation with oversight of Building Inspection during construction.

SECTION 2: AIR QUALITY

Potential Impact: Grading and construction activities could have a potentially significant adverse environmental impact by exposing sensitive receptors to substantial pollutant concentrations.

Grading and construction activities using diesel powered vehicles and equipment on the site could have a potentially significant adverse environmental impact by creating localized odors.

Mitigation Measures:

Air Quality 1: The following Bay Area Air District, Basic Best Management Practices for Construction-Related Fugitive Dust Emissions shall be implemented during project construction and shall be included on all construction plans.

- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- c. 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.
- d. All vehicle speeds on unpaved roads shall be limited to 15 mph.

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- e. 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.
- f. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- g. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- h. 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 layer of wood chips, mulch, or gravel.
- i. Publicly visible signs shall be posted with the telephone number and name of the 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 General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

Air Quality 2: The following additional mitigation measures to reduce construction-related emissions shall be implemented during project construction and shall be included on all construction plans.

- a. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 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.
- b. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

Implementing Action:	COA
Timing Verification:	During Compliance Review, prior to CDD approval of construction plans for a building permit, and during construction.
Responsible Department or Agency:	Project proponent, CDD, and Building Inspection.
Compliance Verification:	Provide a copy of the Contact Sign required under MM 1i and report prepared by the certified visible emissions evaluator required under MM 2b for CDD review; Include MM 1 and 2 language on construction plans for CDD review; and implementation with oversight of Building Inspection during construction.

SECTION 3: BIOLOGICAL RESOURCES

Potential Impact: Construction activities, including demolition of accessory buildings and tree removal, may impact nesting passerine birds and raptors, and roosting bats.

Mitigation Measures:

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Biological Resources 1: If project-related activities that require tree removal take place during the nesting season (February through August), an avian pre-construction survey for nesting passerine birds and raptors (birds of prey) within the project site and the trees within the adjacent riparian area shall be conducted by a qualified Avian Biologist no more than 14 days prior to the commencement of the tree removal or project-related activities. If any bird listed under the Migratory Bird Treaty Act (MBTA) is found to be nesting within the project site or within the area of influence, an adequate protective buffer zone shall be established by a qualified Avian Biologist (with consultation of the California Department of Fish and Wildlife (CDFW)) to protect the nesting site. The distance shall be determined by a qualified Avian Biologist. The nest site(s) shall be monitored by a qualified Avian Biologist periodically to see if the birds are stressed by the construction activities and if the protective buffer needs to be increased. Once the young have fledged and are flying well enough to avoid project construction zones (typically by August), a qualified Avian Biologist shall determine if the project can proceed without further regard to the nest site(s). Prior to issuance of a building or grading permit, the CDD shall determine if project construction-related activities will take place during the nesting season, and if so, the avian preconstruction survey, and any incidental materials, shall be reviewed and approved by the CDD.

Implementing Action:	COA
Timing of Verification:	If during the nesting season: During Compliance Review, prior to any disturbance of the project site, prior to CDD approval to allow issuance of a building or grading permit, and during site clearing and construction.
Responsible Department, Agency, or Party:	Project proponent, project Avian Biologist, County Biologist consultant (if applicable), CDD, and Building Inspection.
Compliance Verification:	Timing of building or grading permit issuance; and If applicable, submittal of required materials per MM 1 for County biologist consultant (if found necessary) and CDD review; and implementation of approved Avian biologist mitigation measures with project Avian biologist and Building Inspection oversight during site clearing and construction activities.
Potential Impact: Construction activities, including tree removal and site clearance, may impact roosting bats.	
Mitigation Measures:	
Biological Resources 2: If project construction-related activities, including demolition and/or tree removal, take place during seasonal periods of bat activity (April 15 through August 31 and	

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October 15 through February 28), a bat habitat assessment shall be conducted by a qualified Biologist that has 1) at least two years of experience conducting bat surveys that resulted in detections for relevant species, such as pallid bat, with verified project names, dates, and references, and 2) experience with relevant equipment used to conduct bat surveys. The habitat assessment shall be conducted no more than 14 days prior to the commencement of site clearing or project-related activities to determine presence of bat roosting or maternal colonies.

For tree removal, the habitat assessment shall include a visual inspection of potential roosting features of trees to be removed (e.g., cavities, crevices in wood and bark, exfoliating bark for colonial species, suitable canopy for foliage roosting species). If suitable habitat trees are found, they shall be flagged or otherwise clearly marked, CDFW shall be notified immediately, and tree trimming or removal shall not proceed without approval in writing from CDFW. If the presence of bats is presumed or documented, trees may be removed only: a) using the two-step removal process detailed below during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, or b) after a qualified biologist, under prior written approval of the proposed survey methods by CDFW, conducts night emergence surveys or completes visual examination of roost features that establish absence of roosting bats. Two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices or deep bark fissures shall be avoided, and 2) the second day the entire tree shall be removed.

If no roosting or maternal colonies are observed, a letter report confirming absence shall be prepared by a qualified Bat Biologist, and no further avoidance measures should be required. If bat roosting sites and/or maternal colonies are found, then the bats shall not be disturbed without a pre-approved strategy prepared and implemented by a qualified Bat Biologist (with consultation of the California Department of Fish and Wildlife (CDFW)). Prior to issuance of a demolition, building or grading permit, the CDD shall determine if project construction-related activities will take place during seasonal periods of bat activity, and if so, the bat habitat assessment, and any incidental materials, shall be reviewed and approved by the CDD.

Implementing Action:	COA
Timing of Verification:	If during bat-activity season: During Compliance Review, prior to any disturbance of the project site, prior to CDD approval to allow issuance of a building or grading permit, and during site clearing and construction.
Responsible Department, Agency, or Party:	Project proponent, project Bat Biologist, County biologist consultant (if applicable), CDD, and Building Inspection.

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Compliance Verification:	Timing of demolition or grading permit issuance; and If applicable, submittal of required materials per MM 2 for County biologist consultant (if found necessary) and CDD review, and implementation of approved bat biologist mitigation measures with Building Inspection oversight during site clearing and construction activities.
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SECTION 4: CULTURAL RESOURCES

Potential Impact: There is a possibility that buried archaeological resources and/or human remains 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: If deposits of prehistoric or historical archaeological materials are encountered during ground disturbance activities, all work within 50 feet of the discovery shall be redirected. A qualified archaeologist certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), and the Native American Tribe that has requested consultation and/or demonstrated interest in the project shall be contacted to evaluate the significance of the finds and suggest appropriate mitigation(s) if deemed necessary.

Cultural Resources 2: If the deposits are not eligible, avoidance is not necessary. If the deposits are eligible, they will need to be avoided by impacts, or such impacts must be mitigated. Upon completion of the archaeological assessment, a report should be prepared documenting the methods, results, and recommendations. The report should be submitted to the Northwest Information Center and appropriate Contra Costa County agencies. Prehistoric materials can include flake-stone tools (e.g., projectile points, knives, choppers) or obsidian, chert, or quartzite tool-making debris; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash and charcoal, shellfish remains, and cultural materials); and stone milling equipment (e.g., mortars, pestles, handstones). Historical materials can include wood, stone, concrete, or adobe footings, walls and other structural remains; debris-filled wells or privies; and deposits of wood, glass ceramics, and other refuse.

Cultural Resources 3: In the event of accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and 5097.98 shall be followed. If during the course of construction activities there is accidental discovery or recognition of any human remains, the following steps shall be taken:

- a. There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within

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48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code section 5097.98. b. Where the following conditions occur, the landowner or his or her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance: • The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission. • The descendant identified fails to make a recommendation. The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.	
Implementing Action:	COA
Timing of Verification:	During Compliance Review, prior to CDD approval of construction plans for a building permit, and during construction.
Responsible Department, Agency, or Party:	Project proponent, project archeologist, County cultural resources consultant (if found necessary), CDD, and Building Inspection.
Compliance Verification:	Include MM 1-3 language on construction plans for CDD review; Implementation with oversight of Building Inspection during construction; and Submittal of archaeologist report, in the event of a find, for CDD review.
Section 13: NOISE	
Potential Impact: Construction related noise could impact adjacent sensitive receptors.	
Mitigation Measures:	
Noise 1: The following noise reduction measures shall be implemented during project construction and shall be included on all construction plans. 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 action within 24 hours. The 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,	

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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/policy-data-oversight/holidays-leave/federal-holidays/)

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

- 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.**

Implementing Action:	COA
Timing of Verification:	Prior to CDD approval of construction plans for a building permit, and during construction.
Responsible Department, Agency, or Party:	Project proponent, CDD, and Building Inspection.
Compliance Verification:	Include MM language on construction plans for CDD review; Implementation with oversight of Building Inspection during construction

SECTION 18: TRIBAL CULTURAL RESOURCES

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Potential Impact: The project could cause damage or destruction of archaeological and paleontological resources and/or disturbance of human remains during project construction.

Mitigation Measures:

Tribal Cultural Resources 1: Inadvertent discovery of Tribal Cultural Resources: If cultural resources of Native American origin are identified during grading or excavation of the proposed project, all ground disturbing activities within 100 feet shall cease until a representative from the Confederated Villages of Lisjan Nation is consulted by the government agency. If the entity in consultation with the consulting Tribe(s), determines that the resource is a Tribal Cultural Resource and thus significant under CEQA, the entity shall retain a Tribal representative and, if applicable, a qualified archaeologist, at the applicant's expense, to prepare a mitigation plan, which shall be implemented in consultation with the consulting Tribe. The mitigation plan shall include avoidance of the resource or, if avoidance of the resource is not feasible, the plan shall outline appropriate treatment of the resource in coordination with the consulting Tribe.

Examples of appropriate mitigation for Tribal Cultural Resources include, but are not limited to, protecting the cultural character and integrity of the resources, protecting traditional use of the resources, protecting the confidentiality of the resources, or heritage recovery.

Tribal Cultural Resources 2: Inadvertent discovery of human remains: If human remains are encountered during construction and ground disturbing activities, all work within 100 feet of the remains should be redirected and the County Coroner notified immediately. At the same time, an archeologist shall be contacted to assess the situation. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC will identify a Native American Most Likely Descendent (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and any associated funerary objects. There shall be no pictures taken or testing done on the Native American human remains. All bone, until identified as not human, shall be treated as potential human remains and the appropriate protocols followed. The archaeologist shall record information, as appropriate and in accordance with the recommendations of the MLD and/or Tribal representative. Upon completion of the archeologist's assessment, a report should be prepared documenting methods and results, as well as the MLD's recommendations regarding the treatment of the human remains and any associated funerary objects. The report should be submitted to the lead government agency, the NWIC and the consulting Tribe. Tribal representatives will rebury the Native American human remains and associated funerary objects with the appropriate dignity either; in accordance with the recommendations of the MLD if available or in the project vicinity at a location agreed upon between the Tribe and the entity, where the reburial would be accessible to Tribal members in perpetuity and would not be subject to further disturbance. The discovery and reburial is to be kept confidential and secure to prevent any further disturbance.

Implementing Action:

COA

Timing of Verification:

During Compliance Review, prior to CDD

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	approval of construction plans for a building permit, and during ground disturbance.
Responsible Department, Agency, or Party:	Project proponent, project CVLN Tribal Monitor, archeologist (if found necessary), CDD, and Building Inspection.
Compliance Verification:	Include MM 1-2 language on construction plans for CDD review; Implementation with oversight of project CVLN Tribal Monitor, project archeologist (if found necessary), Building Inspection during construction; and Submittal of archaeologist report, in the event of a find, for CDD review.
SECTION 10: MANDATORY FINDINGS OF SIGNIFICANCE	
Potential Impact: The project to create three parcels from the site may impact the quality of the environment (Aesthetics, Air Quality, Biological Resources, Cultural Resources, Noise, and Tribal Cultural Resources).	
Mitigation Measures:	
The impact would be reduced to a less than significant level with the adoption of the recommended Mitigation Measures that are specified in the respective sections of the Initial Study.	

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