# CHAPTER 9

# MITIGATION MONITORING & REPORTING PROGRAM

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# 9.1 CEQA REQUIREMENT

The following Mitigation Monitoring and Reporting Program (MMRP) was prepared in compliance with the requirements of Public Resources Code (CEQA Statute) Section (§) 21081.6 to identify specific funding, timing, and monitoring for implementation of all mitigation measures identified in the EIR for the Livingston's Concrete Batch Plant project. CEQA requires that the Lead Agency adopt a "reporting or monitoring program for the changes to the project which it has adopted or made a condition of a project approval in order to mitigate or avoid significant effects on the environment."

#### 9.2 PLACER COUNTY STANDARD MITIGATION MONITORING PROGRAM

Compliance with all of the mitigation measures included in this MMRP will be monitored through Placer County's Standard Mitigation Monitoring Program (Placer County Code §31.825). This program incorporates the most frequently required mitigation measures into the conditions of approval and entitlement processes. This program requires that mitigation measures recommended for discretionary projects, such as the Livingston's Concrete Batch Plant project, be included in the conditions of approval for those projects. Compliance with conditions of approval is monitored by the County through a variety of permit processes, including:

- Development Review Committee Approval
- Improvement Plans Approval
- Improvements Construction Inspection
- Encroachment Permit
- Final Map Recordation
- Acceptance of Subdivision Improvements as Complete
- Building Permit Approval
- Certification of Occupancy

In addition, for the proposed Livingston's Concrete Batch Plant project, there are two additional permit processes that will function as part of the County's Standard Mitigation Monitoring Program. These are:

- Septic System Operating Permit and Annual Renewal
- Air Pollution Control District Authority to Construct / Permit to Operate

Prior to issuing any of the listed permits or completing any of the listed County actions, County staff must first verify that certain conditions of approval/mitigation measures have been implemented. In this way, the issuance of the listed permits or completion of the listed County actions shall serve as the required monitoring for those conditions of approval/mitigation measures. The following listing includes those mitigation measures for the Livingston's

Concrete Batch Plant project that will be monitored through County staff verification of required approvals.

The MMRP lists the mitigation measures identified in the Draft EIR and the Initial Study. Prescriptive language in mitigation measures is intended to be mandatory, unless specifically noted otherwise. Language such as "must," "will," "needs to," "should," or "shall" indicates a mandatory requirement.

#### 9.3 LIVINGSTON'S CONCRETE BATCH PLANT MMRP

Consistent with Placer County Code §31.840, this MMRP presents a list of all the mitigation measures included in the Initial Study and the Draft EIR for the proposed Livingston's Concrete Batch Plant. As compliance with all of these measures is covered by the County's standard mitigation monitoring plan, no additional information is provided regarding implementation or monitoring requirements for these measures.

# Monitoring Schedule

The County will be responsible for ensuring compliance with mitigation applicable to the Livingston's Concrete Batch Plant. Under the County's standard mitigation monitoring plan, compliance with each mitigation measure will be evaluated prior to issuance of permits and County approvals for construction and operation of the proposed project. No additional compliance or monitoring reports are required for this project.

# Changes to Mitigation Measures

Any substantive change in the MMRP shall be reported in writing. Modifications to the mitigation measures may be made by the County subject to one of the following findings, documented by evidence included in the record:

The mitigation measure included in the Final EIR and the MMRP is no longer required because the significant environmental impact identified in the Final EIR has been found not to exist, or to occur at a level which makes the impact less than significant as a result of changes in the Project, changes in conditions of the environment, or other factors.

OR,

- The modified or substitute mitigation measure provides a level of environmental protection equal to, or greater than that afforded by the mitigation measure included in the Final EIR and the MMRP; and,
- The modified or substitute mitigation measure or measures do not have significant adverse effects on the environment in addition to, or greater than those which were considered by the responsible hearing bodies in their decisions on the Final EIR and the proposed Project; and,
- The modified or substitute mitigation measures are feasible, and the County, through measures included in the MMRP or other County procedures, can ensure implementation.

# Mitigation Measures from the Initial Study

#### Land Use

- MM 1.1 At such time as public water supply is extended to the area of the proposed project and becomes available for connection, the owner/operator of the site must abandon the onsite well in favor of connection to treated public water.
- MM 1.2 At such time as sewer service is extended to the area of the proposed project and becomes available for connection, the owner/operator of the site must abandon the onsite septic system in favor of connection to the wastewater system.
- MM 1.3 The applicant shall submit all appropriate well reports and testing documentation to the County Department of Health Services for review and approval prior to County issuance of grading permits.
- MM 1.4 The applicant shall apply to the County for and obtain a septic permit for the onsite septic system. The approved sewage disposal area shall be protected during grading and construction to prevent disturbance and compaction of the soil. The septic system shall be designed and constructed in compliance with all applicable County requirements and standards. Final approval is required prior to issuance of a certificate of occupancy. The project shall use an "Intermittent Sand Filter Septic System" which requires a renewable operating permit and system monitoring and maintenance in conformance with the permit requirements.

# **Geologic Problems**

- MM 3.1 The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual [LDM] that are in effect at the time of submittal) to the ESD for review and approval. The plans shall show all conditions for the project as well as pertinent topographical features both on- and off-site. All existing and proposed utilities and easements, onsite and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees. The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process and/or DRC review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil
- MM 3.2 Staging Areas: Stockpiling and/or vehicle staging areas shall be identified on the Improvement Plans and located as far as practical from existing dwellings and protected resources in the area.

acceptance by the County of site improvements.

Engineer at the applicant's expense and shall be submitted to the ESD prior to

#### MM 3.3

All proposed grading, drainage improvements, vegetation and tree removal shall be shown on the Improvement Plans and all work shall conform to provisions of the County Grading Ordinance (Ref. Article 15.48, Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the DRC. All cut/fill slopes shall be at 2:1 or less (horizontal:vertical) unless a soils report supports a steeper slope and ESD concurs with said recommendation.

The applicant shall revegetate all disturbed areas. Revegetation undertaken from April 1 to October 1 shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction. Where soil stockpiling or borrow areas are to remain for more than one construction season, proper erosion control measures shall be applied as specified in the Improvement Plans/Grading Plans. The applicant shall be responsible to provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the ESD.

The applicant shall submit to the ESD a letter of credit or cash deposit in the amount of 110% of an approved engineer's estimate for winterization and permanent erosion control work prior to Improvement Plan approval to guarantee protection against erosion and improper grading practices. Upon the County's acceptance of improvements, and satisfactory completion of a one-year maintenance period, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

If, at any time during construction, a field review by County personnel indicates a significant deviation from the proposed grading shown on the Improvement Plans, specifically with regard to slope heights, slope ratios, erosion control, winterization, tree disturbance, and/or pad elevations and configurations, the plans shall be reviewed by the DRC/ESD for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the DRC/ESD to make a determination of substantial conformance may serve as grounds the revocation/modification of the project approval by the appropriate hearing body.

#### **MM 3.4**

Storm drainage from onsite impervious surfaces shall be collected and routed through specially designed catchbasins, vaults, filters, or other approved system(s) for entrapment of sediment, debris and oils/greases as approved by ESD. Maintenance of these facilities shall be provided by the project owners/permittees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. Contractual evidence of a monthly parking lot sweeping and vacuuming, and catchbasin cleaning program shall be provided to ESD upon request. Failure to do so will be grounds for Conditional Use Permit revocation. Prior to Improvement Plan

approval, easements shall be created and offered for dedication to the County for maintenance and access to these facilities in anticipation of possible County maintenance.

MM 3.5

The applicant shall submit with the project Improvement Plans, a drainage report in conformance with the requirements of Section 5 of the LDM and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to the ESD for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the improvements, all appropriate calculations, a watershed map, increases in downstream flows, proposed on- and off-site improvements and drainage easements to accommodate flows from this project. The report shall address storm drainage during construction and thereafter and shall propose "Best Management Practice" (BMP) measures to reduce erosion, water quality degradation, etc. Said BMP measures for this project shall include: Minimizing drainage concentration from impervious surfaces, construction management techniques, erosion protection at culvert outfall locations and sand/oil separators (or other suitable proprietary treatment units, as approved by the ESD).

**MM 3.6** 

All onsite parking and circulation areas shall be improved with a minimum asphaltic concrete or portland cement concrete capable of supporting anticipated vehicle loadings.

#### Water

MM 4.1

Drainage facilities shall be designed in accordance with the requirements of the County Storm Water Management Manual that are in effect at the time of submittal, and to the satisfaction of ESD. These facilities shall be constructed with project improvements and easements provided as required by ESD. Maintenance of these facilities shall be provided by the property owner(s).

# Air Quality

- MM 5.1 The applicant shall submit to the Placer County Air Pollution Control District (District) and receive approval of a Construction Emission & Dust Control Plan prior to groundbreaking.
- MM 5.2 Construction equipment exhaust emissions shall not exceed District Rule 202 Visible Emission limitations.
- MM 5.3 Diesel equipment idling time shall not exceed 10 minutes.
- MM 5.4 Use low sulfur California diesel fuel for stationary construction equipment.
- MM 5.5 Utilize existing power sources (e.g., power poles) or clean fuel generators rather than diesel power generators.
- MM 5.6 Use electric or low emission natural gas onsite stationary equipment.
- MM 5.7 No open burning of removed vegetation during infrastructure improvements. Vegetative material should be chipped or delivered to waste to energy facilities.

- MM 5.8 The applicant shall implement sufficient dust control measures so as not to violate California Health and Safety Code section 41700 emission limits, and visible emission standards of 20% opacity.
- MM 5.9 All diesel fuel used in the on and off-road construction equipment shall at a minimum use California diesel fuel. The applicant will use a lower sulfer diesel fuel if economically available.
- MM 5.10 The applicant shall obtain an Authority to Construct / Permit to Operate from the District for all stationary source equipment, including the concrete operation and the use of any engines and/or generators.
- MM 5.11 Water to suppress fugitive dust emissions shall be applied onsite and at access roads as necessary during grading and construction activities by onsite trucks or other means to prevent violation of District Rule 228-Fugitive Dust. Controls must be adequate to control dust onsite and to prevent offsite dust migration.
- MM 5.12 The project is located within an area known to potentially contain naturally occurring asbestos (NOA), the applicant shall comply with requirements, conditions, and restrictions of the California Air Resources Board's <u>Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, And Surface Mining Operations</u>. If any NOA has been found onsite, an implementation plan to comply with the ATCM shall be developed and approved by the District (as required by the ATCM) prior to starting any construction or grading activity.

# **Biological Resources**

- MM 7.1 The applicant shall replace trees onsite at a ratio of 2:1, or shall pay into the Tree Preservation Fund \$100.00 for each diameter inch removed. The applicant shall comply with provisions of the Placer County Tree Preservation Ordinance for protection of all trees to remain onsite.
- MM 7.2 The wetland delineation shall be submitted to the Army Corps of Engineers (Corps) for verification. The applicant shall provide the County with the verification letter from the Corps prior to any development activity onsite, including preliminary clearing or grading.
- MM 7.3 The project applicant shall obtain the appropriate permits from the Corps and the Regional Water Quality Control Board for impacts to waters of the United States, and shall carry out onsite replacement or off-site banking to mitigate wetlands lost as a result of project development consistent with the Corps' and County's "no net loss" of wetlands policies. At a minimum the permit must cover impacts to the 0.01 acre wetland swale. If the Corps determines that the 0.25 acres of seasonal wetlands do fall within the scope of Corps jurisdiction, the permit must also cover impacts to the seasonal wetlands. Mitigation may be completed either through onsite replacement or off-site banking. If off-site mitigation is chosen, the project applicant shall provide written evidence that compensatory habitat has been established through the purchase of mitigation credits at a County qualified wetlands mitigation bank. The amount of money required to purchase these credits shall be equal to the amount necessary to

replace wetland or habitat acreage and value, including compensation for temporal loss. Evidence of payment, which describes the amount and type of habitat purchased at the bank site, must be provided to the County prior to the approval of Improvement Plans or issuance of Grading Permits.

#### Hazards

#### MM 9.1

In order to reduce the risk of accidental release of hazardous substances, the applicant shall comply with the state and local regulations for operating a business that uses and stores hazardous materials. The applicant shall complete a set of forms provided by the Placer County Department of Environmental Health Services, which is the Certified Unified Program Agency (CUPA) for the Cal-EPA. This packet includes a Business Owner/Operator Form, a Business Activities Form, a Hazardous Materials Inventory and Chemical Description, and a Hazardous Materials Release Response Plan. As part of this packet, the applicant must submit a site plan depicting where the hazardous materials are stored on the site.

In order to own and operate an AST onsite, the AST shall be registered with the CUPA, and a spill prevention control and countermeasure (SPCC) plan must be prepared and filed.

The applicant/facility operator shall submit to annual inspections by the CUPA inspectors, and shall correct any violations that are found at the direction of the CUPA.

#### **Cultural Resources**

#### MM 14.1

If any archaeological artifacts, exotic rock (non-native), or unusual amounts of shell or bone are uncovered during any onsite construction activities, all work must stop immediately in the area and a SOPA-certified (Society of Professional Archaeologists) archaeologist retained to evaluate the deposit. The Placer County Planning Department and Department of Museums must also be contacted for review of the archaeological find(s).

If the discovery includes human remains, the Placer County Coroner and Native American Heritage Commission must also be contacted. Work in the area may only proceed after authorization is granted by the Placer County Planning Department. A note to this effect shall be provided on the Improvement Plans for the project.

Following a review of the new find and consultation with appropriate experts, if necessary, the authority to proceed may be accompanied by the addition of development requirements which provide protection of the site and/or additional mitigation measures necessary to address the unique or sensitive nature of the site.

#### Mitigation Measures from the Draft EIR

# Impact 4.4: Consistency With Placer County Plans And Policies

**Mitigation Measure 4.4a:** At such time as public water supply is extended to the area of the proposed project and becomes available for connection, the owner/operator of the

site must abandon the onsite well in favor of connection to treated public water. Public water is considered available for connection if the water supply is within 1,000 feet of any boundary of the property, as measured in a straight line, and the connection can be legally and physically achieved.

Mitigation Measure 4.4b: At such time as sewer service is extended to the area of the proposed project and becomes available for connection, the owner/operator of the site must abandon the onsite septic system in favor of connection to the wastewater system. Sewer service is considered available for connection if the sewage collection line is within 1,000 feet of any boundary of the property, as measured in a straight line, and the connection can be legally and physically achieved.

# Impact 5.2: Impacts Under Future (2025) Plus Project Conditions

Mitigation Measure 5.2a: The project applicant shall pay their proportionate share of the total cost for future improvements to the Taylor Road/Ophir Road/I-80 Off Ramp intersection. The proportionate share shall be calculated using the following formula:

where P is the proportionate share percentage, T is the project-generated peak hour trips, Tb is the forecasted traffic volume on the State highway at buildout of the General Plan, and Te is the existing traffic volume plus traffic generated by approved projects that have not yet been constructed. For this location, the formula is as follows:

$$P = 13/(1,595 - 765)$$
  
 $P = 1.6\%$ 

The proportionate share shall be collected by the Department of Public Works prior to the issuance of a building permit, subject to future review and approval by Placer County of the traffic control device (conventional traffic signal or roundabout).

# Impact 5.3: Impacts to Existing and Planned Bicycle/Pedestrian facilities

Mitigation Measure 5.3a: The project Improvement Plans shall delineate a Class II bikeway along the project's frontage on Ophir Road pursuant to the Placer County Bikeways Master Plan. The location, width, alignment, and surfacing of the bikeway shall be subject to Department of Public Works/Design Review Committee review and approval prior to the approval of Improvement Plans.

#### Impact 5.4: Increase in Traffic Hazards from Design Features

Mitigation Measure 5.4a: The project shall provide for construction of a Dedicated Left-Turn Lane on Ophir Road to allow trucks to turn left into the project site entrance driveway. This lane shall include a shadow area along Ophir Road west of the driveway as required per the Highway Design Manual.

# **Impact 5.5: Construction Impacts On Traffic Patterns**

Mitigation Measure 5.5a: The applicant shall submit, for review and approval, a striping and signing plan with the project Improvement Plans. The plan shall include all on- and off-site traffic control devices and shall be reviewed by the County Traffic Engineer. A construction signing plan shall also be provided with the Improvement Plans for review and approval by the County Traffic Engineer.

# Impact 6.2: Operational Impacts To Groundwater From Septic System

- Mitigation Measure 6.2a: The project applicant shall prepare the final septic system design, which shall be submitted to Placer County for review and approval. Due to the proximity of the adjacent property to the east and planned cut to the north, the design for the septic system shall include measures to maximize system performance, including additional disposal trench, and means to block potential runon storm water flows from the south (e.g., surface berm and/or subsurface shallow impermeable curtain wall) to minimize the potential for untreated wastewater to become surface flow at the cut or other down gradient area(s). The septic system design shall be in accordance with Placer County wastewater regulations (Placer County Code Article 8.24) and the Placer County On-site Sewage Manual. The onsite sand filter sewage disposal system shall be subject to a renewable operating permit from the Placer County Department of Health and Human Services, Environmental Health Division as required by Section 8.24.080.B.2 of the Placer County Code and page 41, Chapter 24 of the On-site Sewage Manual.
- Mitigation Measure 6.2b: The project applicant shall obtain a permit for the use of an onsite septic system. The project must submit an application for a Septic Construction Permit, along with the septic system design, prior to construction. The application must include plot plans and final designs, as described in the Placer County On-site Sewage Manual, and all applicable fees. The applicant shall work with the Placer County Department of Health and Human Services, Environmental Health Division to ensure that all proposed and recommended mitigation measures are incorporated into the septic system design as specific design details and subsequently as permit conditions. The project is expected to use an "Intermittent Sand Filter Septic System" which requires a renewable operating permit and system monitoring and maintenance in conformance with the permit requirements.
- **Mitigation Measure 6.2c:** To facilitate future connection to the planned County sewer collection and treatment system, the onsite collection system shall be designed and constructed with sewer stub-outs toward the future point of connection, so that cut over to the permanent system and subsurface excavation and construction will be minimized.
- **Mitigation Measure 6.2d:** The onsite septic system shall be abandoned when public sewer service is extended to area. The proposed septic system is intended to be used temporarily. Once the public sewer service is available, the onsite septic system shall be abandoned in accordance with County requirements that are in effect at the time of abandonment and in accordance with the procedures specified in the Placer County *On-site Sewage Manual*.

**Mitigation Measure 6.2e:** The proposed Livingston's Concrete Batch Plant shall retain no more than 13 full-time equivalent employees (inclusive of a caretaker if a caretaker's apartment is constructed).

# Impact 6.3: Operational Impacts To Groundwater

- Mitigation Measure 6.3a: The Livingston's Concrete Batch Plant shall connect to public water supply when it is available. To facilitate this future connection, the onsite water supply/delivery system shall be designed and constructed with stub-outs toward the future point of connection. The project applicant shall coordinate with PCWA on this design for future connection. Public water is considered available for connection if the water supply is within 1,000 feet of any boundary of the property, as measured in a straight line, and the connection can be legally and physically achieved.
- **Mitigation Measure 6.3b:** Livingston's Concrete Service, Inc. shall abandon the existing onsite well when PCWA water is available, in accordance with State of California Well Standards Bulleting 74-90, as revised.
- Mitigation Measure 6.3c: Livingston's Concrete Service, Inc. shall provide for treatment of the onsite well to remove bacteriological contaminants. Following treatment, Livingston's Concrete Services shall provide for completion of a bacteriological test. The well water must meet potable water standards prior to issuance of a certificate of occupancy for the proposed project.

# Impact 6.4: Operational Impacts To Hydrology

- Mitigation Measure 6.4a: The project applicant shall prepare and submit with the project Improvement Plans, a drainage report in conformance with the requirements of Section 5 of the Land Development Manual and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to the Engineering and Surveying Department for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the improvements, all appropriate calculations, a watershed map, increases in downstream flows, proposed onsite and offsite improvements and drainage easements to accommodate flows from this project. The report shall identify water quality protection features and methods to be used both during construction and for long-term post-construction water quality protection. Best Management Practice (BMP) measures shall be provided to reduce erosion, water quality degradation, and prevent the discharge of pollutants to stormwater to the maximum extent practicable. No retention/detention facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.
- **Mitigation Measure 6.4b:** The drainage report required by *Mitigation Measure 6.4a* shall evaluate offsite drainage facilities for conditions and capacity. The project applicant shall upgrade or replace any offsite drainage facilities as needed and as specified by ESD. This includes any existing drainage facility immediately downstream of the site that would receive drainage and would be changed by the proposed project.

## Impact 6.5: Construction Impacts To Surface Water Quality

Mitigation Measure 6.5a: The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual [LDM] that are in effect at the time of submittal) to the Engineering and Surveying Department (ESD) for review and approval. The plans shall show all conditions for the project as well as pertinent topographical features both onsite and offsite. All existing and proposed utilities and easements, onsite and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public rightof-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees. (NOTE: Prior to plan approval, all applicable recording and reproduction costs shall be paid). The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process and/or DRC review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the ESD prior to acceptance by the County of site improvements.

Mitigation Measure 6.5b: All proposed grading, drainage improvements, vegetation and tree removal shall be shown on the Improvement Plans and all work shall conform to provisions of the County Grading Ordinance (Ref. Article 15.48, Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the DRC. All cut/fill slopes shall be at 2:1 (horizontal:vertical) unless a soils report supports a steeper slope and the Engineering and Surveying Department (ESD concurs with said recommendation.

The applicant shall revegetate all disturbed areas. Revegetation undertaken from April 1 to October 1 shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction. Where soil stockpiling or borrow areas are to remain for more than one construction season, proper erosion control measures shall be applied as specified in the Improvement Plans/Grading Plans. The Improvement and Grading plans shall provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the ESD.

The project applicant shall submit to the ESD a letter of credit or cash deposit in the amount of 110 percent of an approved engineer's estimate for winterization and permanent erosion control work prior to Improvement Plan approval to guarantee protection against erosion and improper grading practices. Upon the County's acceptance of improvements, and satisfactory completion of a 1-year maintenance

period, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

If, at any time during construction, a field review by County personnel indicates a significant deviation from the proposed grading shown on the Improvement Plans, specifically with regard to slope heights, slope ratios, erosion control, winterization, tree disturbance, pad elevations and configurations, and/or sewage disposal area disturbance, the plans shall be reviewed by the DRC/ESD for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the DRC/ESD to make a determination of substantial conformance may serve as grounds for the revocation/modification of the project approval by the appropriate hearing body.

Mitigation Measure 6.5c: This project is subject to construction stormwater quality permit requirements of the Federal Clean Water Act National Pollutant Discharge Elimination System (NPDES) program. The project applicant shall obtain any required permits through the State Regional Water Quality Control Board prior to issuance of a grading permit. Because the project would disturb more than one acre of land, the project must submit a Notice of Intent (NOI) to comply with the NPDES General Permit for Stormwater Discharges Associated with Construction Activities. The NOI for coverage under this permit must be submitted to the RWQCB at least 30 days prior to construction activities. The project applicant shall also provide to the Engineering and Surveying Department evidence of a state-issued Waste Discharge Identification (WDID) number or filing of a Notice of Intent and fees prior to start of construction.

Mitigation Measure 6.5d: The project applicant shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) for the construction phase. Water quality treatment facilities shall be designed according to the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction (or other similar source as approved by the ESD). BMPs for the project include, but are not limited to silt fencing (Sediment Control -1), straw bale barriers (Sediment Control -9), fiber rolls (Sediment Control -5), storm drain inlet protection (Sediment Control -10), hydraulic mulch (Erosion Control -3), and stabilized construction entrance (Tracking Control -1).

The SWPPP will include development of site-specific structural and operational BMPs to prevent and control impacts to runoff quality, measures to be implemented before each storm event, inspection and maintenance of BMPs, and monitoring of runoff quality by visual and/or analytical means. The contents of the SWPPP are set forth in detail in the permit application package. The California Stormwater BMP Handbook for Construction (California Stormwater Quality Association, 2004a) also provides examples of BMPs that could be used. Representative examples of BMPs that may be included in the SWPPP for the project are:

Scheduling materials deliveries to provide for minimal onsite storage and/or providing covered storage for materials wherever practical;

- Designating specific areas for overnight construction equipment storage and maintenance and providing runoff control around those areas to minimize the potential for runoff to contact spilled materials;
- Establishing procedures for daily work site cleanup and prepare and implement a Spill Mitigation Plan for construction-related activities;
- Developing a program of site inspections to ensure that BMPs are consistently implemented and effective;
- Conducting visual monitoring of onsite runoff quality;
- Placing fiber rolls around onsite drain inlets to prevent sediment and construction-related debris from entering the inlets;
- Placing fiber rolls (wattles) along the perimeter of the site to reduce runoff flow velocities and prevent sediment from leaving the site and sandbags around potentially affected offsite inlets to prevent sediments from entering the inlets;
- Placing silt fences downgradient of disturbed areas to slow down runoff and retain sediment;
- Specifying that all disturbed soil will be seeded, mulched, or otherwise protected by October 15;
- Including storm drain inlet protection which may consist of a sediment filter or an impounding area around or upstream of a storm drain, drop inlet, or curb inlet;
- Stabilizing construction entrance to reduce the tracking of mud and dirt onto public roads by construction vehicles; and
- Applying hydraulic mulch that temporarily protects exposed soil from erosion by raindrop impact or wind.
- Stockpiling and/or vehicle staging areas shall be identified on the Improvement Plans and located as far as practical from existing dwellings and protected resources in the area.

Mitigation Measure 6.6a: This project is subject to storm water management requirements of the Federal Clean Water Act National Pollutant Discharge Elimination System (NPDES) program. The project applicant shall obtain any required permits through the State Regional Water Quality Control Board prior to issuance of a grading permit. The project must submit a Notice of Intent (NOI) to comply with the NPDES General Permit for Stormwater Discharges Associated with Industrial Activities. The NOI for coverage under this permit must be submitted to the RWQCB at least 30 days prior to start of operations. In addition, the project must comply with the NPDES Phase II Rule General Permit requirements. The project applicant shall also provide to the Engineering and Surveying Department evidence of a state-issued WDID number or filing of a Notice of Intent and fees prior to start of construction.

Mitigation Measure 6.6b: The project applicant shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) for industrial operations. The plan shall comply with the NPDES General Industrial Permit and the Phase II Rule General Permit (PCPW, 2004 and SWRCB, 2004). The General Industrial SWPPP checklist provides guidance on the items to be included in the document. The items in the checklist are derived from the current General Permit and should be reviewed for applicability to the proposed project. Typical contents include:

- Pollution Prevention Team
- Existing Facility Plans
- Facility Site Map
- List of Significant Materials
- Description of Potential Pollution Sources
- Assessment of Potential Pollutant Sources
- Storm Water BMPs
- Annual Comprehensive Site Compliance Evaluation

The components of the SWPPP will include BMPs for the protection and enhancement of the stream environment, prevention of erosion and adverse effects on water quality, incorporation of regional stormwater management goals, and assurance of the growth and development of the project to minimize its adverse impacts. BMPs will be included in the plan, as well as a mitigation monitoring program to ensure long-term success of the BMPs.

Mitigation Measure 6.6.c: The project applicant shall prepare and submit a design for the wastewater management system prior to approval of the Improvement Plans. Wastewater generated in washing cement trucks and ready-mix plant equipment is typically very alkaline and may contain metals at concentrations in excess of the water quality objectives established in the Basin Plan for the protection of groundwater quality. Therefore, concrete wash water is a designated waste and its management is subject to regulation under Title 27 of the California Code of Regulations. As such, Waste Discharge Requirements (WDRs) may be required for the ready-mix concrete wash water system. The applicant will be required to submit a Report of Waste Discharge (RWD) to the RWQCB to apply for WDRs and must construct a containment system designed to prevent discharges of concrete wash water to the ground surface. Depending on the selected wastewater management option, the containment system may qualify for an exemption from Title 27, but the Monitoring will be required to design criteria will be essentially the same. demonstrate continued effectiveness of the containment system.

**Mitigation Measure 6.6d:** Storm drainage from onsite impervious surfaces proposed for the eastern portion of the project site (i.e., areas not collecting wastewater from the proposed concrete production process and/or from site cleanup and truck washing) shall be collected and routed through specially designed catchbasins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc., for entrapment of

sediment, debris and oils/greases or other identified pollutants, as approved by the Engineering and Surveying Department (ESD). The applicant shall provide for the establishment of vegetation, where specified, by means of proper irrigation, for effective performance of BMPs. Water quality treatment facilities shall be designed according to the California Stormwater Quality Association Stormwater Best Management Practice Handbook for Industry (or other similar source as approved by ESD). BMPs for the project include, but are not limited to: (a) Water Quality Inlets (TC-50), (b) Vortex Separators (MP-51), and (c) Drain Inserts (MP-52).

Maintenance of these facilities shall be provided by the project owners/permittees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. Contractual evidence of a monthly parking lot sweeping and vacuuming, and catchbasin cleaning program shall be provided to ESD upon request. Failure to do so will be grounds for discretionary permit revocation. Prior to Improvement Plan approval, easements shall be created and offered for dedication to the County for maintenance and access to these facilities in anticipation of possible County maintenance. No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

# Impact 7.3: Construction Noise Exceeding Established Noise Standards

**Mitigation Measure 7.3a:** Construction noise emanating from the project site is prohibited on Sundays and Federal Holidays, and shall only occur:

- a. Monday through Friday, 6:00 am to 8:00 pm (during daylight savings)
- b. Monday through Friday, 7:00 am to 8:00 pm (during standard time)
- c. Saturdays, 8:00 am to 6:00 pm
- d. In addition, temporary signs 4' by 4' shall be located throughout the project, as determined by the DRC, at key intersections depicting the above construction hour limitations. Said signs shall include a toll free public information phone number where surrounding residents can report violations and the developer/builder will response and resolve noise violations. This condition shall be included on the Improvement Plans.
- e. Advisory Comment: Essentially quiet activities which do not involve heavy equipment or machinery may occur at other times. Work occurring within an enclosed building, such as a structure under construction with the rood and siding completed, may occur at other times as well.

The Planning Director is authorized to waive the time frames based on special circumstances, such as adverse weather conditions.

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