

INTRODUCTION

As part of the CEQA environmental review procedures, Section 21081.6 requires a public agency to adopt a monitoring and reporting program to ensure efficacy and enforceability of any mitigation measures applied to the proposed project. The lead agency must adopt an MMRP for mitigation measures incorporated into the project or proposed as conditions of approval. The MMRP must be designed to ensure compliance during project implementation. As stated in Section 21081.6 (a) (1):

The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required to incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.

MITIGATION MONITORING AND REPORTING PROGRAM

The MMRP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in Initial Study.

The City of Colusa will be the primary agency, but not the only agency responsible for implementing the mitigation measures. In some cases, the City or other public agencies will implement measures. In other cases, the project applicant will be responsible for implementation of measures and the City’s role is exclusively to monitor the implementation of the measures. In those cases, the project applicant may choose to require the construction contractor to implement specific mitigation measures prior to and/or during construction. The City will continue to monitor mitigation measures that are required to be implemented during the operation of the project.

The MMRP is presented in tabular form on the following pages. The components of the MMRP are described briefly below:

Mitigation Measures: The mitigation measures are taken from the Mitigated Negative Declaration in the same order that they appear in the Initial Study.

Mitigation Timing: Identifies at which stage of the project mitigation must be completed.

Monitoring Responsibility: Identifies the department within the City, project applicant, or consultant responsible for mitigation monitoring.

Compliance Verification Responsibility: Identifies the department of the City or other State agency responsible for verifying compliance with the mitigation. In some cases, verification will include a contract with responsible state and federal agencies.

TABLE 4.0-1
MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Monitoring Responsibility	Timing	Verification (Date and Initials)
1. AESTHETICS			
AESH-1: To minimize over lighting and to provide for a quality-built environment. Outdoor lighting placed on structures, within parking lots, along	City of Colusa, Building and Planning Departments		

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trails or within the public right of way, shall be dark sky compliant, directed downward and contain cut offs to minimize excessive source of light and glare. Future building plan and improvement plan submittals shall indicate and provide details on the type of lighting, location, height, size and intensity.		<i>Building and improvement plans for the site shall indicate compliance with the mitigation measure prior to issuance of a building permit.</i>	
2. AIR QUALITY			
AIR 1: All offroad equipment of greater than 50 horsepower used in Project construction shall be CARB Tier 4 Certified, as set forth in Section 2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 of the Code of Federal Regulations	<i>The City of Colusa Building and Planning Departments, Colusa County Air Pollution Control District</i>	<i>Prior to issuance of a building permit. Building and improvement plans for the site shall indicate compliance with the mitigation measure prior to issuance of a building permit</i>	
AIR-2: The Project prohibits the installation, construction, or use of wood stoves and fireplaces in all proposed residential units within the Project Site. Hearths will be limited to natural gas-fueled fireplaces.	<i>The City of Colusa Building and Planning Departments, Colusa County Air Pollution Control District</i>	<i>Prior to issuance of a site related improvement permits, such as grading.</i>	
3. BIOLOGICAL RESOURCES			
BIO 1: The developer shall implement the following measures to minimize potential impacts on biological resources, including special status bird species: Western Red Bat <ul style="list-style-type: none"> • Mature trees should be removed and/or fallen between September 16 – March 15 outside of the bat maternity season. Trees should be removed at dusk to minimize impacts to roosting bats. • If tree removal cannot be performed outside of the maternity season, a qualified biologist shall conduct a preconstruction survey of suitable roosting habitat within 7 days prior to construction activities. Swainson's Hawk <ul style="list-style-type: none"> • A protocol-level nesting raptor survey shall be conducted within 7 days prior to the initiation of Project activities to determine the presence or absence of active SWHA nests within the BSA or within 500 feet of the Project boundary, where feasible. If an active SWHA nest is found, no work 	<i>Prior to issuance of grading permits or improvement plans, City staff shall verify that Mitigation wording is included on construction or grading plans, or the compliance completed prior to City permit issuance. Letter reports shall be maintained, as applicable, by Planning staff throughout construction.</i>	<i>Prior to issuance of grading permits or improvement plans and on-going during all construction related activities.</i>	

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<p>should occur within 250 feet of the active nest and CDFW shall be consulted.</p> <p>Migratory Birds and Raptors</p> <p>To avoid impacts to avian species protected under the Migratory Bird Treaty Act and the CFGC the following are recommended avoidance and minimization measures for migratory birds and raptors:</p> <ul style="list-style-type: none"> Project activities including site grubbing and vegetation removal shall be initiated outside of the bird nesting season (February 1 – August 31). If an active nest (i.e. containing egg(s) or young) is observed within the BSA or in an area adjacent to the BSA where impacts could occur, then a species protection buffer will be established. The species protection buffer will be defined by the qualified biologist based on the species, nest type and tolerance to disturbance. Construction activity shall be prohibited within the buffer zones until the young have fledged or the nest fails as determined by a qualified biologist. Nests shall be monitored by a qualified biologist once per week and a report submitted to the CEQA lead agency weekly. 			
5. CULTURAL RESOURCES			
<p>CULT 1-: A note shall be placed on all grading and construction plans which informs the construction contractor that if any bones, pottery fragments or other potential cultural resources are encountered during construction, all work shall cease within the area of the find pending an examination of the site and materials by a professional archaeologist. If during ground disturbing activities, any bones, pottery fragments or other potential cultural resources are encountered, the developer or their supervising contractor shall cease all work within the area of the find and notify Planning staff at (530) 458-4740. A professional archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology and who is familiar with the archaeological record of Colusa County, shall be retained by the applicant to evaluate the significance of the find.</p> <p>Site work shall not resume until the archaeologist conducts sufficient research, testing and analysis of the archaeological evidence to make a determination that the resource is either not cultural in origin or not potentially significant. If a potentially significant resource is encountered, the archaeologist shall prepare</p>	<p>City of Colusa Planning Department</p>	<p>Prior to issuance of grading permits or improvement plans, City staff shall verify that Mitigation wording is included on construction or grading plans, prior to City permit issuance. Letter reports shall be maintained, as applicable, by Planning staff throughout construction.</p> <p>On going during ground disturbance activities.</p>	

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a mitigation plan for review and approval by the City of Colusa Staff, including recommendations for total data recovery, Tribal monitoring, disposition protocol, or avoidance, if applicable. All measures determined by the City Staff to be appropriate shall be implemented pursuant to the terms of the archaeologist's report. The preceding requirement shall be incorporated into construction contracts and plans to ensure contractor knowledge and responsibility for proper implementation.			
CULT-2: If archaeological resources are encountered during construction, work shall be temporarily halted in the vicinity of the discovered materials and a qualified archaeologist and the City of Colusa shall notify all the local tribe on the consultation list maintained by the State of California Native American Heritage Commission, to provide local tribes the opportunity to monitor evaluation of the site. Workers shall avoid altering the materials and their context until a qualified professional archaeologist, in collaboration with the local tribes, has evaluated the situation and provided appropriate recommendations. Project personnel shall not collect cultural resources. [Native American resources include chert or obsidian flakes, projectile points, mortars, and pestles; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic-period resources include stone or adobe foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.	City of Colusa Planning Department	Prior to issuance of grading permits or improvement plans, City staff shall verify that Mitigation wording is included on construction or grading plans, prior to City permit issuance. Letter reports shall be maintained, as applicable, by Planning staff throughout construction. On going during ground disturbance activities.	
CULT-3: Any identified cultural resources shall be recorded on DPR 523 historic resource recordation forms by a qualified archaeologist, available online from the Office of Historic Preservation's website: http://ohp.parks.ca.gov/default.asp?page_id=1069 .	City of Colusa Planning Department	On going during ground disturbance activities.	
7. GEOLOGY AND SOILS			
GEO-1: In the event that fossils or fossil-bearing deposits are discovered during anticipated future residential construction on-site, the contractor shall notify a qualified paleontologist to examine the discovery and excavations within 50 feet of the find shall be temporarily halted or diverted. The area of discovery shall be protected to ensure that fossils are not removed, handled, altered, or damaged until the Site is properly evaluated and further action is determined. The paleontologist shall document the discovery as needed, in accordance with Society of Vertebrate Paleontology standards (Society of Vertebrate Paleontology 1995), evaluate the potential resource, and assess the significance	City of Colusa Planning Department.	On going during ground disturbance activities	

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of the finding under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the project proponent determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important. The plan shall be submitted to the Board of Directors for review and approval prior to implementation			
8. GREENHOUSE GAS EMISSIONS			
GHG-1: To reduce the impact of the Wescott Road Subdivision project on operational GHG emissions to a less-than-significant level, the applicant shall purchase and retire 2,009.88 MT/yr of carbon offsets. Purchases of carbon offsets shall be made for each year of the “project life”. The length of the project life shall be determined in consultation with, and in agreement with, the City of Colusa. GHG emissions control technology and emission control standards are reasonably anticipated for the near-term future. However, technology and standards will change in the future. As a result, a process mutually agreeable to the applicant and the City of Colusa shall be established to re-calculate the amount of offsets in the future.	City of Colusa Planning Department	On going through the length of the project life.	
9. HAZARDS AND HAZARDOUS MATERIALS			
HAZ-1: Leaks, drips, and spills of hydraulic fluid, oil, or fuel from construction equipment shall be promptly cleaned up to prevent environmental contamination, including contamination of waterways. All workers shall be properly trained in the prevention and clean-up of spills of contaminants. Protective measures shall include the following: <ol style="list-style-type: none"> 1. No discharge of pollutants from vehicle and equipment cleaning shall be allowed into any drainage ditches or watercourses. 2. Spill containment kits shall be properly maintained and located within the vicinity of all operations and fueling of equipment. 	City of Colusa Planning Department	Prior to construction, the contractor and EMC Emergency Services will develop a construction safety operation plan.	
HAZ-2: <u>Prior to issuance of a grading permit the soils within the boundaries of the site shall be tested by a qualified environmental engineering firm to ensure that the site does not contain contaminants of concern. If contaminants of concern are found to be present at levels that exceed thresholds, the applicant</u>	The City of Colusa Planning Department	Prior to issuance of grading permits or improvement plans,	

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<p><u>shall consult with the Department of Toxic Substance control to remedy the project site.</u></p> <p>If soil staining, odors of respected hazardous materials are encountered during construction activities, work shall cease in the area approximately 100 feet around the discovered site until a qualified firm conducts an environmental site assessment. The assessment shall identify the potential contaminated area and shall recommend measures to reduce or eliminate potential adverse impacts. The contractor shall implement all mitigation measures prior to resumption of work in the 100 foot area.</p>			
<p>HAZ-3: Prior to issuance of a grading permit, the developer or their successor shall such plans to the Colusa County Airport Land Use Commission staff to determine whether a consistency determination is required by the Colusa County Airport Land Use Compatibility Plan.</p>	<p><i>The City of Colusa Planning Department</i></p>	<p><i>Prior to issuance of grading permits or improvement plans,</i></p>	
<p>HAZ-4: In conjunction with recordation of each Subsequent Final Map, an avigation and noise easement consistent with Appendix “E” of the Airport Land Use Compatibility Plan, shall be recorded on all parcels that lie partially or wholly within C1 and C3 Compatibility Zones as defined in the Colusa County Land Use Compatibility Plan. The easement should at a minimum note the proximity of the Colusa County Airport and that complaints against airport operations are waved, that during planting season the airport experiences an increase in air traffic related to crop dusting activities, that the airport has the right to continue operations as necessary, that residence may experiences noise, vibrations and other effects related to aircraft and that no structure or plant material may exceed height limitation as defined by the Colusa County Land Use Compatibility Plan.</p>	<p><i>The City of Colusa Planning Department</i></p>	<p><i>Prior to issuance of grading permits or improvement plans</i></p>	
<p>HAZ-5: Prior to physical development within the Commercial, Open Space and Park zoning districts (not grading, earthwork, underground or road improvement), the developer, or their successor, shall submit such plans to the Colusa County Airport Land Use Commission staff to determine whether a consistency determination is required by the Colusa County Airport Land Use Compatibility Plan.</p>	<p><i>The City of Colusa Planning Department</i></p>	<p><i>Prior to issuance of grading permits or improvement plans</i></p>	
10. HYDROLOGY AND WATER QUALITY			
<p>HYDR-1: Prior to issuance of a final occupancy permit for structures within the project, the applicant shall ensure that landscaping installed for the single families, duplex, multi-family and commercial areas are installed pursuant to AB 1881 water usage requirements (the Water Conservation in Landscaping Act of 2006) and will be drought tolerant and on drop irrigation systems with</p>	<p><i>The City of Colusa Planning Department.</i></p>	<p><i>Upon discovery of unknown cultural resources. Mitigation is to be included as part of</i></p>	

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timers. Plant material shall be low or very low in areas that are not dedicated for active play or turf such as within parks.		construction contracts and documents.	
HYDR-2: Prior to landscape improvements within the public right of way, park area and open space, the applicant or their successor shall submit a landscape plan to the City of Colusa. The landscape plan shall utilize drought tolerance plant species, drip irrigation systems for individual plants and trees when appropriate, low flow water systems for sod or active play areas.	<i>The City of Colusa Planning Department</i>	<i>Prior to issuance of a grading permit.</i>	
HYDR-3: Prior to issuance of a grading permit, the applicant, or their successor, shall submit a Stormwater Pollution Prevention Plan which addresses the projects' stormwater drainage system, and any storm water detention or retention facilities (on- or off-site) if necessary, to prevent flooding due to runoff or where existing storm drainage facilities are unable to accommodate increased storm water drainage. This Storm Water Plan will be developed to the satisfaction of the City of Colusa.	<i>The City of Colusa Engineering Department</i>	<i>Prior to issuance of a grading permit.</i>	
11. LAND USE AND PLANNING			
LAND-1: Prior to issuance of a grading permit, the applicant or their successor shall consult with the Agricultural Commissioner and discuss, if need be, an increased agricultural setback along the western boundary of the project when abutting residential lots. To satisfy a buffer, the treatment can include physical setback/distance, increased masonry fence height long Westcott Road, and plantings. The setback distance may be adjusted by the Agricultural Commissioner.	<i>City of Colusa Engineering and Planning Department</i>	<i>Prior to issuance of a grading permit.</i>	
LAND-2: In conjunction with recordation of each Subsequent Final Map, a right to farm covenant as provided by the County of Colusa, shall be recorded on all parcels that are within the project boundaries. The covenant should at a minimum note the proximity of agricultural zones and uses, that complaints against agricultural operations are waved, that during planting and harvest season there may be an increase in smells, odors, vibration, dust, noises and other agricultural related activities	<i>City of Colusa Engineering and Planning Department</i>	<i>Prior to recordation of a final map.</i>	
13. NOISE			
NOISE-1: The following measures are required in order to reduce potential construction-related impacts to a less-than-significant level: <ul style="list-style-type: none"> The construction contractor shall ensure that all internal combustion-engine-driven equipment is equipped with mufflers that are in good operating condition and appropriate for the equipment. 	<i>The City of Colusa Planning Department</i>		

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<ul style="list-style-type: none"> The construction contractor shall ensure that “quiet” models of air compressors and other stationary construction equipment are utilized where such technology exists. The construction contractor shall, to the maximum extent practical, locate on-site equipment staging areas to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the Site during all project construction. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the Site. The construction contractor shall prohibit unnecessary idling of internal combustion engines (i.e., in excess of 5 minutes). The construction contractor shall designate a noise disturbance coordinator who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaints (starting too early, bad muffler, etc.) and institute reasonable measures warranted to correct the problem. The construction contractor shall conspicuously post a telephone number for the disturbance coordinator at the construction site. 		<p><i>Prior to and during grading and construction. The contractor shall provide to all subcontractors contract specifications that reflect the above guideline.</i></p>	
<p>NOISE-2: Construction related activities shall be limited to hours as stipulated in Chapter 11A Noise Regulations of the City of Colusa Municipal Code. A Note shall be placed on all improvement plans, including grading, construction and landscaping noting adherence to the Municipal Code is required.</p>	<p><i>The City of Colusa Engineering and Planning Department</i></p>	<p><i>On going through the life of the project</i></p>	
15. PUBLIC SERVICES			
<p>PUBLIC 1: Prior to recordation of the final map, or a phase within the final map, the applicant or their successor shall annex the boundaries of the Wescott Subdivision to Community Facilities Improvement District 2-2020 or create a new Community Facilities District to serve the project boundary. The District shall include fair funding for costs associated but not limited to, (i) Police and Fire Protection, (ii) maintenance of open space and parks, including trails, improvements, services to include but not limited to, irrigation and vegetation control; (iii) maintenance of roads and roadways, with services to include but not be limited to, regularly scheduled street sweeping, repair of public streets, striping of streets; (iv) storm protection services, including, but not limited to, the operation and maintenance of storm drainage systems; (v) landscaping in public areas and in the public right of way along public streets, including, but not limited to, irrigation, tree trimming and vegetation maintenance and control;</p>	<p><i>The City of Colusa Engineering and Planning Department</i></p>	<p><i>Prior to recordation of a final map</i></p>	

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and (vi) any other public services authorized to be funded under Section 53313 of the California Government Code that are not already funded by another community facilities district on the property within the CFD.			
17. TRAFFIC			
TRAF 1: Improvement plans shall be modified to illustrate a pedestrian connectivity of at least 10-foot width, containing a paved surface of 5 feet, at the terminus of Street “B” and Street “D” to allow internal pedestrian and bicycle connectivity at the end of each cul-de-sac with the balance of the project.	<i>The City of Colusa Engineering and Planning Department</i>	<i>Prior to approval of improvement plans</i>	
TRAF 2: Improvement plans shall be modified to illustrate a Class II bicycle connectivity along the Wescott Road frontage, connecting existing bicycle improvements to the north and terminating at the southern end of the property. The Class II bicycle path may be improved in phases in correlation with the phase of the tentative subdivision map.	<i>The City of Colusa Engineering and Planning Department</i>	<i>Prior to approval of improvement plans</i>	

PROJECT APPLICANT’S INORPORATION OF MITIGATION INOT THE PROPOSED PROJECT:

I have reviewed the Initial Study for the Wescott Ranch Project and the mitigation measures identified within. As the applicant for the foregoing, I hereby modify the project on file with the City of Colusa and agree to include and incorporate all mitigation measures as set forth in this document.

Authorized Signature

Printed Name and Date