Mitigation Monitoring and Reporting Program

for the

Heritage Park Project

Final Initial Study/Mitigated Negative Declaration

Town of Windsor, Sonoma County, California

Prepared for:

Town of Windsor

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PREFACE

Section 21081.6 of the California Environmental Quality Act (CEQA) and CEQA Guidelines Section 15097 require a Lead Agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) whenever it adopts a Mitigated Negative Declaration (MND) in conjunction with a project approval. The purpose of the MMRP is to ensure compliance with the mitigation measures occurs during project implementation.

The Initial Study and Mitigated Negative Declaration (IS/MND) prepared for the Town of Windsor–Heritage Park Project concluded that project implementation could result in potentially significant effects on the environment and mitigation measures were incorporated into the proposed project or are required as a condition of project approval that reduce these potential impacts to a less than significant level. This MMRP documents how and when the mitigation measures adopted by the lead agency will be implemented and confirms that potential environmental impacts are reduced to less than significant levels as identified in the MND.

This document does not discuss those subjects that the environmental analysis demonstrates would result in less than significant impacts and for which no mitigation was proposed or necessary.

Table 1: Heritage Park Project Mitigation Monitoring and Reporting Program

Mitigation Measures		Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
Biological Resources						
BIO-1	Obtain permit authorization from the United States Army Corps of Engineers (USACE) and the North Coast Regional Water Quality Control Board (RWQCB) for fill of the 0.05 acres of seasonal wetlands. The permit applications that would need to be submitted include a USACE Section 404 Nationwide Permit #39 and a North Coast RWQCB Section 401 Water Quality Certification. Mitigate for the loss of 0.05 acres of seasonal wetlands through the purchase of 0.05 acres of constructed seasonal wetlands at an agency-approved wetland mitigation bank in the Santa Rosa Plain.	Permitting from regulatory agencies as required	Prior to Construction Activities	Community Development Department		
BIO-2	In the event that construction activities are initiated (including land clearing, demolition, and/or tree removal) within the avian nesting season (February 1–August 31), a preconstruction survey shall be performed by a qualified biologist on the site to locate any active nests on or immediately adjacent to the site. The preconstruction survey shall be performed within 15 days before initiation of site activities. If active nests are identified, protective measures shall be implemented. An appropriate non-disturbance buffer zone shall be established—typically up to 300 feet for raptors and 50 feet for passerines, or as otherwise recommended by the biologist. These protection measures shall remain in effect until the young have left the nest and are	On-site survey, submittal of survey documents	Prior to Construction Activities	Community Development Department		

	Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
					Date	Initial
	foraging independently or the nest is no longer active, as determined by the biologist. If land-clearing activities (including all vegetation removal) can be performed outside of the nesting season (September 1–January 31), no preconstruction surveys for nesting birds are warranted.					
BIO-3	During the permitting process with the US Army Corps of Engineers (USACE), request the USACE to obtain formal consultation with United State Fish and Wildlife Service (USFWS) to append the project to the Programmatic Biological Opinion (USFWS 2007). Under specified conditions under the Programmatic Biological Opinion (USFWS 2007), mitigate for the loss of 0.05 acres of suitable habitat for listed plants through the purchase of 0.05 acres (1:1 mitigation ratio) of Burke's goldfields or Sonoma sunshine occupied or established habitat (any combination) with success criteria met prior to groundbreaking at the project site AND 0.025 acres (0.5:1 mitigation ratio) of Burke's goldfields or Sonoma sunshine establishment habitat with success criteria met prior to groundbreaking at the project site. Additionally, all mitigation habitat would be required to be purchased from a CDFW and USFWS approved conservation bank or placed under a conservation easement that is implementing and funding, in perpetuity, a long-term management plan.	Permitting from regulatory agencies as required	Prior to Construction Activities	Community Development Department		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
BIO-4 To ensure that actively roosting bats are not disturbed as a result of building demolition, tree trimming, and tree removal, the following mitigation measures would be implemented to avoid impacts to bat species. 1. The pruning or removal of living trees or snags must not occur during the maternity season between April 1 and September 1 to minimize the disturbance of young that may be present and unable to fly. 2. The pruning or removal of living trees or snags must occur between the hours of 12 p.m. and sunset on days after nights when low temperatures were 50° or warmer to minimize impacting bats that may be present in deep torpor. 3. When it is necessary to perform crown reduction on trees over 12 inches in diameter breast height or remove entire trees or branches over 6 inches in diameter, there shall be preliminary pruning of small branches less than 2 inches in diameter performed the day before. The purpose of this is to minimize the probability that bats would choose to roost in those trees the night before the work is performed. If it is not possible to implement Measures 2 and/or 3, then a qualified bat biologist will be required to conduct tree cavity surveys and humanely evict roosting bats within 24 hours of vegetation management activities. Measure 1, i.e., avoidance of maternity season, is critical as young bats that are not able to fly cannot be humanely evicted.	On-site survey, submittal of survey documents	During Construction Activities	Community Development Department		

Mitigation Measures		Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
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	4. Prior to demolition activities, a survey shall be conducted by a qualified bat biologist to determine the presence of bats in the existing single-family residence and barn structures. Should bats be present, passive eviction strategies would be used to humanely evict the bats.					
BIO-5	To reduce impacts to trees as a result of demolition and construction activities, the proposed project shall comply with the Town of Windsor Tree Preservation and Protection Ordinance. The project applicant would be required to monitor the replacement trees and provide annual monitoring reports to the Town for five (5) years to ensure 85 percent tree survival at five years and compliance with the ordinance.	On-site survey, submittal of survey documents	Prior to and During Construction Activities	Community Development Department		
Cultural Resources						
CUL-1	Preconstruction Meeting and Training. A qualified archaeologist shall provide a preconstruction meeting with cultural resources awareness training to all construction personnel who will conduct ground-disturbing activities. The training shall include information regarding the types of artifacts, prehistoric and historic-period, that may be encountered during earth-disturbing activities, as well as the procedures to follow if resources are identified during construction and an archaeologist is not present. The training must occur prior to the start of the project and any ground-disturbing activities.	On-site training	Prior to Ground Disturbing Activities	Community Development Department		

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CUL-2	Treatment of Previously Unidentified Archaeological Deposits. If suspected prehistoric or historic-period archaeological deposits are discovered during construction, all work within 25 feet of the discovery shall be redirected and a Secretary of the Interior Professionally Qualified Archaeologist and/or Registered Professional Archaeologist shall assess the situation and make recommendations regarding the treatment of the discovery. Impacts to significant archaeological deposits should be avoided if feasible, but if such impacts cannot be avoided, the deposits shall be evaluated for their eligibility to the California Register of Historical Resources and National Register of Historic Places. If the deposits are not California Register or National Register eligible, no further protection of the find is necessary. If the deposits are eligible, effects shall be avoided or mitigated. Acceptable mitigation may consist of, but is not necessarily limited to, systematic recovery and analysis of archaeological deposits, recording the resource, preparation of a report of findings, and accessioning recovered archaeological materials at an appropriate curation facility.	On-site inspection and monitoring; submittal of findings and documentation	During Ground Disturbing Activities	Community Development Department		
Noise						
NOI-1	Sound Wall. If determined to be necessary through consultation with HUD, a sound wall shall be constructed along the western property line to reduce traffic noise from U.S. Highway 101 to ensure exterior noise levels meet applicable standards. The sound wall shall be included on building and improvement plans.	Inclusion on improvement plans	Prior to Construction Activities	Community Development Department		