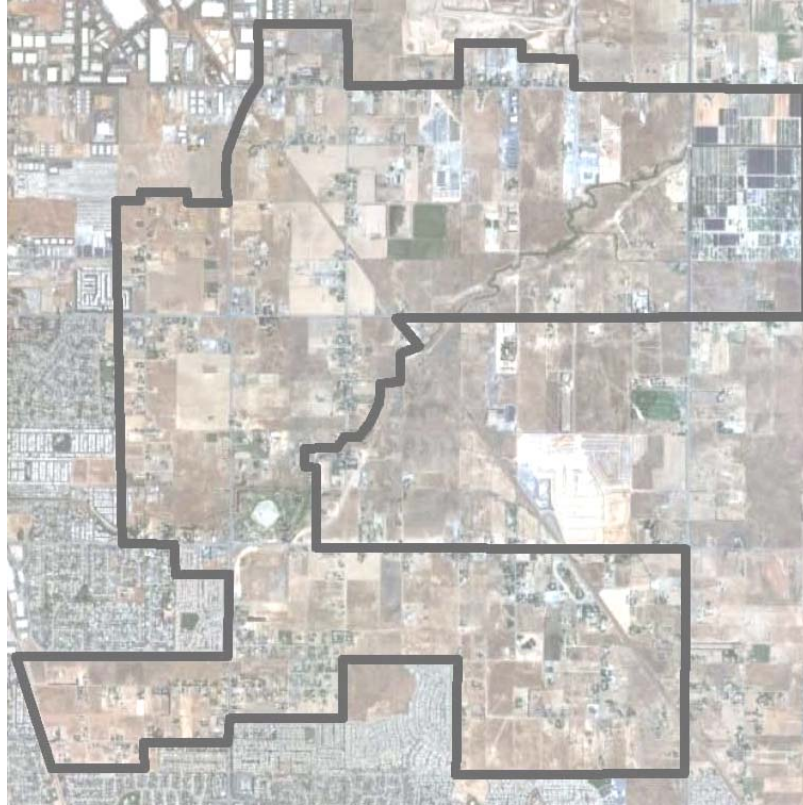

FINAL ENVIRONMENTAL IMPACT REPORT
VOLUME 5 (OF 5)

*FLORIN-VINEYARD GAP COMMUNITY
PLAN PROJECT*



Control Number: 04-GPB-CPB-0096

State Clearinghouse Number: 2005082045

Date: October 2010

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL
REVIEW AND ASSESSMENT
827 7TH STREET, ROOM 220
SACRAMENTO, CALIFORNIA 95814



BOARD OF SUPERVISORS

1st District: Roger Dickinson,
2nd District: Jimmie Yee
3rd District: Susan Peters
4th District: Roberta MacGlashan
5th District: Don Nottoli

COUNTY EXECUTIVE

Steve Szalay

PREPARED BY

Department of Environmental Review and Assessment

WITH ASSISTANCE BY

Raney Planning & Management, Inc.

Municipal Services Agency

Department of Environmental
Review and Assessment

Joyce Horizumi, Director



Steven C. Szalay, Interim County Executive
Nav Gil, Chief Operations Manager

October 15, 2010

TO: ALL INTERESTED PARTIES

SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT FOR FLORIN-VINEYARD GAP COMMUNITY PLAN PROJECT (Control Number: 04-GPB-CPB-0096; State Clearinghouse Number: 2005082045)

The subject Final Environmental Impact Report (FEIR) is attached for your review. The FEIR and the subject project are scheduled to be heard before the Sacramento County Board of Supervisors on October 27, 2010 at (time) in the County Board Chambers located at 700 H Street, Sacramento, California.

The DEIR consists of five volumes:

- **Volume I** of the FEIR contains all of the program-level California Environmental Quality Act (CEQA) mandated information and analyses for the entire Florin Vineyard Gap Community Plan Project area. This volume also includes the Response to Comments on the Draft EIR.
- **Volume II** of the FEIR contains all of the project-level CEQA mandated information and analyses for the individual development projects currently proposed within the Florin Vineyard Gap Community Plan Project area.
- **Volume III** of the FEIR contains supporting technical appendices for the DEIR analysis for the overall Florin Vineyard Gap Community Plan Project Area.
- **Volume IV** of the FEIR contains supporting technical appendices for the individual development projects.
- **Volume V** of the FEIR contains Mitigation Monitoring and Reporting Programs for the individual development projects.

Volumes I, II and V are available in hard copy, with Volumes III and IV attached in CD format. All volumes will be available electronically, beginning October 15, 2010, at:

<http://www.dera.saccounty.net/tabid/71/Default.aspx?ProjectID=32642>

Sincerely,

Joyce Horizumi
Environmental Coordinator

P:\2004\04-0096 FV GAP\Env Docs\FEIR\Volume I - FEIR - Main\Cover Letter.doc

FINAL ENVIRONMENTAL IMPACT REPORT
VOLUME 5 (OF 5)

*FLORIN-VINEYARD GAP COMMUNITY
PLAN*

Control Number: 04-GPB-CPB-0096

State Clearinghouse Number: 2005082045

This Environmental Impact Report has been prepared pursuant to the California Environmental Quality Act of 1970 (Public Resources Code Division 13). An Environmental Impact Report is an informational document which, when this Department requires its preparation shall be considered by every public agency prior to its approval or disapproval of a project. The purpose of an Environmental Impact Report is to provide public agencies with detailed information about the effect that a proposed project is likely to have on the environment; to list ways in which any adverse effects of such a project might be minimized; and to suggest alternatives to such a project.

Prepared by the
COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL
REVIEW AND ASSESSMENT
www.DERA.saccounty.net
827 7TH STREET, ROOM 220
SACRAMENTO, CALIFORNIA 95814

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04-RZB-PMR-ABE-0139

**Champion Oaks Commercial
Development Rezone, Tentative
Parcel Map and Abandonment**

**RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO:**

NAME: DERA

COUNTY MAIL CODE: 01-220

**No Fee--For the Benefit of
Sacramento County (Code
6103)**

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: 04-RZB-PMR-ABE-0139

NAME: Champion Oaks Commercial Development Rezone, Tentative Parcel Map and Abandonment

LOCATION: The project site is located on the northeast corner of Elk Grove-Florin Road and Gerber Road, in the Vineyard Community.

ASSESSOR'S PARCEL NUMBER: 065-0080-101

OWNER:

Elk Grove Florin Gerber LLC
1792 Tribute Road, Suite 270
Sacramento, CA 95815

APPLICANT/DEVELOPER:

Taylor Properties Development Company
1792 Tribute Road, Suite 270
Sacramento, CA 95815

PROJECT DESCRIPTION:

1. A **Rezone** of approximately 18.4± gross acres from AR-10 agricultural-residential and AR-10(F) agricultural-residential (flood combining) to SC shopping center.

2. A **Tentative Parcel Map** to divide approximately 18.4± gross acres into five (5) parcels: Parcel 1 at 12.52± gross acres, Parcel 2 at 1.78± gross acres, Parcel 3 at 1.20± gross acres, Parcel 4 at 0.82± gross acres, and Parcel 5 at 0.13± gross acres.
3. An **Abandonment** of excess right-of-way along Elk Grove Florin Road and Gerber Road.

TYPE OF ENVIRONMENTAL DOCUMENT:

| | |
|---|--|
| <input type="checkbox"/> Negative Declaration | <input type="checkbox"/> Prior Negative Declaration |
| <input checked="" type="checkbox"/> Environmental Impact Report | <input type="checkbox"/> Prior Environmental Impact Report |
| <input type="checkbox"/> Supplemental Environmental Impact Report | |

PREPARED BY: Sacramento County Department of
Environmental Review and Assessment
827 7th Street, Room 220
Sacramento, CA 95814

PHONE: (916) 874-7914

**MITIGATION MONITORING AND REPORTING PROGRAM
ADOPTED BY:**

DATE:

ATTEST: _____

SECRETARY/CLERK

State of California
County of Sacramento

On _____ before me, _____ (name, title of officer),
personally appeared:

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this ____ day of _____, 20____.

OWNER(S):

(Print company, corporation, or organization name, if applicable)

(Print name and/or title above)

(Signature above)

ALL PURPOSE ACKNOWLEDGEMENT

| | |
|---|---|
| <p>State of California County of Sacramento</p> <p>On _____ before me, _____(name, title of officer), personally appeared:</p> <p>_____,</p> <p>who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.</p> <p>I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.</p> <p>WITNESS my hand and official seal.</p> <p>_____ <i>Signature</i></p> | <p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="radio"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES</p> <p><input type="radio"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY</p> <p><input type="radio"/> PARTNER(S) _____ PARTNERSHIP</p> <p><input type="radio"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S)</p> <p><input type="radio"/> TRUSTEE(S) _____ TRUST</p> <p><input type="radio"/> OTHER _____ TITLE(S) _____ TITLE(S) _____ ENTITY(IES) REPRESENTED _____ ENTITY(IES) REPRESENTED</p> |
|---|---|

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PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled Champion Oaks Commercial Development Rezone and Tentative Parcel Map **(Control Number: 04-RZB-PMR-0139)**.

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The MMRP fee for this project is **\$7,900.00**. This fee includes administrative costs of **\$800.00**, which must be paid to the Department of Environmental Review and Assessment **prior to recordation of the MMRP and prior to recordation of any final parcel or subdivision map. The remaining balance will be due prior to review of any plans by the DERA or issuance of any building or grading permits.**

RECORDATION

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the Sacramento County Code, the project applicant shall provide to the Department of Environmental Review and Assessment a Legal Description for the real property that is the subject of the project.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

PROPERTY TRANSFER

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit A. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

PENALTIES

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the Sacramento County Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the Sacramento County Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

Plans that are inconsistent with the adopted Mitigation Measures will not be approved.

In the event of an ongoing, serious non-compliance issue, the Department of Environmental Review and Assessment may call for a "stop work order" on the project.

STANDARD PROVISIONS

Page one of all Project Plans must include the following statement in a conspicuous location:

“All Plans associated with this project are subject to the conditions of Mitigation Monitoring and Reporting Program 04-RZB-PMR-0139 . For any questions regarding compliance with the MMRP document, contact MMRP staff at (916) 874-7914.”

All Project Plans and any revisions to those Plans shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and any revisions to the Department of Environmental Review and Assessment prior to final approval by the Sacramento County Building Inspection Division (BID). If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment, for determination of compliance, prior to final approval by BID.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

FVGCP - PLAN WIDE MITIGATION MEASURES

☐ MITIGATION MEASURE HY-1 AND HY-2: FLOODING

HY-1a Florin Vineyard Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval.

HY-1b Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream and upstream areas. Such analyses shall verify that the phased improvements will mitigate post-development peak flows and water surface elevations in accordance with County standards, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements.

HY-2 Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream drainage/flooding and water quality impacts, have been implemented.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Provide documentation from the County Department of Water Resources indicating that the condition has been satisfied.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and the submitted documentation from DWR prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the County Department of Water Resources as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HY-3: HYDROLOGY AND DRAINAGE

For commercial development, all drainage fees required by the FVGCP PFFP and a fair share contribution, for NVSSP drainage improvements and rights-of-way which are of shared benefit to developments in the Elder and Gerber Creek watersheds of the FVGCP, shall be paid prior to approval of any commercial improvement plans for projects in the Elder and Gerber Creek watersheds of the FVGCP. Payment of fees pursuant to an interim fee agreement, that is adopted by the Board of Supervisors and which includes fair share contributions for the FVGCP and NVSSP drainage improvements and right of way acquisitions, shall satisfy the intent of this condition.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to approval of improvement plans or issuance of grading permits, submit proof of fee payment to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted proof of payment and consult with the County Department of Water Resources and/or the County Infrastructure Finance Section as necessary to verify that full payment has been made prior to approval of improvement plans or grading permits.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURES TC-1 THROUGH TC-4: ROADWAY SEGMENTS
AND INTERSECTIONS AND TC-5: STATE ROUTE 99 AND US 50

Compliance with mitigation measures TC-1 through TC-5 to be attained through the following conditions of approval, which provide financing and trigger mechanisms for all identified roadway improvements:

1. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.

For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County.

2. The property owners shall comply with the applicable provisions of the Florin Vineyard Community Plan (FVCP), Appendix D, "*Florin Vineyard Community Plan Construction of Phased Traffic Mitigation*".
 - a. As noted in Appendix D of the FVCP, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.
 - b. The following applies if residential development occurs on the site (any residential development within the SC zone is subject to the same

provisions as all other residential development in the FVCP area). The conditions listed in Appendix D of the FVCP implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measures.
2. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that all applicable roadway improvement fees have been paid through the financing mechanisms of the required Implementaton Plan or interim fee agreement.
3. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that the required roadway improvements have been constructed based on the cumulative number of recorded lots.

Verification (Action by the Department of Environmental Review and Assessment):

1. Verify with the County Department of Transportation and/or the County Infrastructure Finance Section that the developer has paid all required fees prior to approval of improvement plans or building permits.
2. Verify with the County Land Division and Site Improvement Review Section, the County Department of Transportation, and/or the County Infrastructure Finance Section that the required improvements have been constructed based on the cumulative number of residential units constructed within the FVCP.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE AQ-2: CONSTRUCTION EMISSIONS – OZONE
PRECURSORS

Not applicable – *Project did not exceed screening levels at time of application.*

☐ MITIGATION MEASURE AQ-3: OPERATIONAL EMISSIONS – OZONE
PRECURSORS

All development projects within the FVGCP shall comply with the SMAQMD endorsed *Florin Vineyard Gap Community Plan Air Quality Mitigation Program* (March 26, 2007), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the emission reduction measures chosen to achieve compliance with the AQ-15 Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen emission reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of emission reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE CC-1: GREENHOUSE GAS EMISSIONS

All development projects within the FVGCP shall comply with the requirements of the SMAQMD-endorsed FVGCP Climate Change Plan, dated January 28, 2010. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of project-specific measures that achieve a minimum of ten points selected in consultation with SMAQMD from the list of approved greenhouse gas reduction measures. Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development projects.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the GHG reduction measures chosen to achieve compliance with the FVGCP Climate Change Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen GHG reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of GHG reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE BR-1 AND BR-2: WETLANDS

Not applicable – *Delineation showing no wetland features verified by US Army Corps of Engineers prior to project approval.*

☐ MITIGATION MEASURE BR-3: NATIVE OR LANDMARK TREES

Not applicable – Arborist report submitted. Site contains no protected native or landmark trees.

☐ MITIGATION MEASURE BR-4: SPECIAL STATUS SPECIES – SWAINSON’S
HAWK

Compliance to be attained through Project Specific Mitigation Measure EGR-3.

☐ MITIGATION MEASURE BR-5: SPECIAL STATUS SPECIES – SURVEYS

Not applicable – *Special Status Species Evaluation conducted. Site Specific Mitigation Measures EGR-4 and EGR-5 adopted.*

☐ MITIGATION MEASURE N1 AND N-2: TRAFFIC AND RAILROAD NOISE

N-1 All residential development projects within the identified 65 dB Ldn noise contour (as identified in Tables N-3 and N-10 of this EIR) shall be designed and constructed to reduce noise levels to within General Plan Noise Element standards for exterior activity areas. Potential options for achieving compliance with noise standards include, but are not limited to, noise barriers, increased setbacks, and/or strategic placement of structures. Rubberized asphalt may be considered as mitigation for traffic noise where appropriate, subject to coordination with and approval by the County Department of Transportation. An acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical consultant shall be submitted to and verified by the Department of Environmental Review and Assessment prior to the issuance of any building permits for the site.

N-2 All residential development projects within the identified 70 dB Ldn noise contour (as identified in Tables N-3 and N-10 of this EIR) shall be designed and constructed to achieve an interior noise level of 45 dB Ldn or less. An acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical consultant, shall be submitted to and verified by the Department of Environmental Review and Assessment prior to the issuance of any building permits for the site.

NOTE: **The above measures apply only if residential development occurs on the site, as permitted under SC zoning.** Table N-10 identifies that at this location the 65 dB contour is 174 feet from the centerline of Gerber Road and 288 feet from the centerline of Elk Grove-Florin Road, while the 70 dB contour is 81 feet from the centerline of Gerber Road and 134 feet from the centerline of Elk Grove-Florin Road.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If residential construction is proposed within the 65 and/or 70 dB noise contours, then submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis, if applicable, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE N-3: NOISE-PRODUCING USES

All industrial or commercial development projects located adjacent to residentially designated properties shall be designed and constructed to ensure that noise levels generated by the uses do not result in General Plan Noise Element standards being exceeded on adjacent properties. An acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical consultant shall be submitted to and verified by the Department of Environmental Review and Assessment prior to the issuance of any building permits for the site. The acoustical analysis shall include, but not be limited to, consideration of potential noise conflicts due to operation of the following items:

- Mechanical building equipment, including HVAC systems;
- Loading docks and associated truck routes;
- Refuse pick up locations; and
- Refuse or recycling compactor units.

Specific designs for proposed facilities will be submitted to Sacramento County for approval prior to issuance of building permits to ensure compliance with noise standards.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE CR-1 AND CR-2: *ARCHAEOLOGICAL RESOURCES*

Not applicable -- Archaeological and historical surveys completed with negative results.

☐ MITIGATION MEASURE CR-3: SUBSURFACE ARCHAEOLOGICAL RESOURCES

- ☐ Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If cultural resources are encountered, notify the Department of Environmental Review and Assessment immediately.
4. If human remains are encountered, notify the County Coroner and the Department of Environmental Review and Assessment immediately.
5. If no cultural resources are encountered, the applicant shall provide the Department of Environmental Review and Assessment with a signed statement to that effect.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.

3. If cultural resources are encountered, the Department of Environmental Review and Assessment will coordinate an investigation of the site with appropriate specialists as needed. After investigation, the applicant may be required to implement additional mitigation for the cultural resources.
4. Review the signed statement if no resources are encountered.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-1: PAST CHEMICAL USAGE - LIVESTOCK

All future development proposals on portions of the Florin-Vineyard Gap Community Plan area that are known to have supported livestock (cattle, hogs, poultry, etc.) holding areas prior to the 1970's, shall implement a soil sampling and analysis program for organochlorine pesticides. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substances fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to construction activities, individual project proponents shall provide documentation demonstrating implementation of any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written documentation of known pre-1970 uses of the site to the Department of Environmental Review and Assessment. If livestock holding areas are known to have occurred, then also submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-2: PAST CHEMICAL USE – STORAGE TANKS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any/all active and inactive storage tanks and storage drums, both below and above ground, shall be removed from the property by a licensed contractor and all contents disposed of in accordance with local, state, and federal regulations. If any stained soil related to storage tanks is identified, a soil sampling and analysis program shall be implemented to identify the substance(s) and the potential environmental effects. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substance(s) fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to grading or construction activities, individual project proponents shall implement any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If any storage tanks or drums are removed from the project site, submit documentation to the Department of Environmental Review and Assessment indicating where the items were disposed.
4. If any stained soil is identified, then submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and any written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-3: WATER SUPPLY WELLS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, including preliminary grading and trenching for infrastructure, any on-site groundwater wells that are not intended for the use of the proposed development shall be abandoned in accordance with State and County regulations; this procedure requires a well abandonment permit (issued on a per-well basis) from the Sacramento County Environmental Management Department, Environmental Health Division. Any large-diameter (old hand excavated) wells and/or cisterns shall be removed and the holes backfilled in accordance with the recommendations of a geotechnical engineer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any wells on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the well was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted documentation of abandonment.
3. Consult with the Environmental Management Department as necessary to verify compliance.
4. Monitor compliance during periodic site inspections of the construction work.
5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-4: SEPTIC SYSTEMS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any septic systems and/or leach fields on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the system was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Environmental Management Department as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE AG-1: PRIME FARMLAND AND FARMLAND OF
STATEWIDE IMPORTANCE

Not applicable – *The site does not include Prime Farmland or Farmland of Statewide Importance.*

PROJECT SPECIFIC MITIGATION MEASURES

☐ MITIGATION MEASURE EGR-1: COUNTY DRAINAGE SYSTEM

See FVGCP Plan-wide Mitigation Measure HY-2, above.

☐ MITIGATION MEASURE EGR-3: SWAINSON'S HAWK FORAGING HABITAT

Prior to the approval of Improvement Plans, Building Permits, or recordation of the final map, whichever occurs first, implement one of the following options to mitigate for the loss of 4.6± acres of Swainson's hawk foraging habitat on the project site:

- a. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat.
- b. The project proponent shall utilize one or more of the mitigation options (land dedication and/or fee payment) established in Sacramento County's *Swainson's Hawk Impact Mitigation Program* (Chapter 16.130 of the Sacramento County Code).
- c. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of one of the measures above, which may exempt this project, the project proponent may be subject to that program instead.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance with one of the above mitigation options to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted written evidence of compliance with one of the above mitigation options.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE EGR-4: NESTING SWAINSON'S HAWK

- ☐ If construction, grading, or project-related improvements are to occur between March 1 and September 15, a focused survey for Swainson's hawk nests on the site and on nearby trees within ¼ mile of the site shall take place, and shall be conducted by a qualified biologist within 14 days prior to the start of construction work (including clearing and grubbing). If active nests are found, the California Department of Fish and Game (CDFG) shall be contacted to determine appropriate protective measures. If no active nests are found during the focused survey, no further mitigation will be required.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. If any construction work (including clearing and grubbing) is scheduled to occur any time during the raptor nesting season (March 1 through September 15), a survey for raptor nests shall be conducted by a qualified biologist within 14 days prior to the start of construction. A copy of the survey and any agreement with the California Department of Fish and Game, if applicable, must be submitted to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. If necessary, incorporate protective measures for nesting raptors into all Plans and Specifications for the project.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the raptor nesting survey if required, and consult with the qualified biologist and the CDFG, as necessary.
2. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
3. Monitor compliance during periodic site inspections of (a) the implementation of any required raptor protective measures and (b) the construction work.
4. Participate in any/all Final Inspection(s), as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE EGR-5: TRICOLORED BLACKBIRDS

- ☐ The following shall be required for any construction activities within 300 feet of marsh or other wetland habitat that includes stands of bulrush, cattail, or blackberry bushes: In order to mitigate potential impacts to tricolor blackbird, two pre-construction surveys of suitable habitat shall be performed by a qualified biologist. The surveys shall be done during the months of March and April (one each month) the year of project construction. If tricolor blackbirds are found nesting within the survey area, project construction shall be postponed until fledging of all nestlings (about July 15). If no active nests are found during the survey, submit a written report with date and the name of the biologist to the Department of Environmental Review and Assessment; no further mitigation will be required. If construction is proposed outside the nesting season (the nesting season is March 1-July 15), no pre-construction surveys will be required.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. If any construction work (including clearing and grubbing) is scheduled to occur within 300 feet of marsh or other wetland habitat that includes stands of bulrush, cattail, or blackberry bushes, then submit a copy of the preconstruction surveys to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. If necessary, incorporate protective measures for nesting tricolored blackbirds into all Plans and Specifications for the project.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the preconstruction surveys if required, and consult with the qualified biologist, as necessary.
2. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
3. Monitor compliance during periodic site inspections of (a) the implementation of any required tricolored blackbird protective measures and (b) the construction work.
4. Participate in any/all Final Inspection(s), as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE EGR-6: CULTURAL RESOURCES

See FVGCP Plan-wide Mitigation Measure CR-3, above.

04-RZB -0143

**Florin Vineyard Retail Center
Rezone**

**RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO:**

NAME: DERA

COUNTY MAIL CODE: 01-220

**No Fee--For the Benefit of
Sacramento County (Code
6103)**

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: 04-RZB -0143

NAME: Florin Vineyard Retail Center Rezone

LOCATION: The project site is located on the southwest corner of Florin Road and Elk Grove-Florin Road, in the Vineyard Community.

ASSESSOR'S PARCEL NUMBER: 065-0042-062

OWNER:

M. L. Oates
8615 Elder Creek Road
Sacramento, CA 95827

PROJECT DESCRIPTION:

A **Rezone** of approximately 18.4± gross acres from A-10 agricultural holding to SC shopping center.

TYPE OF ENVIRONMENTAL DOCUMENT:

☐ Negative Declaration

☐ Prior Negative Declaration

☒ Environmental Impact Report

☐ Prior Environmental Impact Report

☐ Supplemental Environmental Impact Report

PREPARED BY: Sacramento County Department of
Environmental Review and Assessment
827 7th Street, Room 220
Sacramento, CA 95814

PHONE: (916) 874-7914

**MITIGATION MONITORING AND REPORTING PROGRAM
ADOPTED BY:**

DATE:

ATTEST: _____

SECRETARY/CLERK

**State of California
County of Sacramento**

On _____ before me, _____ (name, title of officer),
personally appeared:

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this ____ day of _____, 20____.

OWNER(S):

(Print company, corporation, or organization name, if applicable)

(Print name and/or title above)

(Signature above)

ALL PURPOSE ACKNOWLEDGEMENT

| | |
|---|---|
| <p>State of California County of Sacramento</p> <p>On _____ before me, _____(name, title of officer), personally appeared: _____</p> <p>who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.</p> <p>I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.</p> <p style="text-align: right;">WITNESS my hand and official seal.</p> <p style="text-align: right;">_____ <i>Signature</i></p> | <p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="radio"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES</p> <p><input type="radio"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY _____</p> <p><input type="radio"/> PARTNER(S) _____ PARTNERSHIP _____</p> <p><input type="radio"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S) _____</p> <p><input type="radio"/> TRUSTEE(S) _____ TRUST _____</p> <p><input type="radio"/> OTHER _____ TITLE(S) _____ TITLE(S) _____ ENTITY(IES) REPRESENTED _____ ENTITY(IES) REPRESENTED _____</p> |
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PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled Florin Vineyard Retail Center Rezone **(Control Number: 04-RZB -0143)**.

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The MMRP fee for this project is **\$7,200.00**. This fee includes administrative costs of **\$800.00**, which must be paid to the Department of Environmental Review and Assessment **prior to recordation of the MMRP and prior to recordation of any final parcel or subdivision map. The remaining balance will be due prior to review of any plans by the DERA or issuance of any building or grading permits.**

RECORDATION

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the Sacramento County Code, the project applicant shall provide to the Department of Environmental Review and Assessment a Legal Description for the real property that is the subject of the project.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

PROPERTY TRANSFER

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit A. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

PENALTIES

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the Sacramento County Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the Sacramento County Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

Plans that are inconsistent with the adopted Mitigation Measures will not be approved.

In the event of an ongoing, serious non-compliance issue, the Department of Environmental Review and Assessment may call for a "stop work order" on the project.

STANDARD PROVISIONS

Page one of all Project Plans must include the following statement in a conspicuous location:

“All Plans associated with this project are subject to the conditions of Mitigation Monitoring and Reporting Program 04-RZB -0143 . For any questions regarding compliance with the MMRP document, contact MMRP staff at (916) 874-7914.”

All Project Plans and any revisions to those Plans shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and any revisions to the Department of Environmental Review and Assessment prior to final approval by the Sacramento County Building Inspection Division (BID). If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment, for determination of compliance, prior to final approval by BID.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

FVGCP - PLAN WIDE MITIGATION MEASURES

☐ MITIGATION MEASURE HY-1 AND HY-2: FLOODING

- HY-1a Florin Vineyard Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval.
- HY-1b Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream areas, and that such improvements are consistent with requirements of state and federal environmental regulators. Such analyses shall verify that the phased improvements will reduce post-development peak flows and water surface elevations to at least pre-development levels, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements.
- HY-2 Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream drainage/flooding and water quality impacts, have been implemented.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Provide documentation from the County Department of Water Resources indicating that the condition has been satisfied.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and the submitted documentation from DWR prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the County Department of Water Resources as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HY-3: HYDROLOGY AND DRAINAGE

Prior to the issuance of grading permits, project applicants shall pay the drainage fee identified in the Florin Vineyard Community Plan Public Facilities Financing Plan for the implementation of drainage improvements within the FVGCP.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to approval of improvement plans or issuance of grading permits, submit proof of fee payment to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted proof of payment and consult with the County Department of Water Resources and/or the County Infrastructure Finance Section as necessary to verify that full payment has been made prior to approval of improvement plans or grading permits.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURES TC-1 THROUGH TC-4: ROADWAY SEGMENTS AND INTERSECTIONS AND TC-5: STATE ROUTE 99 AND US 50

Compliance with mitigation measures TC-1 through TC-5 to be attained through the following conditions of approval, which provide financing and trigger mechanisms for all identified roadway improvements:

1. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.

For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County.

2. The property owners shall comply with the applicable provisions of the Florin Vineyard Community Plan (FVCP), Appendix D, "*Florin Vineyard Community Plan Construction of Phased Traffic Mitigation*".
 - a. As noted in Appendix D of the FVCP, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.
 - b. The following applies if residential development occurs on the site (any residential development within the SC zone is subject to the same

provisions as all other residential development in the FVCP area). The conditions listed in Appendix D of the FVCP implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measures.
2. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that all applicable roadway improvement fees have been paid through the financing mechanisms of the required Implementaton Plan or interim fee agreement.
3. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that the required roadway improvements have been constructed based on the cumulative number of recorded lots.

Verification (Action by the Department of Environmental Review and Assessment):

1. Verify with the County Department of Transportation and/or the County Infrastructure Finance Section that the developer has paid all required fees prior to approval of improvement plans or building permits.
2. Verify with the County Land Division and Site Improvement Review Section, the County Department of Transportation, and/or the County Infrastructure Finance Section that the required improvements have been constructed based on the cumulative number of residential units constructed within the FVCP.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE AQ-2: CONSTRUCTION EMISSIONS – OZONE
PRECURSORS

Not applicable – *Project did not exceed screening levels at time of application.*

☐ MITIGATION MEASURE AQ-3: OPERATIONAL EMISSIONS – OZONE
PRECURSORS

All development projects within the FVGCP shall comply with the SMAQMD endorsed *Florin Vineyard Gap Community Plan Air Quality Mitigation Program* (March 26, 2007), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the emission reduction measures chosen to achieve compliance with the AQ-15 Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen emission reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of emission reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE CC-1: GREENHOUSE GAS EMISSIONS

All development projects within the FVGCP shall comply with the requirements of the SMAQMD-endorsed FVGCP Climate Change Plan, dated January 28, 2010. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of project-specific measures that achieve a minimum of ten points selected in consultation with SMAQMD from the list of approved greenhouse gas reduction measures. Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development projects.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the GHG reduction measures chosen to achieve compliance with the FVGCP Climate Change Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen GHG reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of GHG reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE BR-1 AND BR-2: WETLANDS

Not applicable –*No wetland features on the project site.*

☐ MITIGATION MEASURE BR-3: NATIVE OR LANDMARK TREES

Not applicable –*Site contains no protected native or landmark trees.*

☐ MITIGATION MEASURE BR-4: SPECIAL STATUS SPECIES – SWAINSON’S
HAWK

Compliance to be attained through Project Specific Mitigation Measure FVR-3.

☐ MITIGATION MEASURE BR-5: SPECIAL STATUS SPECIES – SURVEYS

Not applicable – *Site-specific evaluation found no special status species habitat requiring additional surveys.*

☐ MITIGATION MEASURE N1 AND N-2: TRAFFIC AND RAILROAD NOISE

N-1 All residential development projects within the identified 65 dB Ldn noise contour (as identified in Tables N-3 and N-10 of this EIR) shall be designed and constructed to reduce noise levels to within General Plan Noise Element standards for exterior activity areas. Potential options for achieving compliance with noise standards include, but are not limited to, noise barriers, increased setbacks, and/or strategic placement of structures. Rubberized asphalt may be considered as mitigation for traffic noise where appropriate, subject to coordination with and approval by the County Department of Transportation. An acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical consultant shall be submitted to and verified by the Department of Environmental Review and Assessment prior to the issuance of any building permits for the site.

N-2 All residential development projects within the identified 70 dB Ldn noise contour (as identified in Tables N-3 and N-10 of this EIR) shall be designed and constructed to achieve an interior noise level of 45 dB Ldn or less. An acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical consultant, shall be submitted to and verified by the Department of Environmental Review and Assessment prior to the issuance of any building permits for the site.

NOTE: **The above measures apply only if residential development occurs on the site, as permitted under SC zoning.** Table N-10 identifies that at this location the 65 dB contour is 208 feet from the centerline of Florin Road and 288 feet from the centerline of Elk Grove-Florin Road, while the 70 dB contour is 97 feet from the centerline of Florin Road and 134 feet from the centerline of Elk Grove-Florin Road.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If residential construction is proposed within the 65 and/or 70 dB noise contours, then submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis, if applicable, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE N-3: NOISE-PRODUCING USES

All industrial or commercial development projects located adjacent to residentially designated properties shall be designed and constructed to ensure that noise levels generated by the uses do not result in General Plan Noise Element standards being exceeded on adjacent properties. An acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical consultant shall be submitted to and verified by the Department of Environmental Review and Assessment prior to the issuance of any building permits for the site. The acoustical analysis shall include, but not be limited to, consideration of potential noise conflicts due to operation of the following items:

- Mechanical building equipment, including HVAC systems;
- Loading docks and associated truck routes;
- Refuse pick up locations; and
- Refuse or recycling compactor units.

Specific designs for proposed facilities will be submitted to Sacramento County for approval prior to issuance of building permits to ensure compliance with noise standards.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE CR-1 AND CR-2: ARCHAEOLOGICAL RESOURCES

Not applicable -- *Archaeological and historical surveys completed with negative results.*

☐ MITIGATION MEASURE CR-3: SUBSURFACE ARCHAEOLOGICAL RESOURCES

- ☐ Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If cultural resources are encountered, notify the Department of Environmental Review and Assessment immediately.
4. If human remains are encountered, notify the County Coroner and the Department of Environmental Review and Assessment immediately.
5. If no cultural resources are encountered, the applicant shall provide the Department of Environmental Review and Assessment with a signed statement to that effect.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.

3. If cultural resources are encountered, the Department of Environmental Review and Assessment will coordinate an investigation of the site with appropriate specialists as needed. After investigation, the applicant may be required to implement additional mitigation for the cultural resources.
4. Review the signed statement if no resources are encountered.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-1: PAST CHEMICAL USAGE - LIVESTOCK

All future development proposals on portions of the Florin-Vineyard Gap Community Plan area that are known to have supported livestock (cattle, hogs, poultry, etc.) holding areas prior to the 1970's, shall implement a soil sampling and analysis program for organochlorine pesticides. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substances fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to construction activities, individual project proponents shall provide documentation demonstrating implementation of any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written documentation of known pre-1970 uses of the site to the Department of Environmental Review and Assessment. If livestock holding areas are known to have occurred, then also submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-2: PAST CHEMICAL USE – STORAGE TANKS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any/all active and inactive storage tanks and storage drums, both below and above ground, shall be removed from the property by a licensed contractor and all contents disposed of in accordance with local, state, and federal regulations. If any stained soil related to storage tanks is identified, a soil sampling and analysis program shall be implemented to identify the substance(s) and the potential environmental effects. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substance(s) fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to grading or construction activities, individual project proponents shall implement any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If any storage tanks or drums are removed from the project site, submit documentation to the Department of Environmental Review and Assessment indicating where the items were disposed.
4. If any stained soil is identified, then submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and any written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-3: WATER SUPPLY WELLS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, including preliminary grading and trenching for infrastructure, any on-site groundwater wells that are not intended for the use of the proposed development shall be abandoned in accordance with State and County regulations; this procedure requires a well abandonment permit (issued on a per-well basis) from the Sacramento County Environmental Management Department, Environmental Health Division. Any large-diameter (old hand excavated) wells and/or cisterns shall be removed and the holes backfilled in accordance with the recommendations of a geotechnical engineer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any wells on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the well was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted documentation of abandonment.
3. Consult with the Environmental Management Department as necessary to verify compliance.
4. Monitor compliance during periodic site inspections of the construction work.
5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-4: SEPTIC SYSTEMS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any septic systems and/or leach fields on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the system was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Environmental Management Department as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE AG-1: PRIME FARMLAND AND FARMLAND OF
STATEWIDE IMPORTANCE

Not applicable – *The site does not include Prime Farmland or Farmland of Statewide Importance.*

PROJECT SPECIFIC MITIGATION MEASURES

☐ MITIGATION MEASURE FVR-1: DRAINAGE

See FVGCP Plan-wide Mitigation Measure HY-2, above.

- ☐ MITIGATION MEASURE FVR-3: SWAINSON'S HAWK FORAGING HABITAT
- ☐ Prior to the approval of improvement plans, building permits, or recordation of the final map, whichever occurs first, or, if only a rezone is requested, prior to final adoption of the zoning agreement, implement one of the following options to mitigate for the loss of 1.7 acres of Swainson's hawk foraging habitat on the project site:
 - a. The project proponent shall utilize one or more of the mitigation options (land dedication and/or fee payment) established in Sacramento County's Swainson's Hawk Impact Mitigation Program (Chapter 16.130 of the Sacramento County Code).
 - b. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat.
 - c. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of one of the measures above, the project proponent may be subject to that program instead.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance with one of the above mitigation options to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted written evidence of compliance with one of the above mitigation options.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE FVR-4: CULTURAL RESOURCES

See FVGCP Plan-wide Mitigation Measure CR-3, above.

04-RZB-SDP-SPP-AHS-0187

**Gerber Creek Rezone, Tentative
Subdivision Map, Special
Development Permit and
Affordable Housing Plan**

**RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO:**

NAME: DERA

COUNTY MAIL CODE: 01-220

**No Fee--For the Benefit of
Sacramento County (Code
6103)**

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: 04-RZB-SDP-SPP-AHS-0187

NAME: Gerber Creek Rezone, Tentative Subdivision Map, Special Development Permit and Affordable Housing Plan

LOCATION: The property is located on the west side of Elk Grove-Florin Road, approximately 500 feet north of Gerber Road, in the South Sacramento community.

ASSESSOR'S PARCEL NUMBER: 065-0070-007

APPLICANT/OWNER:

Jack Liebau
665 Canterbury Road
San Marino, CA 91108

APPLICANT/ENGINEER:

McKay and Soms
1771 Tribute Road, Suite E
Sacramento, CA 95815

PROJECT DESCRIPTION:

1. A **Rezone** of approximately 30.3 acres from A-10 agricultural holding and A-10 (F) agricultural holding flood combining to RD-4 residential (15.3 acres) and RD-7 residential (15 acres).

2. A **Tentative Subdivision Map** to divide 30.3 acres into 184 residential lots (24 half-plex lots and 160 single family lots) and two landscape corridor lots.
3. A **Special Development Permit** to allow deviations from the lot size, width and setback standards.
4. A **Special Development Permit** to allow an affordable housing density bonus of 24 lots as permitted by the Affordable Housing Ordinance to off-set those units lost to affordable housing.
5. An **Affordable Housing Plan** consisting of on-site construction of single-family dwellings to be dispersed throughout the project.

TYPE OF ENVIRONMENTAL DOCUMENT:

| | |
|---|--|
| <input type="checkbox"/> Negative Declaration | <input type="checkbox"/> Prior Negative Declaration |
| <input checked="" type="checkbox"/> Environmental Impact Report | <input type="checkbox"/> Prior Environmental Impact Report |
| <input type="checkbox"/> Supplemental Environmental Impact Report | |

PREPARED BY: Sacramento County Department of
Environmental Review and Assessment
827 7th Street, Room 220
Sacramento, CA 95814

PHONE: (916) 874-7914

**MITIGATION MONITORING AND REPORTING PROGRAM
ADOPTED BY:**

DATE:

ATTEST: _____

SECRETARY/CLERK

State of California
County of Sacramento

On _____ before me, _____ (name, title of officer),
personally appeared:

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this ____ day of _____, 20____.

OWNER(S):

(Print company, corporation, or organization name, if applicable)

(Print name and/or title above)

(Signature above)

ALL PURPOSE ACKNOWLEDGEMENT

| | |
|---|---|
| <p>State of California County of Sacramento</p> <p>On _____ before me, _____(name, title of officer), personally appeared:</p> <p>_____,</p> <p>who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.</p> <p>I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.</p> <p>WITNESS my hand and official seal.</p> <p>_____ <i>Signature</i></p> | <p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="radio"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES</p> <p><input type="radio"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY</p> <p><input type="radio"/> PARTNER(S) _____ PARTNERSHIP</p> <p><input type="radio"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S)</p> <p><input type="radio"/> TRUSTEE(S) _____ TRUST</p> <p><input type="radio"/> OTHER _____ TITLE(S) _____ TITLE(S) _____ ENTITY(IES) REPRESENTED _____ ENTITY(IES) REPRESENTED</p> |
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PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled Gerber Creek Rezone, Tentative Subdivision Map, Special Development Permit and Affordable Housing Plan (**Control Number: 04-RZB-SDP-SPP-AHS-0187**).

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The MMRP fee for this project is **\$8,700.00**. This fee includes administrative costs of **\$800.00**, which must be paid to the Department of Environmental Review and Assessment **prior to recordation of the MMRP and prior to recordation of any final parcel or subdivision map. The remaining balance will be due prior to review of any plans by the DERA or issuance of any building or grading permits.**

RECORDATION

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the Sacramento County Code, the project applicant shall provide to the Department of Environmental Review

and Assessment a Legal Description for the real property that is the subject of the project.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

PROPERTY TRANSFER

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit A. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

PENALTIES

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the Sacramento County Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the Sacramento County Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

Plans that are inconsistent with the adopted Mitigation Measures will not be approved.

In the event of an ongoing, serious non-compliance issue, the Department of Environmental Review and Assessment may call for a "stop work order" on the project.

STANDARD PROVISIONS

Page one of all Project Plans must include the following statement in a conspicuous location:

“All Plans associated with this project are subject to the conditions of Mitigation Monitoring and Reporting Program 04-RZB-SDP-SPP-AHS-0187 . For any questions regarding compliance with the MMRP document, contact MMRP staff at (916) 874-7914.”

All Project Plans and any revisions to those Plans shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and any revisions to the Department of Environmental Review and Assessment prior to final approval by the Sacramento County Building Inspection Division (BID). If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment, for determination of compliance, prior to final approval by BID.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

FVGCP - PLAN WIDE MITIGATION MEASURES

☐ MITIGATION MEASURE HY-1 AND HY-2: FLOODING

HY-1a Florin Vineyard Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval.

HY-1b Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream and upstream areas and that such phased improvements are consistent with the County's 404 permit and the proposed phasing is submitted for approval to the Corps of Engineers as required by the conditions set forth in the County's 404 permit. Such analyses shall verify that the phased improvements will mitigate post-development peak flows and water surface elevations in accordance with County standards, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements.

HY-2 Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream drainage/flooding and water quality impacts, have been implemented.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Provide documentation from the County Department of Water Resources indicating that the condition has been satisfied.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and the submitted documentation from DWR prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the County Department of Water Resources as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HY-3: HYDROLOGY AND DRAINAGE

No residential final maps shall be recorded, no residential improvement plans shall be approved, and no residential building permits shall be issued until supplemental drainage fees are paid pursuant to an approved "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Gap Community Plan Public Facilities Financing Plan (FVGCP Financing Plan). In addition to those financing mechanisms, the "Implementation Plan" shall specifically include the blending of the FVGCP Financing Plan and the North Vineyard Station Specific Plan Finance Plan (NVSSP). This blended plan shall include fair share funding and construction obligations by the FVGCP for those NVSSP Finance Plan drainage improvements and rights-of-way which are of shared benefit to developments in the Elder and Gerber Creek watersheds of the FVGCP.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to approval of improvement plans or issuance of grading permits, submit proof of fee payment to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted proof of payment and consult with the County Department of Water Resources and/or the County Infrastructure Finance Section as necessary to verify that full payment has been made prior to approval of improvement plans or grading permits.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURES TC-1 THROUGH TC-4: ROADWAY SEGMENTS
AND INTERSECTIONS AND TC-5: STATE ROUTE 99 AND US 50

Compliance with mitigation measures TC-1 through TC-5 to be attained through the following conditions of approval, which provide financing and trigger mechanisms for all identified roadway improvements:

1. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.

For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County.

2. The property owners shall comply with the applicable provisions of the Florin Vineyard Community Plan (FVCP), Appendix D, "*Florin Vineyard Community Plan Construction of Phased Traffic Mitigation*".
 - a. As noted in Appendix D of the FVCP, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.
 - b. The following applies if residential development occurs on the site (any residential development within the SC zone is subject to the same

provisions as all other residential development in the FVCP area). The conditions listed in Appendix D of the FVCP implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measures.
2. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that all applicable roadway improvement fees have been paid through the financing mechanisms of the required Implementaton Plan or interim fee agreement.
3. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that the required roadway improvements have been constructed based on the cumulative number of recorded lots.

Verification (Action by the Department of Environmental Review and Assessment):

1. Verify with the County Department of Transportation and/or the County Infrastructure Finance Section that the developer has paid all required fees prior to approval of improvement plans or building permits.
2. Verify with the County Land Division and Site Improvement Review Section, the County Department of Transportation, and/or the County Infrastructure Finance Section that the required improvements have been constructed based on the cumulative number of residential units constructed within the FVCP.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE AQ-2: CONSTRUCTION EMISSIONS – OZONE PRECURSORS

Not applicable – *Project did not exceed screening levels at time of application.*

☐ MITIGATION MEASURE AQ-3: OPERATIONAL EMISSIONS – OZONE
PRECURSORS

All development projects within the FVGCP shall comply with the SMAQMD endorsed *Florin Vineyard Gap Community Plan Air Quality Mitigation Program* (March 26, 2007), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the emission reduction measures chosen to achieve compliance with the AQ-15 Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen emission reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of emission reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE CC-1: GREENHOUSE GAS EMISSIONS

All development projects within the FVGCP shall comply with the requirements of the SMAQMD-endorsed FVGCP Climate Change Plan, dated January 28, 2010. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of project-specific measures that achieve a minimum of ten points selected in consultation with SMAQMD from the list of approved greenhouse gas reduction measures. Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development projects.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the GHG reduction measures chosen to achieve compliance with the FVGCP Climate Change Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen GHG reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of GHG reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE BR-1 AND BR-2: WETLANDS

Compliance to be attained through Project Specific Mitigation Measure GC-5.

☐ MITIGATION MEASURE BR-3: NATIVE OR LANDMARK TREES

Not applicable – *Arborist report submitted. Site contains no protected native or landmark trees.*

☐ MITIGATION MEASURE BR-4: SPECIAL STATUS SPECIES – SWAINSON’S HAWK

Compliance to be attained through Project Specific Mitigation Measure GC-7.

☐ MITIGATION MEASURE BR-5: SPECIAL STATUS SPECIES – SURVEYS

Not applicable – *Special Status Species Evaluation conducted. Site Specific Mitigation Measures GC-6 through GC-8 adopted.*

☐ MITIGATION MEASURE N1 AND N-2: TRAFFIC AND RAILROAD NOISE

Compliance to be attained through Project Specific Mitigation Measures GC-3 and GC-4.

☐ MITIGATION MEASURE N-3: NOISE-PRODUCING USES

Not applicable – *Project does not include industrial or commercial development.*

☐ MITIGATION MEASURE CR-1 AND CR-2: *ARCHAEOLOGICAL RESOURCES*

Not applicable -- Archaeological and historical surveys completed with negative results.

☐ MITIGATION MEASURE CR-3: SUBSURFACE ARCHAEOLOGICAL RESOURCES

- ☐ Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If cultural resources are encountered, notify the Department of Environmental Review and Assessment immediately.
4. If human remains are encountered, notify the County Coroner and the Department of Environmental Review and Assessment immediately.
5. If no cultural resources are encountered, the applicant shall provide the Department of Environmental Review and Assessment with a signed statement to that effect.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.

3. If cultural resources are encountered, the Department of Environmental Review and Assessment will coordinate an investigation of the site with appropriate specialists as needed. After investigation, the applicant may be required to implement additional mitigation for the cultural resources.
4. Review the signed statement if no resources are encountered.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-1: PAST CHEMICAL USAGE - LIVESTOCK

All future development proposals on portions of the Florin-Vineyard Gap Community Plan area that are known to have supported livestock (cattle, hogs, poultry, etc.) holding areas prior to the 1970's, shall implement a soil sampling and analysis program for organochlorine pesticides. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substances fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to construction activities, individual project proponents shall provide documentation demonstrating implementation of any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written documentation of known pre-1970 uses of the site to the Department of Environmental Review and Assessment. If livestock holding areas are known to have occurred, then also submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-2: PAST CHEMICAL USE – STORAGE TANKS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any/all active and inactive storage tanks and storage drums, both below and above ground, shall be removed from the property by a licensed contractor and all contents disposed of in accordance with local, state, and federal regulations. If any stained soil related to storage tanks is identified, a soil sampling and analysis program shall be implemented to identify the substance(s) and the potential environmental effects. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substance(s) fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to grading or construction activities, individual project proponents shall implement any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If any storage tanks or drums are removed from the project site, submit documentation to the Department of Environmental Review and Assessment indicating where the items were disposed.
4. If any stained soil is identified, then submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and any written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-3: WATER SUPPLY WELLS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, including preliminary grading and trenching for infrastructure, any on-site groundwater wells that are not intended for the use of the proposed development shall be abandoned in accordance with State and County regulations; this procedure requires a well abandonment permit (issued on a per-well basis) from the Sacramento County Environmental Management Department, Environmental Health Division. Any large-diameter (old hand excavated) wells and/or cisterns shall be removed and the holes backfilled in accordance with the recommendations of a geotechnical engineer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any wells on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the well was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted documentation of abandonment.
3. Consult with the Environmental Management Department as necessary to verify compliance.
4. Monitor compliance during periodic site inspections of the construction work.
5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-4: SEPTIC SYSTEMS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any septic systems and/or leach fields on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the system was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Environmental Management Department as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE AG-1: PRIME FARMLAND AND FARMLAND OF STATEWIDE IMPORTANCE

Not applicable – *The site does not include Prime Farmland or Farmland of Statewide Importance.*

PROJECT SPECIFIC MITIGATION MEASURES

☐ MITIGATION MEASURE GC-1: DRAINAGE IMPACTS

See FVGCP Plan-wide Mitigation Measure HY-2, above.

☐ MITIGATION MEASURE GC-3: NOISE IMPACTS

Provide, at a minimum, a 7-foot combination berm and solid masonry soundwall behind the landscape corridors along the Elk Grove-Florin Road frontage.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE GC-4: NOISE IMPACTS

The applicant shall adhere to one of the following options:

- A. No second story shall be permitted within 110 feet of the centerline of Elk Grove-Florin Road.

OR

- a. For all second stories within 110 feet of the centerline of Elk Grove-Florin Road, an acoustical study shall be required which documents that the interior noise levels in such second stories will not exceed the General Plan standard of 45 dB Ldn/CNEL.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If second story residential construction is proposed within 110 feet of Elk Grove-Florin Road, then submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis, if applicable, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE GC-5: WETLAND AND FEDERALLY LISTED
BRANCHIOPOD IMPACTS

- ☐ Prior to any grading, grubbing, or excavation within 50 feet of the on-site ditch wetland or within 250 feet of the on-site seasonal wetlands, the applicant or owner shall obtain any/all applicable permits from the U.S. Fish and Wildlife Service (USFWS), U.S. Army Corps of Engineers, California Department of Fish and Game and the Central Valley Regional Water Quality Control Board for the proposed modifications to on-site wetlands and incidental take of federally listed fairy shrimp species. In addition, the project applicant or property owner shall comply with General Plan Conservation Element Policy No. CO-96 as it pertains to no net loss of wetlands. If mitigation occurring through the state and federal permitting processes results in less than 1:1 compensation for the loss of wetland habitat, the applicant or owner shall be required to pay to the County of Sacramento an amount based on a rate of \$35,000 per acre for the unmitigated/uncompensated wetlands. The payment shall be submitted to the Department of Planning and Community Development and shall be deposited in the Wetlands Restoration Trust Fund. A copy of any required permits, or written notification from the applicant that the permit authority has determined that a permit is not required, and verification of compliance with General Plan Conservation Element Policy No. CO-96 regarding no net loss of wetlands shall be submitted to the Department of Environmental Review and Assessment.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Prior to any physical disturbance within 50 feet of the on-site ditch wetland or within 250 feet of the on-site seasonal wetlands, submit to the Department of Environmental Review and Assessment a copy of any/all permits/agreements that are required by the USFWS, USACOE, CDFG and RWQCB, or correspondence indicating that no permits/agreements are required, along with proof of any required payment into the Wetlands Restoration Trust Fund.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans, along with all submitted permits/agreements, correspondence and/or proof of payment, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.

2. Monitor compliance during periodic site inspections of the construction work.
3. Consult with the USFWS, USACOE, CDFG and RWQCB as necessary to determine compliance.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE GC-6: SWAINSON'S HAWK NESTING IMPACTS

If construction, grading, or project-related improvements are to occur between March 1 and September 15, a focused survey for Swainson's hawk and other raptor nests in nearby trees (within ½ mile of the site) shall be conducted by a qualified biologist within 14 days prior to the start of construction work (including clearing and grubbing). If any active nests are located within ½ mile of proposed heavy equipment operations or construction activities, the project proponent shall then consult with CDFG to determine the appropriate course of action to reduce potential impacts upon nesting raptors and to determine under what circumstances equipment operation and construction activities can occur. If no active nests are found during the focused survey, no further mitigation will be required.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. If any construction work (including clearing and grubbing) is scheduled to occur any time during the raptor nesting season (March 1 through September 15), a survey for raptor nests shall be conducted by a qualified biologist within 14 days prior to the start of construction. A copy of the survey and any agreement with the California Department of Fish and Game, if applicable, must be submitted to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. If necessary, incorporate protective measures for nesting raptors into all Plans and Specifications for the project.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the raptor nesting survey if required, and consult with the qualified biologist and the CDFG, as necessary.
2. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
3. Monitor compliance during periodic site inspections of (a) the implementation of any required raptor protective measures and (b) the construction work.
4. Participate in any/all Final Inspection(s), as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE GC-7: SWAINSON'S HAWK FORAGING HABITAT

Prior to the approval of improvement plans, building permits, or recordation of the final map, whichever occurs first, implement one of the following options to mitigate for the loss of 7.6 acres of Swainson's hawk foraging habitat on the project site:

- a. The project proponent shall utilize one or more of the mitigation options (land dedication and/or fee payment) established in Sacramento County's Swainson's Hawk Impact Mitigation Program (Chapter 16.130 of the Sacramento County Code).
- b. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat.
- c. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of one of the measures above, the project proponent may be subject to that program instead.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance with one of the above mitigation options to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted written evidence of compliance with one of the above mitigation options.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE GC-8: BURROWING OWLS

Prior to construction activity (including site improvements, and building construction) a focused survey shall be conducted by a qualified biologist for burrowing owls where suitable habitat is present in the project area. Suitable habitat includes agricultural field margins, drainage ditches, and fallow fields. Surveys shall be conducted no less than 14 days and no more than 30 days prior to commencement of construction activities. Surveys shall be conducted in accordance with CDFG protocol (CDFG 1995).

- A. If no occupied burrows are found in the survey area, a letter report documenting survey methods and findings shall be submitted to the County and no further mitigation is necessary.
- B. If an occupied burrow is found the applicant shall contact the Department of Environmental Review and Assessment and consult with the California Department of Fish and Game (CDFG), prior to construction, to determine if avoidance is possible or if burrow relocation will be required.
- C. If owls are to remain on-site, a minimum of 6.5 acres of foraging habitat for each occupied burrow needs to be permanently preserved according to CDFG guidelines.
- D. In order to avoid direct impacts to owls, no activity shall take within 160 feet of an active burrow from September 1 to January 31 (wintering season) or 250 feet from February 1 through August 31 (breeding season). Protective fencing shall be in place, at the distances above, around the active burrows and no activity shall occur within the protected buffer areas.
- E. Any impact to active owl burrows, relocation of owls or mitigation for habitat loss shall be done in accordance with CDFG guidelines. Written evidence from CDFG staff shall be provided to DERA attesting to the permission to remove burrows, relocate owls, mitigate for lost habitat, and provide a method for preservation of habitat in perpetuity..

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. Submit a copy of the preconstruction surveys to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. Submit written evidence of compliance with the above measures A through E to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the preconstruction surveys and consult with the qualified biologist, as necessary.
2. Review submitted written evidence of compliance.
3. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
4. Monitor compliance during periodic site inspections.
5. Consult with the CDFG as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE GC-9: CULTURAL RESOURCES

See FVGCP Plan-wide Mitigation Measure CR-3, above.

04-RZB-PMR-0204

**Florin Bradshaw NE Rezone &
Tentative Parcel Map**

**RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO:**

NAME: DERA

COUNTY MAIL CODE: 01-220

**No Fee--For the Benefit of
Sacramento County (Code
6103)**

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: 04-RZB-PMR-0204

NAME: Florin Bradshaw NE Rezone & Tentative Parcel Map

LOCATION: The project site is located on the northeast side of Bradshaw Road and Florin Road in the Vineyard community.

ASSESSOR'S PARCEL NUMBER: 066-0050-009

OWNER:

Taylor/Village-Sacramento Investments
1792 Tribute Road, Suite 270
Sacramento, CA 95815

APPLICANT:

Edward R. Gillum
8795 Folsom Boulevard, Suite 201
Sacramento, CA 95826

PROJECT DESCRIPTION:

1. A **Rezone** to change the zoning of 47.4 gross acres from AG-80 to SC.
2. A **Tentative Parcel Map** to subdivide said 47.4 acre parcel into four (4) lots.

TYPE OF ENVIRONMENTAL DOCUMENT:

☐ Negative Declaration ☐ Prior Negative Declaration
☒ Environmental Impact Report ☐ Prior Environmental Impact Report
☐ Supplemental Environmental Impact Report

PREPARED BY: Sacramento County Department of
Environmental Review and Assessment
827 7th Street, Room 220
Sacramento, CA 95814

PHONE: (916) 874-7914

**MITIGATION MONITORING AND REPORTING PROGRAM
ADOPTED BY:**

DATE:

ATTEST: _____

SECRETARY/CLERK

**State of California
County of Sacramento**

On _____ before me, _____ (name, title of officer),
personally appeared:

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this ____ day of _____, 20____.

OWNER(S):

(Print company, corporation, or organization name, if applicable)

(Print name and/or title above)

(Signature above)

ALL PURPOSE ACKNOWLEDGEMENT

| | |
|---|---|
| <p>State of California County of Sacramento</p> <p>On _____ before me, _____(name, title of officer), personally appeared:</p> <p>_____,</p> <p>who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.</p> <p>I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.</p> <p style="text-align: right;">WITNESS my hand and official seal.</p> <p style="text-align: right;">_____ <i>Signature</i></p> | <p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="radio"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES</p> <p><input type="radio"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY _____</p> <p><input type="radio"/> PARTNER(S) _____ PARTNERSHIP _____</p> <p><input type="radio"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S) _____</p> <p><input type="radio"/> TRUSTEE(S) _____ TRUST _____</p> <p><input type="radio"/> OTHER _____ TITLE(S) _____ TITLE(S) _____ ENTITY(IES) REPRESENTED _____ ENTITY(IES) REPRESENTED _____</p> |
|---|---|

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PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled Florin Bradshaw NE Rezone & Tentative Parcel Map (**Control Number: 04-RZB-PMR-0204**).

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The applicant shall pay an initial deposit of **\$9,200.00**. This deposit includes administrative costs of **\$800.00**, which must be paid to the Department of Environmental Review and Assessment **prior to recordation of the MMRP and prior to recordation of any final parcel or subdivision map. The remaining balance will be due prior to review of any plans by the DERA or issuance of any building or grading permits.** Over the course of the project, DERA will regularly conduct cost accountings and submit invoices to the applicant when the County monitoring costs exceed the initial deposit.

RECORDATION

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the Sacramento County Code, the project applicant shall provide to the Department of Environmental Review

and Assessment a Legal Description for the real property that is the subject of the project.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

PROPERTY TRANSFER

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit A. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

PENALTIES

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the Sacramento County Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the Sacramento County Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

Plans that are inconsistent with the adopted Mitigation Measures will not be approved.

In the event of an ongoing, serious non-compliance issue, the Department of Environmental Review and Assessment may call for a "stop work order" on the project.

STANDARD PROVISIONS

Page one of all Project Plans must include the following statement in a conspicuous location:

“All Plans associated with this project are subject to the conditions of Mitigation Monitoring and Reporting Program 04-RZB-PMR-0204 . For any questions regarding compliance with the MMRP document, contact MMRP staff at (916) 874-7914.”

All Project Plans and any revisions to those Plans shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and any revisions to the Department of Environmental Review and Assessment prior to final approval by the Sacramento County Building Inspection Division (BID). If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment, for determination of compliance, prior to final approval by BID.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

FVGCP - PLAN WIDE MITIGATION MEASURES

☐ MITIGATION MEASURE HY-1 AND HY-2: FLOODING

- HY-1a Florin Vineyard Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval.
- HY-1b Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream and upstream areas and that such phased improvements are consistent with the County's 404 permit and the proposed phasing is submitted for approval to the Corps of Engineers as required by the conditions set forth in the County's 404 permit. Such analyses shall verify that the phased improvements will mitigate post-development peak flows and water surface elevations in accordance with County standards, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements.
- HY-2 Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream drainage/flooding and water quality impacts, have been implemented.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Provide documentation from the County Department of Water Resources indicating that the condition has been satisfied.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and the submitted documentation from DWR prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the County Department of Water Resources as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HY-3: HYDROLOGY AND DRAINAGE

For commercial development, all drainage fees required by the FVGCP PFFP and a fair share contribution, for NVSSP drainage improvements and rights-of-way which are of shared benefit to developments in the Elder and Gerber Creek watersheds of the FVGCP, shall be paid prior to approval of any commercial improvement plans for projects in the Elder and Gerber Creek watersheds of the FVGCP. Payment of fees pursuant to an interim fee agreement, that is adopted by the Board of Supervisors and which includes fair share contributions for the FVGCP and NVSSP drainage improvements and right of way acquisitions, shall satisfy the intent of this condition.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to approval of improvement plans or issuance of grading permits, submit proof of fee payment to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted proof of payment and consult with the County Department of Water Resources and/or the County Infrastructure Finance Section as necessary to verify that full payment has been made prior to approval of improvement plans or grading permits.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURES TC-1 THROUGH TC-4: ROADWAY SEGMENTS AND INTERSECTIONS AND TC-5: STATE ROUTE 99 AND US 50

Compliance with mitigation measures TC-1 through TC-5 to be attained through the following conditions of approval, which provide financing and trigger mechanisms for all identified roadway improvements:

1. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.

For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County.

2. The property owners shall comply with the applicable provisions of the Florin Vineyard Community Plan (FVCP), Appendix D, "*Florin Vineyard Community Plan Construction of Phased Traffic Mitigation*".
 - a. As noted in Appendix D of the FVCP, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.
 - b. The following applies if residential development occurs on the site (any residential development within the SC zone is subject to the same

provisions as all other residential development in the FVCP area). The conditions listed in Appendix D of the FVCP implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measures.
2. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that all applicable roadway improvement fees have been paid through the financing mechanisms of the required Implementaton Plan or interim fee agreement.
3. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that the required roadway improvements have been constructed based on the cumulative number of recorded lots.

Verification (Action by the Department of Environmental Review and Assessment):

1. Verify with the County Department of Transportation and/or the County Infrastructure Finance Section that the developer has paid all required fees prior to approval of improvement plans or building permits.
2. Verify with the County Land Division and Site Improvement Review Section, the County Department of Transportation, and/or the County Infrastructure Finance Section that the required improvements have been constructed based on the cumulative number of residential units constructed within the FVCP.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE AQ-2: CONSTRUCTION EMISSIONS – OZONE
PRECURSORS

Not applicable – *Project did not exceed screening levels at time of application.*

☐ MITIGATION MEASURE AQ-3: OPERATIONAL EMISSIONS – OZONE
PRECURSORS

All development projects within the FVGCP shall comply with the SMAQMD endorsed *Florin Vineyard Gap Community Plan Air Quality Mitigation Program* (March 26, 2007), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the emission reduction measures chosen to achieve compliance with the AQ-15 Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen emission reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of emission reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE CC-1: GREENHOUSE GAS EMISSIONS

All development projects within the FVGCP shall comply with the requirements of the SMAQMD-endorsed FVGCP Climate Change Plan, dated January 28, 2010. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of project-specific measures that achieve a minimum of ten points selected in consultation with SMAQMD from the list of approved greenhouse gas reduction measures. Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development projects.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the GHG reduction measures chosen to achieve compliance with the FVGCP Climate Change Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen GHG reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of GHG reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE BR-1 AND BR-2: WETLANDS

Compliance to be attained through Project Specific Mitigation Measure FBN-4.

☐ MITIGATION MEASURE BR-3: NATIVE OR LANDMARK TREES

Not applicable – *Arborist report submitted. Site contains no protected native or landmark trees.*

☐ MITIGATION MEASURE BR-4: SPECIAL STATUS SPECIES – SWAINSON’S
HAWK

Compliance to be attained through Project Specific Mitigation Measure FBN-5.

☐ MITIGATION MEASURE BR-5: SPECIAL STATUS SPECIES – SURVEYS

Not applicable – *Special Status Species Evaluation conducted. Site Specific Mitigation Measures FBN-6 through FBN-10 adopted.*

- ☐ MITIGATION MEASURE N1 AND N-2: TRAFFIC AND RAILROAD NOISE
Compliance to be attained through Project Specific Mitigation Measure FBN-3.

☐ MITIGATION MEASURE N-3: NOISE-PRODUCING USES

All industrial or commercial development projects located adjacent to residentially designated properties shall be designed and constructed to ensure that noise levels generated by the uses do not result in General Plan Noise Element standards being exceeded on adjacent properties. An acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical consultant shall be submitted to and verified by the Department of Environmental Review and Assessment prior to the issuance of any building permits for the site. The acoustical analysis shall include, but not be limited to, consideration of potential noise conflicts due to operation of the following items:

- Mechanical building equipment, including HVAC systems;
- Loading docks and associated truck routes;
- Refuse pick up locations; and
- Refuse or recycling compactor units.

Specific designs for proposed facilities will be submitted to Sacramento County for approval prior to issuance of building permits to ensure compliance with noise standards.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE CR-1 AND CR-2: ARCHAEOLOGICAL RESOURCES

Not applicable -- *Archaeological and historical surveys completed with negative results.*

☐ MITIGATION MEASURE CR-3: SUBSURFACE ARCHAEOLOGICAL RESOURCES

- ☐ Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If cultural resources are encountered, notify the Department of Environmental Review and Assessment immediately.
4. If human remains are encountered, notify the County Coroner and the Department of Environmental Review and Assessment immediately.
5. If no cultural resources are encountered, the applicant shall provide the Department of Environmental Review and Assessment with a signed statement to that effect.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.

3. If cultural resources are encountered, the Department of Environmental Review and Assessment will coordinate an investigation of the site with appropriate specialists as needed. After investigation, the applicant may be required to implement additional mitigation for the cultural resources.
4. Review the signed statement if no resources are encountered.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-1: PAST CHEMICAL USAGE - LIVESTOCK

All future development proposals on portions of the Florin-Vineyard Gap Community Plan area that are known to have supported livestock (cattle, hogs, poultry, etc.) holding areas prior to the 1970's, shall implement a soil sampling and analysis program for organochlorine pesticides. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substances fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to construction activities, individual project proponents shall provide documentation demonstrating implementation of any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written documentation of known pre-1970 uses of the site to the Department of Environmental Review and Assessment. If livestock holding areas are known to have occurred, then also submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-2: PAST CHEMICAL USE – STORAGE TANKS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any/all active and inactive storage tanks and storage drums, both below and above ground, shall be removed from the property by a licensed contractor and all contents disposed of in accordance with local, state, and federal regulations. If any stained soil related to storage tanks is identified, a soil sampling and analysis program shall be implemented to identify the substance(s) and the potential environmental effects. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substance(s) fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to grading or construction activities, individual project proponents shall implement any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If any storage tanks or drums are removed from the project site, submit documentation to the Department of Environmental Review and Assessment indicating where the items were disposed.
4. If any stained soil is identified, then submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and any written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-3: WATER SUPPLY WELLS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, including preliminary grading and trenching for infrastructure, any on-site groundwater wells that are not intended for the use of the proposed development shall be abandoned in accordance with State and County regulations; this procedure requires a well abandonment permit (issued on a per-well basis) from the Sacramento County Environmental Management Department, Environmental Health Division. Any large-diameter (old hand excavated) wells and/or cisterns shall be removed and the holes backfilled in accordance with the recommendations of a geotechnical engineer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any wells on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the well was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted documentation of abandonment.
3. Consult with the Environmental Management Department as necessary to verify compliance.
4. Monitor compliance during periodic site inspections of the construction work.
5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-4: SEPTIC SYSTEMS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any septic systems and/or leach fields on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the system was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Environmental Management Department as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE AG-1: PRIME FARMLAND AND FARMLAND OF
STATEWIDE IMPORTANCE

Not applicable – *The site does not include Prime Farmland or Farmland of Statewide Importance.*

PROJECT SPECIFIC MITIGATION MEASURES

☐ MITIGATION MEASURE FBN-1: COUNTY DRAINAGE SYSTEM

See FVGCP Plan-wide Mitigation Measure HY-2, above.

☐ MITIGATION MEASURE FBN-3: POTENTIAL NOISE IMPACTS

If multi-family residential units are developed on the eastern portion of the site, consistent with the Planning Department or Planning Department Hybrid Land Use Plan option, then the following shall apply:

- a. Any common residential outdoor activity area(s) shall be placed a minimum of 122 feet from the centerline of Florin Road. If the setback requirement is not met, the project shall include design features that attenuate noise at the outdoor activity areas to 65 dB Ldn or less, as substantiated by an acoustical analysis, prepared by a qualified acoustical consultant and verified by the Department of Environmental Review and Assessment. The acoustical analysis shall use cumulative-plus-project traffic conditions as described in the Traffic Impact Study for the Florin Vineyard Gap Community Plan project.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If common residential outdoor activity area(s) are proposed within 122 feet of the Florin Road centerline, then submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis, if applicable, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE FBN-4: JURISDICTIONAL WETLANDS

- ☐ Prior to any grading, grubbing, or excavation within 250 feet of on-site wetlands and 50 feet of jurisdictional waters, the applicant or owner shall obtain any/all applicable permits from the U.S. Fish and Wildlife Service (USFWS), U.S. Army Corps of Engineers, California Department of Fish and Game and the Central Valley Regional Water Quality Control Board for the proposed modifications to on-site wetlands. In addition, the project applicant or property owner shall comply with General Plan Conservation Element Policy No. CO-96 as it pertains to no net loss of wetlands. If mitigation occurring through the state and federal permitting processes results in less than 1:1 compensation for the loss of wetland habitat, the applicant or owner shall be required to pay to the County of Sacramento an amount based on a rate of \$35,000 per acre for the unmitigated/uncompensated wetlands. The payment shall be submitted to the Department of Planning and Community Development and shall be deposited in the Wetlands Restoration Trust Fund. A copy of any required permits, or written notification from the applicant that the permit authority has determined that a permit is not required, and verification of compliance with General Plan Conservation Element Policy No. CO-96 regarding no net loss of wetlands shall be submitted to the Department of Environmental Review and Assessment.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Prior to any physical disturbance within 250 feet of on-site wetlands or 50 feet of jurisdictional waters, submit to the Department of Environmental Review and Assessment a copy of any/all permits/agreements that are required by the USFWS, USACOE, CDFG and RWQCB, or correspondence indicating that no permits/agreements are required, along with proof of any required payment into the Wetlands Restoration Trust Fund.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans, along with all submitted permits/agreements, correspondence and/or proof of payment, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.

3. Consult with the USFWS, USACOE, CDFG and RWQCB as necessary to determine compliance.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE FBN-5: SWAINSON'S HAWK FORAGING HABITAT

Prior to approval of Improvement Plans, Building permits, or recordation of the final map, whichever occurs first, implement one of the following options to mitigate for the loss of 47.4± acres of Swainson's hawk habitat on the projects site:

- a. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat.
- b. The project proponent shall utilize one or more of the mitigation options (land dedication and/or fee payment) established in Sacramento County's *Swainson's Hawk Impact Mitigation Program* (Chapter 16.130 of the Sacramento County Code).
- c. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of the one of the measures above, the project proponent may be subject to that program instead..

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance with one of the above mitigation options to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted written evidence of compliance with one of the above mitigation options.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE FBN-6: TRI-COLORED BLACKBIRD HABITAT

If construction occurs between March 1 and July 31 pre-construction surveys for nesting tricolored blackbirds (TBB) shall be performed by a qualified biologist. Surveys shall include the project site and areas of appropriate habitat within 300 feet of the site. Surveys shall be conducted no less than 14 days and no more than 30 days prior to commencement of construction activities.

If no TBB are found during the pre-construction survey, no further mitigation is required. If an active TBB colony is found on-site or within 300 feet of the project site the project proponent shall do the following:

1. Consult with the California Department of Fish and Game (CDFG) to determine if project activity will impact the TBB colony(s). Provide the Department of Environmental Review and Assessment (DERA) with written evidence of the consult or a contact name and number for CDFG.
2. With CDFG permission, the applicant may avoid impacts to TBB by establishing 300-foot temporary setbacks with fencing that prevents any project activity within 300 feet of the colony. A qualified biologist shall verify that setbacks and fencing are adequate and will determine when the colonies are no longer dependent on the nesting habitat (i.e. nestlings have fledged and are no longer using habitat). The breeding season typically ends in July.
3. If TBB habitat is permanently destroyed follow CDFG procedure, if any, to mitigate for habitat loss.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. If any construction work (including clearing and grubbing) is scheduled to occur between March 1 and July 31, then preconstruction surveys for nesting tricolored blackbirds shall be conducted by a qualified biologist between 14 and 30 days prior to the start of construction. A copy of the survey and any agreement with the California Department of Fish and Game, if applicable, must be submitted to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. If necessary, incorporate protective measures for nesting tricoloreds into all Plans and Specifications for the project.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the tricolored blackbird nesting survey if required, and consult with the qualified biologist and the CDFG, as necessary.
2. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
3. Monitor compliance during periodic site inspections of (a) the implementation of any required tricolored protective measures and (b) the construction work.
4. Participate in any/all Final Inspection(s), as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE FBN-7: NESTING RAPTORS

If construction, grading, or project-related improvements are to occur between March 1 and September 15, a focused survey for raptor nests on the site and on nearby trees (within one half mile [rural] of the site) shall be conducted by a qualified biologist within 14 days prior to the start of construction work (including clearing and grubbing). If no active nests are found during the focused survey, no further mitigation will be required.

- ☐ If an active nest(s) is found, the Department of Environmental Review and Assessment and the California Department of Fish and Game shall be contacted to determine appropriate protective measures.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. If any construction work (including clearing and grubbing) is scheduled to occur any time during the raptor nesting season (March 1 through September 15), a survey for raptor nests shall be conducted by a qualified biologist within 14 days prior to the start of construction. A copy of the survey and any agreement with the California Department of Fish and Game, if applicable, must be submitted to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. If necessary, incorporate protective measures for nesting raptors into all Plans and Specifications for the project.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the raptor nesting survey if required, and consult with the qualified biologist and the CDFG, as necessary.
2. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
3. Monitor compliance during periodic site inspections of (a) the implementation of any required raptor protective measures and (b) the construction work.
4. Participate in any/all Final Inspection(s), as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE FBN-8: BURROWING OWLS

Prior to construction activity (including site improvements, and building construction) a focused surveys shall be conducted by a qualified biologist for burrowing owls where suitable habitat is present in the project area. Suitable habitat includes agricultural field margins, drainage ditches, and fallow fields. Surveys shall be conducted no less than 14 days and no more than 30 days prior to commencement of construction activities. Surveys shall be conducted in accordance with CDFG protocol (CDFG 1995).

- A. If no occupied burrows are found in the survey area, a letter report documenting survey methods and findings shall be submitted to the County and no further mitigation is necessary.
- B. If an occupied burrow is found the applicant shall contact the Department of Environmental Review and Assessment and consult with the California Department of Fish (CDFG), prior to construction, to determine if avoidance is possible or if burrow relocation will be required.
- C. If owls are to remain on-site, a minimum of 6.5 acres of foraging habitat for each occupied burrow needs to be permanently preserved according to CDFG guidelines.
- D. In order to avoid direct impacts to owls, no activity shall take within 160 feet of an active burrow from September 1 to January 31 (wintering season) or 250 feet from February 1 through August 31 (breeding season). Protective fencing shall be place, at the distances above, around the active burrows and no activity shall occur within the protected buffer areas.
- E. Any impact to active owl burrows, relocation of owls or mitigation for habitat loss shall be done in accordance with CDFG guidelines. Written evidence from CDFG staff shall be provided to DERA attesting to the permission to remove burrows, relocate owls, mitigate for lost habitat, and provided a method for preservation habitat in perpetuity.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. Submit a copy of the preconstruction surveys to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. Submit written evidence of compliance with the above measures A through E to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the preconstruction surveys and consult with the qualified biologist, as necessary.
2. Review submitted written evidence of compliance.
3. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
4. Monitor compliance during periodic site inspections.
5. Consult with the CDFG as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE FBN-9: GIANT GARTER SNAKE HABITAT

To avoid impacts to giant garter snake the following guidelines should be followed:

- a. The applicant shall consult with the US Fish and Wildlife Service (USFWS) and California Department of Fish and Game regarding the giant garter snake (this may occur during the U.S. Army Corps Section 404 permitting process.)
- b. Confine any ground disturbing activity (i.e. clearing, grubbing, grading, and excavation) in giant garter snake habitat to May 1 to October 1, which is the snake's active period.
- c. Construction personnel should receive USFWS approved worker environmental awareness training. Prior to construction activities, a qualified biologist approved by the Service shall instruct all construction personnel about 1) the life history of the giant garter snake; 2) the importance of the habitat to the giant garter snake; and 3) the terms and conditions of the biological opinion. Proof of this instruction shall be submitted to the Sacramento Fish and Wildlife Office.
- d. Twenty-four hours prior to construction activities, a qualified biologist who is approved by the USFWS's Sacramento Office shall survey the project area. The biologist will provide the Service with a field report form documenting the monitoring efforts within 24-hours of commencement of construction activities. The monitoring biologist needs to be available thereafter; if a snake is encountered during construction activities the monitoring biologist shall have the authority to stop construction activities until appropriate corrective measures have been completed or it is determined that the snake will not be harmed. Giant garter snakes encountered during construction activities should be allowed to move away from construction activities on their own. Capture and relocation of trapped or injured individuals can only be attempted by personnel or individuals with current Service recovery permits pursuant to section 10 (a) 1(A) of the Act. A biologist shall be required to report any incidental take to the Service immediately by telephone (916) 979-2725 and by written letter addressed to the Chief, Endangered Species Division, within one working day. The project area shall be re-inspected whenever a lapse in construction activity of two week or greater has occurred.
- e. If this project is subject to any permits from the USFWS all conditions of the approval from the agency shall supersede all of the above GGS mitigation and monitoring.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.

2. Submit written evidence of compliance with the above Mitigation Measure to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted written evidence of compliance.
2. Consult with the USFWS as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE FBN-10: NORTHWESTERN POND TURTLE
HABITAT

In an effort to prevent impacts to pond turtles the following shall be performed:

- a. Areas within the project site having suitable northwestern pond turtle habitat shall be surveyed for northwestern pond turtles by a qualified biologist within 24 hours prior to the start of construction activities (including clearing and grubbing) located within 200 feet of suitable habitat. Survey of the area shall be repeated if a lapse in construction activity of two weeks or greater occurs. If no active turtles are found during the focused survey, submit a written report with date, name of biologist to the Department of Environmental Review and Assessment. Upon receiving the report, no further mitigation will be required.
- b. If a northwestern pond turtle is encountered during construction, activities shall cease until appropriate corrective measures have been completed or it has been determined that the turtle will not be harmed.
- c. Northwestern pond turtles encountered during construction should be allowed to move away on their own. Trapped or injured individuals shall be move out of harms way outside of the construction zone but within suitable turtle habitat (wetland).
- d. Any incidental take shall be reported to the Department of Environmental Review and Assessment at (916) 874-7914 within one working day.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Submit written evidence of compliance with the above Mitigation Measure to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted written evidence of compliance.
2. Consult with the US Fish and Wildlife Service and/or California Department of Fish and Game as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE FBN-11: CULTURAL RESOURCES

See FVGCP Plan-wide Mitigation Measure CR-3, above.

04-RZB-SDP-AHS-0205

**Portico Acres Rezone, Tentative
Subdivision Map, and Affordable
Housing Plan**

**RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO:**

NAME: DERA

COUNTY MAIL CODE: 01-220

**No Fee--For the Benefit of
Sacramento County (Code
6103)**

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: 04-RZB-SDP-AHS-0205

NAME: Portico Acres Rezone, Tentative Subdivision Map, and Affordable Housing Plan

LOCATION: The property is located on the west side of Bradshaw Road, approximately 900 feet north of the Central California Traction Railroad crossing, in the Vineyard Community.

ASSESSOR'S PARCEL NUMBER: 121-0070-014

OWNER:

Thurman R. Flatt Trust
10752 Oak Drive
Grass Valley, CA 95949

APPLICANT:

Anthony Scotch
1690 Windham Way
El Dorado Hills, CA 95762

PROJECT DESCRIPTION:

1. A **Rezone** of approximately 9.48 gross acres from AR-10 agricultural-residential to RD-5 residential.
2. A **Tentative Subdivision Map** to divide 9.48± acres into 47 single-family lots.

3. An **Affordable Housing Plan** consisting of payment of fees.

TYPE OF ENVIRONMENTAL DOCUMENT:

☐ Negative Declaration

☐ Prior Negative Declaration

☒ Environmental Impact Report

☐ Prior Environmental Impact Report

☐ Supplemental Environmental Impact Report

PREPARED BY: Sacramento County Department of
Environmental Review and Assessment
827 7th Street, Room 220
Sacramento, CA 95814

PHONE: (916) 874-7914

MITIGATION MONITORING AND REPORTING PROGRAM

ADOPTED BY:

DATE:

ATTEST: _____

SECRETARY/CLERK

State of California
County of Sacramento

On _____ before me, _____ (name, title of officer),
personally appeared:

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this ____ day of _____, 20____.

OWNER(S):

(Print company, corporation, or organization name, if applicable)

(Print name and/or title above)

(Signature above)

ALL PURPOSE ACKNOWLEDGEMENT

| | |
|---|---|
| <p>State of California County of Sacramento</p> <p>On _____ before me, _____(name, title of officer), personally appeared: _____</p> <p>who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.</p> <p>I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.</p> <p>WITNESS my hand and official seal.</p> <p>_____ <i>Signature</i></p> | <p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="radio"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES</p> <p><input type="radio"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY</p> <p><input type="radio"/> PARTNER(S) _____ PARTNERSHIP</p> <p><input type="radio"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S)</p> <p><input type="radio"/> TRUSTEE(S) _____ TRUST</p> <p><input type="radio"/> OTHER _____ TITLE(S) _____ TITLE(S) _____ ENTITY(IES) REPRESENTED _____ ENTITY(IES) REPRESENTED</p> |
|---|---|

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PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled Portico Acres Rezone, Tentative Subdivision Map, and Affordable Housing Plan **(Control Number: 04-RZB-SDP-AHS-0205)**.

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The applicant shall pay an initial deposit of **\$9,000.00**. This deposit includes administrative costs of **\$800.00**, which must be paid to the Department of Environmental Review and Assessment **prior to recordation of the MMRP and prior to recordation of any final parcel or subdivision map. The remaining balance will be due prior to review of any plans by the DERA or issuance of any building or grading permits.** Over the course of the project, DERA will regularly conduct cost accountings and submit invoices to the applicant when the County monitoring costs exceed the initial deposit.

RECORDATION

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the Sacramento County Code, the project applicant shall provide to the Department of Environmental Review

and Assessment a Legal Description for the real property that is the subject of the project.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

PROPERTY TRANSFER

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit A. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

PENALTIES

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the Sacramento County Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the Sacramento County Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

Plans that are inconsistent with the adopted Mitigation Measures will not be approved.

In the event of an ongoing, serious non-compliance issue, the Department of Environmental Review and Assessment may call for a "stop work order" on the project.

STANDARD PROVISIONS

Page one of all Project Plans must include the following statement in a conspicuous location:

“All Plans associated with this project are subject to the conditions of Mitigation Monitoring and Reporting Program 04-RZB-SDP-AHS-0205 . For any questions regarding compliance with the MMRP document, contact MMRP staff at (916) 874-7914.”

All Project Plans and any revisions to those Plans shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and any revisions to the Department of Environmental Review and Assessment prior to final approval by the Sacramento County Building Inspection Division (BID). If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment, for determination of compliance, prior to final approval by BID.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

FVGCP - PLAN WIDE MITIGATION MEASURES

☐ MITIGATION MEASURE HY-1 AND HY-2: FLOODING

- HY-1a Florin Vineyard Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval.
- HY-1b Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream and upstream areas and that such phased improvements are consistent with the County's 404 permit and the proposed phasing is submitted for approval to the Corps of Engineers as required by the conditions set forth in the County's 404 permit. Such analyses shall verify that the phased improvements will mitigate post-development peak flows and water surface elevations in accordance with County standards, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements.
- HY-2 Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream drainage/flooding and water quality impacts, have been implemented.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Provide documentation from the County Department of Water Resources indicating that the condition has been satisfied.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and the submitted documentation from DWR prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the County Department of Water Resources as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HY-3: HYDROLOGY AND DRAINAGE

No residential final maps shall be recorded, no residential improvement plans shall be approved, and no residential building permits shall be issued until supplemental drainage fees are paid pursuant to an approved "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Gap Community Plan Public Facilities Financing Plan (FVGCP Financing Plan). In addition to those financing mechanisms, the "Implementation Plan" shall specifically include the blending of the FVGCP Financing Plan and the North Vineyard Station Specific Plan Finance Plan (NVSSP). This blended plan shall include fair share funding and construction obligations by the FVGCP for those NVSSP Finance Plan drainage improvements and rights-of-way which are of shared benefit to developments in the Elder and Gerber Creek watersheds of the FVGCP.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to approval of improvement plans or issuance of grading permits, submit proof of fee payment to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted proof of payment and consult with the County Department of Water Resources and/or the County Infrastructure Finance Section as necessary to verify that full payment has been made prior to approval of improvement plans or grading permits.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURES TC-1 THROUGH TC-4: ROADWAY SEGMENTS AND INTERSECTIONS AND TC-5: STATE ROUTE 99 AND US 50

Compliance with mitigation measures TC-1 through TC-5 to be attained through the following conditions of approval, which provide financing and trigger mechanisms for all identified roadway improvements:

1. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.

For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County.

2. The property owners shall comply with the applicable provisions of the Florin Vineyard Community Plan (FVCP), Appendix D, "*Florin Vineyard Community Plan Construction of Phased Traffic Mitigation*".
 - a. As noted in Appendix D of the FVCP, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.
 - b. The following applies if residential development occurs on the site (any residential development within the SC zone is subject to the same

provisions as all other residential development in the FVCP area). The conditions listed in Appendix D of the FVCP implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measures.
2. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that all applicable roadway improvement fees have been paid through the financing mechanisms of the required Implementaton Plan or interim fee agreement.
3. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that the required roadway improvements have been constructed based on the cumulative number of recorded lots.

Verification (Action by the Department of Environmental Review and Assessment):

1. Verify with the County Department of Transportation and/or the County Infrastructure Finance Section that the developer has paid all required fees prior to approval of improvement plans or building permits.
2. Verify with the County Land Division and Site Improvement Review Section, the County Department of Transportation, and/or the County Infrastructure Finance Section that the required improvements have been constructed based on the cumulative number of residential units constructed within the FVCP.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE AQ-2: CONSTRUCTION EMISSIONS – OZONE
PRECURSORS

Not applicable – *Project did not exceed screening levels at time of application.*

☐ MITIGATION MEASURE AQ-3: OPERATIONAL EMISSIONS – OZONE
PRECURSORS

All development projects within the FVGCP shall comply with the SMAQMD endorsed *Florin Vineyard Gap Community Plan Air Quality Mitigation Program* (March 26, 2007), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the emission reduction measures chosen to achieve compliance with the AQ-15 Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen emission reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of emission reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE CC-1: GREENHOUSE GAS EMISSIONS

All development projects within the FVGCP shall comply with the requirements of the SMAQMD-endorsed FVGCP Climate Change Plan, dated January 28, 2010. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of project-specific measures that achieve a minimum of ten points selected in consultation with SMAQMD from the list of approved greenhouse gas reduction measures. Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development projects.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the GHG reduction measures chosen to achieve compliance with the FVGCP Climate Change Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen GHG reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of GHG reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE BR-1 AND BR-2: WETLANDS

Compliance to be attained through Project Specific Mitigation Measure PA-5.

☐ MITIGATION MEASURE BR-3: NATIVE OR LANDMARK TREES

Not applicable –*Site contains no protected native or landmark trees.*

☐ MITIGATION MEASURE BR-4: SPECIAL STATUS SPECIES – SWAINSON’S HAWK

Compliance to be attained through Project Specific Mitigation Measure FBN-5.

☐ MITIGATION MEASURE BR-5: SPECIAL STATUS SPECIES – SURVEYS

Not applicable – *Special Status Species Evaluation conducted. Site Specific Mitigation Measures PA-7 through PA-9 adopted.*

☐ MITIGATION MEASURE N1 AND N-2: TRAFFIC AND RAILROAD NOISE

Compliance to be attained through Project Specific Mitigation Measures PA-3 and PA-4.

☐ MITIGATION MEASURE N-3: NOISE-PRODUCING USES

Not applicable – *Project does not include industrial or commercial development.*

☐ MITIGATION MEASURE CR-1 AND CR-2: ARCHAEOLOGICAL RESOURCES

Not applicable -- Archaeological and historical surveys completed with negative results.

☐ MITIGATION MEASURE CR-3: SUBSURFACE ARCHAEOLOGICAL RESOURCES

- ☐ Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If cultural resources are encountered, notify the Department of Environmental Review and Assessment immediately.
4. If human remains are encountered, notify the County Coroner and the Department of Environmental Review and Assessment immediately.
5. If no cultural resources are encountered, the applicant shall provide the Department of Environmental Review and Assessment with a signed statement to that effect.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.

3. If cultural resources are encountered, the Department of Environmental Review and Assessment will coordinate an investigation of the site with appropriate specialists as needed. After investigation, the applicant may be required to implement additional mitigation for the cultural resources.
4. Review the signed statement if no resources are encountered.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-1: PAST CHEMICAL USAGE - LIVESTOCK

All future development proposals on portions of the Florin-Vineyard Gap Community Plan area that are known to have supported livestock (cattle, hogs, poultry, etc.) holding areas prior to the 1970's, shall implement a soil sampling and analysis program for organochlorine pesticides. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substances fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to construction activities, individual project proponents shall provide documentation demonstrating implementation of any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written documentation of known pre-1970 uses of the site to the Department of Environmental Review and Assessment. If livestock holding areas are known to have occurred, then also submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-2: PAST CHEMICAL USE – STORAGE TANKS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any/all active and inactive storage tanks and storage drums, both below and above ground, shall be removed from the property by a licensed contractor and all contents disposed of in accordance with local, state, and federal regulations. If any stained soil related to storage tanks is identified, a soil sampling and analysis program shall be implemented to identify the substance(s) and the potential environmental effects. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substance(s) fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to grading or construction activities, individual project proponents shall implement any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If any storage tanks or drums are removed from the project site, submit documentation to the Department of Environmental Review and Assessment indicating where the items were disposed.
4. If any stained soil is identified, then submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and any written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-3: WATER SUPPLY WELLS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, including preliminary grading and trenching for infrastructure, any on-site groundwater wells that are not intended for the use of the proposed development shall be abandoned in accordance with State and County regulations; this procedure requires a well abandonment permit (issued on a per-well basis) from the Sacramento County Environmental Management Department, Environmental Health Division. Any large-diameter (old hand excavated) wells and/or cisterns shall be removed and the holes backfilled in accordance with the recommendations of a geotechnical engineer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any wells on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the well was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted documentation of abandonment.
3. Consult with the Environmental Management Department as necessary to verify compliance.
4. Monitor compliance during periodic site inspections of the construction work.
5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE HM-4: SEPTIC SYSTEMS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any septic systems and/or leach fields on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the system was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Environmental Management Department as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE AG-1: PRIME FARMLAND AND FARMLAND OF
STATEWIDE IMPORTANCE

Not applicable – *The site does not include Prime Farmland or Farmland of Statewide Importance.*

PROJECT SPECIFIC MITIGATION MEASURES

☐ MITIGATION MEASURE PA-1: DRAINAGE

See FVGCP Plan-wide Mitigation Measure HY-2, above.

☐ MITIGATION MEASURE PA-3: TRAFFIC NOISE

Provide, at a minimum, a 6-foot combination berm and solid masonry soundwall along the Bradshaw Road frontage.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE PA-4: TRAFFIC NOISE IMPACTS

The applicant shall adhere to one of the following options:

- a. No second story shall be permitted within 86 feet of the centerline of Bradshaw Road.

OR

- b. For all second stories within 86 feet of the centerline of Bradshaw Road, an acoustical study shall be required which documents that the interior noise levels in such second stories will not exceed the General Plan standard of 45 dB.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If second story residential construction is proposed within 86 feet of the Bradshaw Road centerline, then submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis, if applicable, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE PA-5: WETLAND IMPACT

- ☐ Prior to any grading, grubbing, or excavation within 50 feet of on-site wetlands, the applicant or owner shall obtain any/all applicable permits from the U.S. Fish and Wildlife Service (USFWS), U.S. Army Corps of Engineers, California Department of Fish and Game and the Central Valley Regional Water Quality Control Board for the proposed modifications to on-site wetlands. In addition, the project applicant or property owner shall comply with General Plan Conservation Element Policy No. CO-96 as it pertains to no net loss of wetlands. If mitigation occurring through the state and federal permitting processes results in less than 1:1 compensation for the loss of wetland habitat, the applicant or owner shall be required to pay to the County of Sacramento an amount based on a rate of \$35,000 per acre for the unmitigated/uncompensated wetlands. The payment shall be submitted to the Department of Planning and Community Development and shall be deposited in the Wetlands Restoration Trust Fund. A copy of any required permits, or written notification from the applicant that the permit authority has determined that a permit is not required, and verification of compliance with General Plan Conservation Element Policy No. CO-96 regarding no net loss of wetlands shall be submitted to the Department of Environmental Review and Assessment.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Prior to any physical disturbance within 50 feet of on-site wetlands, submit to the Department of Environmental Review and Assessment a copy of any/all permits/agreements that are required by the USFWS, USACOE, CDFG and RWQCB, or correspondence indicating that no permits/agreements are required, along with proof of any required payment into the Wetlands Restoration Trust Fund.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans, along with all submitted permits/agreements, correspondence and/or proof of payment, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.

3. Consult with the USFWS, USACOE, CDFG and RWQCB as necessary to determine compliance.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE PA-6: SWAINSON'S HAWK FORAGING HABITAT

Prior to approval of Improvement Plans, Building permits, or recordation of the final map, whichever occurs first, implement one of the following options to mitigate for the loss of 2.5 acres of Swainson's hawk habitat on the projects site:

- a. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat.
- b. The project proponent shall utilize one or more of the mitigation options (land dedication and/or fee payment) established in Sacramento County's *Swainson's Hawk Impact Mitigation Program* (Chapter 16.130 of the Sacramento County Code).
- c. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of the one of the measures above, the project proponent may be subject to that program instead..

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance with one of the above mitigation options to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted written evidence of compliance with one of the above mitigation options.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

- ☐ MITIGATION MEASURE PA-7: RAPTOR NESTING HABITAT
- ☐ If construction, grading, or project-related improvements are to occur between March 1 and September 15, a focused survey for Swainson's hawk and other raptor nests on the site and on nearby trees shall take place within ½ mile of the project site and shall be conducted by a qualified biologist within 14 days prior to the start of construction work (including clearing and grubbing). If active nests are found, the California Department of Fish and Game (CDFG) shall be contacted to determine appropriate protective measures. If no active nests are found during the focused survey, no further mitigation will be required.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. If any construction work (including clearing and grubbing) is scheduled to occur any time during the raptor nesting season (March 1 through September 15), a survey for raptor nests shall be conducted by a qualified biologist within 14 days prior to the start of construction. A copy of the survey and any agreement with the California Department of Fish and Game, if applicable, must be submitted to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. If necessary, incorporate protective measures for nesting raptors into all Plans and Specifications for the project.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the raptor nesting survey if required, and consult with the qualified biologist and the CDFG, as necessary.
2. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
3. Monitor compliance during periodic site inspections of (a) the implementation of any required raptor protective measures and (b) the construction work.
4. Participate in any/all Final Inspection(s), as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE PA-8: BURROWING OWLS

Prior to construction activity (including site improvements, and building construction) a focused surveys shall be conducted by a qualified biologist for burrowing owls where suitable habitat is present in the project area. Suitable habitat includes agricultural field margins, drainage ditches, and fallow fields. Surveys shall be conducted no less than 14 days and no more than 30 days prior to commencement of construction activities. Surveys shall be conducted in accordance with CDFG protocol (CDFG 1995).

- A. If no occupied burrows are found in the survey area, a letter report documenting survey methods and findings shall be submitted to the County and no further mitigation is necessary.
- B. If an occupied burrow is found the applicant shall contact the Department of Environmental Review and Assessment and consult with the California Department of Fish (CDFG), prior to construction, to determine if avoidance is possible or if burrow relocation will be required.
- C. If owls are to remain on-site, a minimum of 6.5 acres of foraging habitat for each occupied burrow needs to be permanently preserved according to CDFG guidelines.
- D. In order to avoid direct impacts to owls, no activity shall take within 160 feet of an active burrow from September 1 to January 31 (wintering season) or 250 feet from February 1 through August 31 (breeding season). Protective fencing shall be place, at the distances above, around the active burrows and no activity shall occur within the protected buffer areas.
- E. Any impact to active owl burrows, relocation of owls or mitigation for habitat loss shall be done in accordance with CDFG guidelines. Written evidence from CDFG staff shall be provided to DERA attesting to the permission to remove burrows, relocate owls, mitigate for lost habitat, and provided a method for preservation habitat in perpetuity.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. Submit a copy of the preconstruction surveys to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. Submit written evidence of compliance with the above measures A through E to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the preconstruction surveys and consult with the qualified biologist, as necessary.
2. Review submitted written evidence of compliance.
3. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
4. Monitor compliance during periodic site inspections.
5. Consult with the CDFG as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE PA-9: RARE PLANT SURVEYS

Rare plant surveys will be required in vernal pool habitats prior to any grading, grubbing, or excavation within 250 feet of a vernal pool or other suitable habitat. The rare plant surveyor shall have experience as a botanical field investigator and familiarity with the local flora and potential rare plants in the habitats to be surveyed.

The surveys shall be conducted when the rare plants at the site will be easiest to identify (i.e. flowering stage), and when the plants reach that stage of maturity. A minimum of three site visit shall be required, during the plants flowering period in order to determine absence. Each site visit must be no less than 7 days apart.

Submit a written report to the Department of Environmental Review and Assessment. The survey report should include a brief description of the vegetation, survey results, photographs, time spent surveying, date of surveys, a map showing the location of the survey route and any rare plant populations and copies of any rare plant occurrence forms. Notify DFG and USFWS if species are found and apply for “take” authorization (state law section 2081 of the Fish and Game Code and federal Endangered Species Act) prior to construction.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. Submit a copy of the rare plant surveys to the Department of Environmental Review and Assessment prior to the start of construction.
3. If species are found, submit a copy of applicable take permits to the Department of Environmental Review and Assessment prior to construction.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted surveys and, if applicable, take permits.
2. Consult with the USFWS and/or CDFG as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURE PA-10: CULTURAL RESOURCES

See FVGCP Plan-wide Mitigation Measure CR-3, above.

04-RZB-SDP-AHS-0206

**Lelani Village Rezone, Tentative
Subdivision Map, and Affordable
Housing Plan**

**RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO:**

NAME: DERA

COUNTY MAIL CODE: 01-220

**No Fee--For the Benefit of
Sacramento County (Code
6103)**

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: 04-RZB-SDP-AHS-0206

NAME: Lelani Village Rezone, Tentative Subdivision Map, and Affordable Housing Plan

LOCATION: The project site is located on the west side of Elk Grove-Florin Road approximately 1,800 feet north of Gerber Road, in the Vineyard Community.

ASSESSOR'S PARCEL NUMBER: 065-0070-006

OWNER:

Joseph and Tennyette Pettinato
1940 Vista Del Lago
Auburn, CA 95603

APPLICANT:

Stumbos and Company
2251 Fair Oaks Boulevard
Sacramento, CA 95825

PROJECT DESCRIPTION:

1. A **Rezone** of 9.8 gross acres from AR-10 agricultural-residential to RD-7 residential.
2. A **Tentative Subdivision Map** to divide 9.8 gross acres into 62 dwelling units.

3. An **Affordable Housing Plan** consisting of the payment of in-lieu and affordability fees.

TYPE OF ENVIRONMENTAL DOCUMENT:

☐ Negative Declaration

☐ Prior Negative Declaration

☒ Environmental Impact Report

☐ Prior Environmental Impact Report

☐ Supplemental Environmental Impact Report

PREPARED BY: Sacramento County Department of
Environmental Review and Assessment
827 7th Street, Room 220
Sacramento, CA 95814

PHONE: (916) 874-7914

**MITIGATION MONITORING AND REPORTING PROGRAM
ADOPTED BY:**

DATE:

ATTEST: _____

SECRETARY/CLERK

**State of California
County of Sacramento**

On _____ before me, _____ (name, title of officer),
personally appeared:

_____ ,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this ____ day of _____, 20____.

OWNER(S):

(Print company, corporation, or organization name, if applicable)

(Print name and/or title above)

(Signature above)

ALL PURPOSE ACKNOWLEDGEMENT

| | |
|--|---|
| <p>State of California County of Sacramento</p> <p>On _____ before me, _____(name, title of officer), personally appeared:</p> <p>_____</p> <p>who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.</p> <p>I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.</p> <p>WITNESS my hand and official seal.</p> <p>_____ <i>Signature</i></p> | <p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="radio"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES</p> <p><input type="radio"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY</p> <p><input type="radio"/> PARTNER(S) _____ PARTNERSHIP</p> <p><input type="radio"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S)</p> <p><input type="radio"/> TRUSTEE(S) _____ TRUST</p> <p><input type="radio"/> OTHER _____ TITLE(S) _____ TITLE(S) _____ ENTITY(IES) REPRESENTED _____ ENTITY(IES) REPRESENTED</p> |
|--|---|

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PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled Lelani Village Rezone, Tentative Subdivision Map, and Affordable Housing Plan **(Control Number: 04-RZB-SDP-AHS-0206)**.

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The MMRP fee for this project is **\$8,000.00**. This fee includes administrative costs of **\$800.00**, which must be paid to the Department of Environmental Review and Assessment **prior to recordation of the MMRP and prior to recordation of any final parcel or subdivision map. The remaining balance will be due prior to review of any plans by the DERA or issuance of any building or grading permits.**

RECORDATION

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the Sacramento County Code, the project applicant shall provide to the Department of Environmental Review and Assessment a Legal Description for the real property that is the subject of the project.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

PROPERTY TRANSFER

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit A. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

PENALTIES

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the Sacramento County Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the Sacramento County Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

Plans that are inconsistent with the adopted Mitigation Measures will not be approved.

In the event of an ongoing, serious non-compliance issue, the Department of Environmental Review and Assessment may call for a "stop work order" on the project.

STANDARD PROVISIONS

Page one of all Project Plans must include the following statement in a conspicuous location:

“All Plans associated with this project are subject to the conditions of Mitigation Monitoring and Reporting Program 04-RZB-SDP-AHS-0206 . For any questions regarding compliance with the MMRP document, contact MMRP staff at (916) 874-7914.”

All Project Plans and any revisions to those Plans shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and any revisions to the Department of Environmental Review and Assessment prior to final approval by the Sacramento County Building Inspection Division (BID). If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment, for determination of compliance, prior to final approval by BID.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

FVGCP - PLAN WIDE MITIGATION MEASURES

MITIGATION MEASURE HY-1 AND HY-2: FLOODING

- HY-1a Florin Vineyard Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval.
- HY-1b Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream and upstream areas and that such phased improvements are consistent with the County's 404 permit and the proposed phasing is submitted for approval to the Corps of Engineers as required by the conditions set forth in the County's 404 permit. Such analyses shall verify that the phased improvements will mitigate post-development peak flows and water surface elevations in accordance with County standards, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements.
- HY-2 Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream drainage/flooding and water quality impacts, have been implemented.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Provide documentation from the County Department of Water Resources indicating that the condition has been satisfied.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and the submitted documentation from DWR prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the County Department of Water Resources as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HY-3: HYDROLOGY AND DRAINAGE

No residential final maps shall be recorded, no residential improvement plans shall be approved, and no residential building permits shall be issued until supplemental drainage fees are paid pursuant to an approved "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Gap Community Plan Public Facilities Financing Plan (FVGCP Financing Plan). In addition to those financing mechanisms, the "Implementation Plan" shall specifically include the blending of the FVGCP Financing Plan and the North Vineyard Station Specific Plan Finance Plan (NVSSP). This blended plan shall include fair share funding and construction obligations by the FVGCP for those NVSSP Finance Plan drainage improvements and rights-of-way which are of shared benefit to developments in the Elder and Gerber Creek watersheds of the FVGCP.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to issuance of grading permits, submit proof of fee payment to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted proof of payment and consult with the County Department of Water Resources and/or the County Infrastructure Finance Section as necessary to verify that full payment has been made prior to approval of improvement plans or grading permits.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURES TC-1 THROUGH TC-4: ROADWAY SEGMENTS AND INTERSECTIONS AND TC-5: STATE ROUTE 99 AND US 50

Compliance with mitigation measures TC-1 through TC-5 to be attained through the following conditions of approval, which provide financing and trigger mechanisms for all identified roadway improvements:

1. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.

For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County.

2. The property owners shall comply with the applicable provisions of the Florin Vineyard Community Plan (FVCP), Appendix D, "*Florin Vineyard Community Plan Construction of Phased Traffic Mitigation*".
 - a. As noted in Appendix D of the FVCP, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.
 - b. The following applies if residential development occurs on the site (any residential development within the SC zone is subject to the same

provisions as all other residential development in the FVCP area). The conditions listed in Appendix D of the FVCP implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measures.
2. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that all applicable roadway improvement fees have been paid through the financing mechanisms of the required Implementaton Plan or interim fee agreement.
3. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that the required roadway improvements have been constructed based on the cumulative number of recorded lots.

Verification (Action by the Department of Environmental Review and Assessment):

1. Verify with the County Department of Transportation and/or the County Infrastructure Finance Section that the developer has paid all required fees prior to approval of improvement plans or building permits.
2. Verify with the County Land Division and Site Improvement Review Section, the County Department of Transportation, and/or the County Infrastructure Finance Section that the required improvements have been constructed based on the cumulative number of residential units constructed within the FVCP.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AQ-2: CONSTRUCTION EMISSIONS – OZONE
PRECURSORS

Not applicable – *Project did not exceed screening levels at time of application.*

MITIGATION MEASURE AQ-3: OPERATIONAL EMISSIONS – OZONE PRECURSORS

All development projects within the FVGCP shall comply with the SMAQMD endorsed *Florin Vineyard Gap Community Plan Air Quality Mitigation Program* (March 26, 2007), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the emission reduction measures chosen to achieve compliance with the AQ-15 Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen emission reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of emission reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CC-1: GREENHOUSE GAS EMISSIONS

All development projects within the FVGCP shall comply with the requirements of the SMAQMD-endorsed FVGCP Climate Change Plan, dated January 28, 2010. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of project-specific measures that achieve a minimum of ten points selected in consultation with SMAQMD from the list of approved greenhouse gas reduction measures. Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development projects.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the GHG reduction measures chosen to achieve compliance with the FVGCP Climate Change Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen GHG reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of GHG reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE BR-1 AND BR-2: WETLANDS

Compliance to be attained through Project Specific Mitigation Measure LV-5.

MITIGATION MEASURE BR-3: NATIVE OR LANDMARK TREES

Not applicable – *Site contains no protected native or landmark trees.*

MITIGATION MEASURE BR-4: SPECIAL STATUS SPECIES – SWAINSON'S
HAWK

Compliance to be attained through Project Specific Mitigation Measure LV-6.

MITIGATION MEASURE BR-5: SPECIAL STATUS SPECIES – SURVEYS

Not applicable – *Special Status Species Evaluation conducted. No additional surveys required.*

MITIGATION MEASURE N1 AND N-2: TRAFFIC AND RAILROAD NOISE

Compliance to be attained through Project Specific Mitigation Measures LV-2 and LV-3.

MITIGATION MEASURE N-3: NOISE-PRODUCING USES

Not applicable – *Project does not include industrial or commercial development.*

MITIGATION MEASURE CR-1 AND CR-2: ARCHAEOLOGICAL RESOURCES

Not applicable -- Archaeological and historical surveys completed with negative results.

MITIGATION MEASURE CR-3: SUBSURFACE ARCHAEOLOGICAL RESOURCES

- ☐ Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If cultural resources are encountered, notify the Department of Environmental Review and Assessment immediately.
4. If human remains are encountered, notify the County Coroner and the Department of Environmental Review and Assessment immediately.
5. If no cultural resources are encountered, the applicant shall provide the Department of Environmental Review and Assessment with a signed statement to that effect.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. If cultural resources are encountered, the Department of Environmental Review and Assessment will coordinate an investigation of the site with appropriate

specialists as needed. After investigation, the applicant may be required to implement additional mitigation for the cultural resources.

4. Review the signed statement if no resources are encountered.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-1: PAST CHEMICAL USAGE - LIVESTOCK

All future development proposals on portions of the Florin-Vineyard Gap Community Plan area that are known to have supported livestock (cattle, hogs, poultry, etc.) holding areas prior to the 1970's, shall implement a soil sampling and analysis program for organochlorine pesticides. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substances fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to construction activities, individual project proponents shall provide documentation demonstrating implementation of any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written documentation of known pre-1970 uses of the site to the Department of Environmental Review and Assessment. If livestock holding areas are known to have occurred, then also submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-2: PAST CHEMICAL USE – STORAGE TANKS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any/all active and inactive storage tanks and storage drums, both below and above ground, shall be removed from the property by a licensed contractor and all contents disposed of in accordance with local, state, and federal regulations. If any stained soil related to storage tanks is identified, a soil sampling and analysis program shall be implemented to identify the substance(s) and the potential environmental effects. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substance(s) fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to grading or construction activities, individual project proponents shall implement any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If any storage tanks or drums are removed from the project site, submit documentation to the Department of Environmental Review and Assessment indicating where the items were disposed.
4. If any stained soil is identified, then submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and any written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-3: WATER SUPPLY WELLS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, including preliminary grading and trenching for infrastructure, any on-site groundwater wells that are not intended for the use of the proposed development shall be abandoned in accordance with State and County regulations; this procedure requires a well abandonment permit (issued on a per-well basis) from the Sacramento County Environmental Management Department, Environmental Health Division. Any large-diameter (old hand excavated) wells and/or cisterns shall be removed and the holes backfilled in accordance with the recommendations of a geotechnical engineer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any wells on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the well was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted documentation of abandonment.
3. Consult with the Environmental Management Department as necessary to verify compliance.
4. Monitor compliance during periodic site inspections of the construction work.
5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-4: SEPTIC SYSTEMS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any septic systems and/or leach fields on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the system was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Environmental Management Department as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AG-1: PRIME FARMLAND AND FARMLAND OF
STATEWIDE IMPORTANCE

Not applicable – *The site does not include Prime Farmland or Farmland of Statewide Importance.*

PROJECT SPECIFIC MITIGATION MEASURES

MITIGATION MEASURE LV-2: NOISE

Provide, at a minimum, a 7-foot combination berm and solid masonry soundwall along the Elk Grove-Florin Road frontage.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE LV-3: POTENTIAL NOISE IMPACTS

The applicant shall adhere to one of the following options:

- A. No second story shall be permitted within 110 feet of the centerline of Elk-Grove-Florin Road.

OR

- a. For all second stories within 110 feet of the centerline of Elk Grove-Florin Road, an acoustical study shall be required which documents that the interior noise levels in such second stories will not exceed the General Plan standard of 45 dB.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If residential second stories are proposed within 110 feet of the Elk Grove-Florin Road centerline, then submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis, if applicable, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE LV-4: DRAINAGE

See FVGCP Plan-wide Mitigation Measure HY-2, above.

MITIGATION MEASURE LV-5: WETLANDS

- ☐ Prior to any grading, grubbing, or excavation within 50 feet of on-site wetlands, the applicant or owner shall obtain any/all applicable permits from the U.S. Fish and Wildlife Service (USFWS), U.S. Army Corps of Engineers, California Department of Fish and Game and the Central Valley Regional Water Quality Control Board for the proposed modifications to on-site wetlands. In addition, the project applicant or property owner shall comply with General Plan Conservation Element Policy No. CO-96 as it pertains to no net loss of wetlands. If mitigation occurring through the state and federal permitting processes results in less than 1:1 compensation for the loss of wetland habitat, the applicant or owner shall be required to pay to the County of Sacramento an amount based on a rate of \$35,000 per acre for the unmitigated/uncompensated wetlands. The payment shall be submitted to the Department of Planning and Community Development and shall be deposited in the Wetlands Restoration Trust Fund. A copy of any required permits, or written notification from the applicant that the permit authority has determined that a permit is not required, and verification of compliance with General Plan Conservation Element Policy No. CO-96 regarding no net loss of wetlands shall be submitted to the Department of Environmental Review and Assessment.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Prior to any physical disturbance within 50 feet of on-site wetlands, submit to the Department of Environmental Review and Assessment a copy of any/all permits/agreements that are required by the USFWS, USACOE, CDFG and RWQCB, or correspondence indicating that no permits/agreements are required, along with proof of any required payment into the Wetlands Restoration Trust Fund.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans, along with all submitted permits/agreements, correspondence and/or proof of payment, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.

3. Consult with the USFWS, USACOE, CDFG and RWQCB as necessary to determine compliance.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE LV-6: SWAINSON'S HAWK

Prior to the approval of improvement plans, building permits, or recordation of the final map, whichever occurs first, or, if only a rezone is requested, prior to final adoption of the zoning agreement, implement one of the following options to mitigate for the loss of 2.45 acres of Swainson's hawk foraging habitat on the project site:

- a. The project proponent shall utilize one or more of the mitigation options (land dedication and/or fee payment) established in Sacramento County's *Swainson's Hawk Impact Mitigation Program* (Chapter 16.130 of the Sacramento County Code).
- b. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat.
- c. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of the one of the measures above, the project proponent may be subject to that program instead..

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance with one of the above mitigation options to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted written evidence of compliance with one of the above mitigation options.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE LV-7: CULTURAL RESOURCES

See FVGCP Plan-wide Mitigation Measure CR-3, above.

04-RZB-SDP-SPP-ABE-AHS-0207

**Florin Vineyards Rezone, Tentative
Subdivision Map, Special
Development Permit,
Abandonment, and Affordable
Housing Plan**

**RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO:**

NAME: DERA

COUNTY MAIL CODE: 01-220

**No Fee--For the Benefit of
Sacramento County (Code
6103)**

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: 04-RZB-SDP-SPP-ABE-AHS-0207

NAME: Florin Vineyards Rezone, Tentative Subdivision Map, Special Development Permit, Abandonment, and Affordable Housing Plan

LOCATION: The project site is located at the northeast corner of Florin Road and Gardner Avenue, and also on both sides of South Watt Avenue, approximately 1,300 feet north of Florin Road, in the Vineyard community planning area.

ASSESSOR'S PARCEL NUMBER: 064-0071-045; 064-0080-043; 064-0072-003, 009, 015, 026, 034

OWNERS:

Village Capitol Group LLC
7700 College Town Drive, Suite 250
Sacramento, CA 95826

Stockton/65th LP
7700 College Town Drive, Suite 201
Sacramento, CA 95826

Vincent Lera
1101 Broadway
Sacramento, CA 95818

Shiloh Baptist Church
8815 Florin Road
Sacramento, CA 95828

Warren Sargent
5201 Florin Perkins Road
Sacramento, CA 95826

APPLICANT/DEVELOPER:

Village Capitol Group, LLC
7700 College Town Drive, Suite 250
Sacramento, CA 95826

PROJECT DESCRIPTION:

1. A **Rezone** of 101.6± gross acres from A-10 agricultural and IR industrial reserve to RD-2 residential (26.7± acres), RD-4 residential (16.8± acres) RD-5 residential (28.2± acres), RD-7 residential (12.9± acres), RD-20 residential (9.5± acres) and O recreation (7.5± acres).
2. A **Tentative Subdivision Map** to divide 101.6± gross acres into 372 single-family residential lots, one multiple-family affordable residential lot, one church site lot, one park site lot, and two landscape corridor lots. Included on the Map are requests for abandonment of easements.
3. A **Special Development Permit** to allow deviations from the lot size and width standards applicable to lots created in the RD-4, RD-5 and RD-7 zones.
4. A Special Development Permit to allow an affordable housing density bonus of 84 single family lots as permitted by the Affordable Housing Ordinance to off-set those units lost to affordable housing.
5. An **Exception** to Title 22 to allow lots less than 95 feet deep and to allow the depth of the lots to exceed three times its width.
6. An **Affordable Housing Plan** with options for construction of onsite rental multi-family units or land dedication.

TYPE OF ENVIRONMENTAL DOCUMENT:

| | |
|---|--|
| <input type="checkbox"/> Negative Declaration | <input type="checkbox"/> Prior Negative Declaration |
| <input checked="" type="checkbox"/> Environmental Impact Report | <input type="checkbox"/> Prior Environmental Impact Report |
| <input type="checkbox"/> Supplemental Environmental Impact Report | |

PREPARED BY: Sacramento County Department of
Environmental Review and Assessment
827 7th Street, Room 220
Sacramento, CA 95814

PHONE: (916) 874-7914

MITIGATION MONITORING AND REPORTING PROGRAM

ADOPTED BY:

DATE:

ATTEST: _____

SECRETARY/CLERK

State of California
County of Sacramento

On _____ before me, _____ (name, title of officer),
personally appeared:

_____ ,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this ____ day of _____, 20____.

OWNER(S):

(Print company, corporation, or organization name, if applicable)

(Print name and/or title above)

(Signature above)

ALL PURPOSE ACKNOWLEDGEMENT

| | |
|---|---|
| <p>State of California County of Sacramento</p> <p>On _____ before me, _____(name, title of officer), personally appeared:</p> <p>_____,</p> <p>who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.</p> <p>I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.</p> <p>WITNESS my hand and official seal.</p> <p>_____ <i>Signature</i></p> | <p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="radio"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES</p> <p><input type="radio"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY</p> <p><input type="radio"/> PARTNER(S) _____ PARTNERSHIP</p> <p><input type="radio"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S)</p> <p><input type="radio"/> TRUSTEE(S) _____ TRUST</p> <p><input type="radio"/> OTHER _____ TITLE(S) _____ TITLE(S) _____ ENTITY(IES) REPRESENTED _____ ENTITY(IES) REPRESENTED</p> |
|---|---|

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PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled Florin Vineyards Rezone, Tentative Subdivision Map, Special Development Permit, Abandonment, and Affordable Housing Plan **(Control Number: 04-RZB-SDP-SPP-ABE-AHS-0207)**.

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The applicant shall pay an initial deposit of **\$16,100.00**. This deposit includes administrative costs of **\$800.00**, which must be paid to the Department of Environmental Review and Assessment **prior to recordation of the MMRP and prior to recordation of any final parcel or subdivision map. The remaining balance will be due prior to review of any plans by the DERA or issuance of any building or grading permits.** Over the course of the project, DERA will regularly conduct cost accountings and submit invoices to the applicant when the County monitoring costs exceed the initial deposit.

RECORDATION

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the Sacramento County

Code, the project applicant shall provide to the Department of Environmental Review and Assessment a Legal Description for the real property that is the subject of the project.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

PROPERTY TRANSFER

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit A. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

PENALTIES

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the Sacramento County Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the Sacramento County Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

Plans that are inconsistent with the adopted Mitigation Measures will not be approved.

In the event of an ongoing, serious non-compliance issue, the Department of Environmental Review and Assessment may call for a "stop work order" on the project.

STANDARD PROVISIONS

Page one of all Project Plans must include the following statement in a conspicuous location:

“All Plans associated with this project are subject to the conditions of Mitigation Monitoring and Reporting Program 04-RZB-SDP-SPP-ABE-AHS-0207 . For any questions regarding compliance with the MMRP document, contact MMRP staff at (916) 874-7914.”

All Project Plans and any revisions to those Plans shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and any revisions to the Department of Environmental Review and Assessment prior to final approval by the Sacramento County Building Inspection Division (BID). If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment, for determination of compliance, prior to final approval by BID.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

FVGCP - PLAN WIDE MITIGATION MEASURES

MITIGATION MEASURE HY-1 AND HY-2: FLOODING

- HY-1a Florin Vineyard Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval.
- HY-1b Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream areas, and that such improvements are consistent with requirements of state and federal environmental regulators. Such analyses shall verify that the phased improvements will reduce post-development peak flows and water surface elevations to at least pre-development levels, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements.
- HY-2 Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream drainage/flooding and water quality impacts, have been implemented.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Provide documentation from the County Department of Water Resources indicating that the condition has been satisfied.

**Verification (Action by the Department of Environmental Review and
Assessment):**

1. Review the Project Plans and the submitted documentation from DWR prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the County Department of Water Resources as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HY-3: HYDROLOGY AND DRAINAGE

Prior to the issuance of grading permits, project applicants shall pay the drainage fee identified in the Florin Vineyard Community Plan Public Facilities Financing Plan for the implementation of drainage improvements within the FVGCP.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to issuance of grading permits, submit proof of fee payment to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted proof of payment and consult with the County Department of Water Resources and/or the County Infrastructure Finance Section as necessary to verify that full payment has been made prior to approval of improvement plans or grading permits.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURES TC-1 THROUGH TC-4: ROADWAY SEGMENTS AND
INTERSECTIONS AND TC-5: STATE ROUTE 99 AND US 50

Compliance with mitigation measures TC-1 through TC-5 to be attained through the following conditions of approval, which provide financing and trigger mechanisms for all identified roadway improvements:

1. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.

For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County.

2. The property owners shall comply with the applicable provisions of the Florin Vineyard Community Plan (FVCP), Appendix D, "*Florin Vineyard Community Plan Construction of Phased Traffic Mitigation*".
 - a. As noted in Appendix D of the FVCP, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.
 - b. The following applies if residential development occurs on the site (any residential development within the SC zone is subject to the same

provisions as all other residential development in the FVCP area). The conditions listed in Appendix D of the FVCP implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measures.
2. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that all applicable roadway improvement fees have been paid through the financing mechanisms of the required Implementaton Plan or interim fee agreement.
3. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that the required roadway improvements have been constructed based on the cumulative number of recorded lots.

Verification (Action by the Department of Environmental Review and Assessment):

1. Verify with the County Department of Transportation and/or the County Infrastructure Finance Section that the developer has paid all required fees prior to approval of improvement plans or building permits.
2. Verify with the County Land Division and Site Improvement Review Section, the County Department of Transportation, and/or the County Infrastructure Finance Section that the required improvements have been constructed based on the cumulative number of residential units constructed within the FVCP.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AQ-2: CONSTRUCTION EMISSIONS – OZONE

PRECURSORS

Compliance to be attained through Project Specific Mitigation Measures FVN-4 and FVN-5.

MITIGATION MEASURE AQ-3: OPERATIONAL EMISSIONS – OZONE PRECURSORS

All development projects within the FVGCP shall comply with the SMAQMD endorsed *Florin Vineyard Gap Community Plan Air Quality Mitigation Program* (March 26, 2007), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the emission reduction measures chosen to achieve compliance with the AQ-15 Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen emission reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of emission reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CC-1: GREENHOUSE GAS EMISSIONS

All development projects within the FVGCP shall comply with the requirements of the SMAQMD-endorsed FVGCP Climate Change Plan, dated January 28, 2010. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of project-specific measures that achieve a minimum of ten points selected in consultation with SMAQMD from the list of approved greenhouse gas reduction measures. Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development projects.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the GHG reduction measures chosen to achieve compliance with the FVGCP Climate Change Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen GHG reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of GHG reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE BR-1 AND BR-2: WETLANDS

Compliance to be attained through Project Specific Mitigation Measure FVN-8.

MITIGATION MEASURE BR-3: NATIVE OR LANDMARK TREES

Compliance to be attained through Project Specific Mitigation Measures FVN-14 and FVN-15.

MITIGATION MEASURE BR-4: SPECIAL STATUS SPECIES – SWAINSON'S
HAWK

Compliance to be attained through Project Specific Mitigation Measure FVN-9.

MITIGATION MEASURE BR-5: SPECIAL STATUS SPECIES – SURVEYS

Not applicable – *Special Status Species Evaluation conducted. Site Specific Mitigation Measures FVN-10 and FVN-11 adopted.*

MITIGATION MEASURE N1 AND N-2: TRAFFIC AND RAILROAD NOISE

Compliance to be attained through Project Specific Mitigation Measures FVN-6 and FVN-7.

MITIGATION MEASURE N-3: NOISE-PRODUCING USES

Not applicable – *Project does not include industrial or commercial development.*

MITIGATION MEASURE CR-1 AND CR-2: ARCHAEOLOGICAL RESOURCES

Not applicable -- Archaeological and historical surveys completed with negative results.

MITIGATION MEASURE CR-3: SUBSURFACE ARCHAEOLOGICAL RESOURCES

- ☐ Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If cultural resources are encountered, notify the Department of Environmental Review and Assessment immediately.
4. If human remains are encountered, notify the County Coroner and the Department of Environmental Review and Assessment immediately.
5. If no cultural resources are encountered, the applicant shall provide the Department of Environmental Review and Assessment with a signed statement to that effect.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. If cultural resources are encountered, the Department of Environmental Review and Assessment will coordinate an investigation of the site with appropriate

specialists as needed. After investigation, the applicant may be required to implement additional mitigation for the cultural resources.

4. Review the signed statement if no resources are encountered.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-1: PAST CHEMICAL USAGE - LIVESTOCK

All future development proposals on portions of the Florin-Vineyard Gap Community Plan area that are known to have supported livestock (cattle, hogs, poultry, etc.) holding areas prior to the 1970's, shall implement a soil sampling and analysis program for organochlorine pesticides. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substances fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to construction activities, individual project proponents shall provide documentation demonstrating implementation of any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written documentation of known pre-1970 uses of the site to the Department of Environmental Review and Assessment. If livestock holding areas are known to have occurred, then also submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-2: PAST CHEMICAL USE – STORAGE TANKS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any/all active and inactive storage tanks and storage drums, both below and above ground, shall be removed from the property by a licensed contractor and all contents disposed of in accordance with local, state, and federal regulations. If any stained soil related to storage tanks is identified, a soil sampling and analysis program shall be implemented to identify the substance(s) and the potential environmental effects. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substance(s) fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to grading or construction activities, individual project proponents shall implement any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If any storage tanks or drums are removed from the project site, submit documentation to the Department of Environmental Review and Assessment indicating where the items were disposed.
4. If any stained soil is identified, then submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and any written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-3: WATER SUPPLY WELLS

Compliance to be attained through the following Condition of Approval from the Sacramento County Water Agency:

Destroy all abandoned wells on the proposed project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned/destroyed wells on the improvement plans for the project. Prior to abandoning any existing agricultural wells, applicant shall use water from agricultural wells for grading and construction.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any wells on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the well was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted documentation of abandonment.
3. Consult with the Environmental Management Department as necessary to verify compliance.
4. Monitor compliance during periodic site inspections of the construction work.
5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-4: SEPTIC SYSTEMS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any septic systems and/or leach fields on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the system was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Environmental Management Department as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AG-1: PRIME FARMLAND AND FARMLAND OF
STATEWIDE IMPORTANCE

Not applicable – *The Florin Vineyards project does not result in conversion of
agricultural lands designated as Prime Farmland or Farmland of Statewide Importance
to non-agricultural uses.*

PROJECT SPECIFIC MITIGATION MEASURES

MITIGATION MEASURE FVN-1: COUNTY DRAINAGE SYSTEM

See FVGCP Plan-wide Mitigation Measure HY-2, above.

MITIGATION MEASURE FVN-2: COUNTY DRAINAGE SYSTEM

- ☐ Those lots occurring within the area designated for detention basin DETF4C on the FVGCP Drainage Master Plan as shown on Plate FVN-10 of this EIR (proposed lots #296-303, 330-338, and 358-372) shall not be recorded, and the area shall be reserved for said basin, unless and until the off-site alternative basin location for DETF4C has been acquired and that basin constructed to the satisfaction of the Department of Water Resources.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance with the above mitigation to the Department of Environmental Review and Assessment

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and submitted written evidence of compliance prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE FVN-4: AIR QUALITY

- ☐ To reduce the project impacts of NO_x construction emissions to acceptable levels, the project applicant shall implement the following measures:

Category 1: Reducing NO_x emissions from off-road diesel powered equipment

The project shall provide a plan, for approval by the lead agency and AQMD, demonstrating that the heavy-duty (>50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NO_x reduction and 45 percent particulate reduction¹ compared to the most recent CARB fleet average at time of construction; and

The project representative shall submit to the lead agency and AQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year and projected hours of use or fuel throughout for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide AQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.

And

Category 2: Controlling visible emissions from off-road diesel powered equipment

The project shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringlemann 2.0) shall be repaired immediately, and the lead agency and AQMD shall be notified within 48 hours of identification on non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each

¹ Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.

survey. The AQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supersede other AQMD or state rules or regulations.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit to DERA a copy of the SMAQMD-approved emission reduction plan prior to the start of any construction work.
4. Submit the initial equipment inventory and monthly updates as required during construction

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and emission reduction plan prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Review the initial equipment inventory and monthly updates that are submitted.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE FVN-5: AIR QUALITY

- ☐ For the NO_x emissions over the 85 lb/day threshold that remain after application of Mitigation Measure FV-4, above, the applicant shall pay to SMAQMD an air quality mitigation fee of \$16,400/ton of NO_x over the threshold or the prevailing rate in effect at the time of construction. The fee shall be paid prior to the approval of improvement plans or the issuance of grading permits.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to the start of any construction work (including clearing and grubbing), submit proof of payment of the air quality mitigation fee to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted proof of payment and consult with the SMAQMD as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE FVN-6: NOISE ENVIRONMENT

The applicant shall adhere to one of the following options:

- Construct a minimum 6-foot tall, combination earthen berm and masonry wall noise barrier along the Florin Road and South Watt Avenue frontages, between the landscape corridor and residential lots.
- The outdoor activity area of all residential backyards within 235 feet of the centerline of Florin Road and 210 feet of the centerline of South Watt Avenue shall be shielded from traffic noise, either through strategic placement of the houses, usage of a backyard courtyard concept, or other attenuation method. An acoustical analysis shall be submitted to the Department of Environmental Review and Assessment which demonstrates that a noise level of 65 dB Ldn or less (under cumulative traffic conditions) is attained within the outdoor activity areas of all affected properties.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If option b is chosen, then submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis, if applicable, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE FVN-7: NOISE ENVIRONMENT

Either no second-story construction shall be permissible within 109 feet of the centerline of Florin Road or 98 feet of the centerline of South Watt Avenue or an acoustical study shall be submitted to the Environmental Coordinator demonstrating that the interior noise levels within such second-stories can be attenuated to 45 dB.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If second-story construction is proposed within 109 feet of the centerline of Florin Road or 98 feet of the centerline of South Watt Avenue, then submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis, if applicable, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE FVN-8: JURISDICTIONAL WETLANDS

- ☐ Prior to any grading, grubbing, or excavation within 50 feet of on-site wetlands, the applicant or owner shall obtain any/all applicable permits from the U.S. Fish and Wildlife Service (USFWS), U.S. Army Corps of Engineers, California Department of Fish and Game and the Central Valley Regional Water Quality Control Board for the proposed modifications to on-site wetlands. In addition, the project applicant or property owner shall comply with General Plan Conservation Element Policy No. CO-96 as it pertains to no net loss of wetlands. If mitigation occurring through the state and federal permitting processes results in less than 1:1 compensation for the loss of wetland habitat, the applicant or owner shall be required to pay to the County of Sacramento an amount based on a rate of \$35,000 per acre for the unmitigated/uncompensated wetlands. The payment shall be submitted to the Department of Planning and Community Development and shall be deposited in the Wetlands Restoration Trust Fund. A copy of any required permits, or written notification from the applicant that the permit authority has determined that a permit is not required, and verification of compliance with General Plan Conservation Element Policy No. CO-96 regarding no net loss of wetlands shall be submitted to the Department of Environmental Review and Assessment.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Prior to any physical disturbance within 50 feet of on-site wetlands, submit to the Department of Environmental Review and Assessment a copy of any/all permits/agreements that are required by the USFWS, USACOE, CDFG and RWQCB, or correspondence indicating that no permits/agreements are required, along with proof of any required payment into the Wetlands Restoration Trust Fund.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans, along with all submitted permits/agreements, correspondence and/or proof of payment, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.

3. Consult with the USFWS, USACOE, CDFG and RWQCB as necessary to determine compliance.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE FVN-9: SWAINSON'S HAWK FORAGING HABITAT

- ☐ Prior to approval of Improvement Plans, Building permits, or recordation of the final map, whichever occurs first, implement one of the following options to mitigate for the loss of 30.1 ± acres of Swainson's hawk habitat on the projects site:
- a. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat.
 - b. The project proponent shall utilize one or more of the mitigation options (land dedication and/or fee payment) established in Sacramento County's *Swainson's Hawk Impact Mitigation Program* (Chapter 16.130 of the Sacramento County Code).
 - c. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of the one of the measures above, the project proponent may be subject to that program instead..

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance with one of the above mitigation options to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted written evidence of compliance with one of the above mitigation options.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE FVN-10: RAPTOR NESTING HABITAT

If construction, grading, or project-related improvements are to occur between March 1 and September 15, a focused survey for raptor nests on the site and on nearby trees (within one half mile [rural] of the site) shall be conducted by a qualified biologist within 14 days prior to the start of construction work (including clearing and grubbing). If no active nests are found during the focused survey, no further mitigation will be required.

- ☐ If an active nest(s) is found, the Department of Environmental Review and Assessment and the California Department of Fish and Game shall be contacted to determine appropriate protective measures.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. If any construction work (including clearing and grubbing) is scheduled to occur any time during the raptor nesting season (March 1 through September 15), a survey for raptor nests shall be conducted by a qualified biologist within 14 days prior to the start of construction. A copy of the survey and any agreement with the California Department of Fish and Game, if applicable, must be submitted to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. If necessary, incorporate protective measures for nesting raptors into all Plans and Specifications for the project.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the raptor nesting survey if required, and consult with the qualified biologist and the CDFG, as necessary.
2. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
3. Monitor compliance during periodic site inspections of (a) the implementation of any required raptor protective measures and (b) the construction work.
4. Participate in any/all Final Inspection(s), as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE FVN-11: BURROWING OWL NESTING HABITAT

Prior to construction activity (including site improvements, and building construction) a focused surveys shall be conducted by a qualified biologist for burrowing owls where suitable habitat is present in the project area. Suitable habitat includes agricultural field margins, drainage ditches, and fallow fields. Surveys shall be conducted no less than 14 days and no more than 30 days prior to commencement of construction activities. Surveys shall be conducted in accordance with CDFG protocol (CDFG 1995).

- A. If no occupied burrows are found in the survey area, a letter report documenting survey methods and findings shall be submitted to the County and no further mitigation is necessary.
- B. If an occupied burrow is found the applicant shall contact the Department of Environmental Review and Assessment and consult with the California Department of Fish (CDFG), prior to construction, to determine if avoidance is possible or if burrow relocation will be required.
- C. If owls are to remain on-site, a minimum of 6.5 acres of foraging habitat for each occupied burrow needs to be permanently preserved according to CDFG guidelines.
- D. In order to avoid direct impacts to owls, no activity shall take within 160 feet of an active burrow from September 1 to January 31 (wintering season) or 250 feet from February 1 through August 31 (breeding season). Protective fencing shall be place, at the distances above, around the active burrows and no activity shall occur within the protected buffer areas.
- E. Any impact to active owl burrows, relocation of owls or mitigation for habitat loss shall be done in accordance with CDFG guidelines. Written evidence from CDFG staff shall be provided to DERA attesting to the permission to remove burrows, relocate owls, mitigate for lost habitat, and provided a method for preservation habitat in perpetuity.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. Submit a copy of the preconstruction surveys to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. Submit written evidence of compliance with the above measures A through E to the Department of Environmental Review and Assessment.

**Verification (Action by the Department of Environmental Review and
Assessment):**

1. Review the preconstruction surveys and consult with the qualified biologist, as necessary.
2. Review submitted written evidence of compliance.
3. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
4. Monitor compliance during periodic site inspections.
5. Consult with the CDFG as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE FVN-12: CULTURAL RESOURCES

See FVGCP Plan-wide Mitigation Measure CR-3, above.

MITIGATION MEASURE FVN-13: LAND USE COMPATIBILITY IMPACTS

Provide an 8-foot high masonry wall along the interface with adjacent industrial property to the west.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE FVN-14: IMPACTS TO NATIVE TREES

The removal of 33 inches dbh of native California black walnut trees (Trees #23, 59 and 192) and 40 inches of valley oak (Tree #56) shall be compensated by planting native trees (valley oak/*Quercus lobata*, interior live oak/*Quercus wislizenii*, blue oak/*Quercus douglasii*, and California black walnut) equivalent to the dbh inches lost, based on the ratios listed below, at locations that are authorized by the Department of Environmental Review and Assessment. On-site preservation of native California black walnut/oak trees that are less than 6 inches (<6 inches) dbh, may also be used to meet this compensation requirement. A total of 73 inches will require compensation.

Equivalent compensation based on the following ratio is required:

- one preserved native walnut/oak tree < 6 inches dbh on-site = 1 inch dbh
- one D-pot seedling (40 cubic inches or larger) = 1 inch dbh
- one 15-gallon tree = 1 inch dbh
- one 24-inch box tree = 2 inches dbh
- one 36-inch box tree = 3 inches dbh

Replacement tree planting shall be completed prior to the issuance of building permits or a bond shall be posted by the applicant in order to provide funding for purchase, planting, irrigation, and 3-year maintenance period, should the applicant default on replacement tree mitigation. The bond shall be in an amount equal to the prevailing rate of the County Tree Preservation Fund and will be due within one year of posting the bond.

Prior to the approval of Improvement Plans or Building Permits, whichever occurs first, a Replacement Native Tree Planting Plan shall be prepared by a certified arborist or licensed landscape architect and shall be submitted to the Environmental Coordinator for approval. The Replacement Native Tree Planting Plan(s) shall include the following minimum elements:

- a. Species, size and locations of all replacement plantings and < 6-inch dbh trees to be preserved;
- b. Method of irrigation;
- c. If planting in soils with a hardpan/duripan or claypan layer, include the Sacramento County Standard Tree Planting Detail L-1, including the 10-foot deep boring hole to provide for adequate drainage;
- d. Planting, irrigation, and maintenance schedules;

- e. Identification of the maintenance entity and a written agreement with that entity to provide care and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement California black walnut/oak trees which do not survive during that period; and
- f. Designation of 20 foot root zone radius and landscaping to occur within the radius of California black walnut/oak trees < 6-inches dbh to be preserved on-site.

No replacement tree shall be planted within 15 feet of the driplines of existing California black walnut/oak trees that are retained on-site, or within 15 feet of a building foundation or swimming pool excavation. The minimum spacing for replacement oak trees shall be 20 feet on-center. Examples of acceptable planting locations are publicly owned lands, common areas, and landscaped frontages (with adequate spacing). Generally unacceptable locations are utility easements (PUE, sewer, storm drains), under overhead utility lines, private yards of single family lots (including front yards), and roadway medians.

California black walnut/oak trees <6 inches dbh to be retained on-site shall have at least a 20-foot radius suitable root zone. The suitable root zone shall not have impermeable surfaces, turf/lawn, dense plantings, soil compaction, drainage conditions that create ponding, utility easements, or other overstory tree(s) within 20 feet of the tree to be preserved. Trees to be retained shall be determined to be healthy and structurally sound for future growth, by an ISA Certified Arborist subject to Department of Environmental Review and Assessment approval.

If California black walnut/oak tree replacement plantings are demonstrated to the satisfaction of the Environmental Coordinator to be infeasible for any or all trees removed, then compensation shall be through payment into the County Tree Preservation Fund. Payment shall be made at a rate of \$325.00 per dbh inch removed but not otherwise compensated, or at the prevailing rate at the time payment into the fund is made.

Implementation and Notification (Action by Project Applicant):

- 1. Comply fully with the above measure.
- 2. Prior to the approval of Improvement Plans or building permits, submit the required Replacement Tree Planting Plan to the Department of Environmental Review and Assessment for review and approval.
- 3. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

**Verification (Action by the Department of Environmental Review and
Assessment):**

1. Review the Replacement Tree Planting Plan and Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE FVN-15: CONSTRUCTION PERIOD TREE IMPACTS

All native oak and California black walnut trees located on the church site lot that are 6 inches dbh or larger, all portions of adjacent off-site native trees which have driplines that extend onto the project site, and all off-site native trees which may be impacted by utility installation and/or improvements associated with this project, shall be preserved and protected as follows:

- a. A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of the tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of the tree. Removing limbs which make up the dripline does not change the protected area.
- b. Chain link fencing or a similar protective barrier shall be installed one foot outside the driplines of the protected trees prior to initiating project construction, in order to avoid damage to the trees and their root system.
- c. No signs, ropes, cables (except cables which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the protected trees.
- d. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of the protected trees.
- e. Any soil disturbance (scrapping, grading, trenching, and excavation) is to be avoided within the driplines of the protected trees. Where this is necessary, an ISA Certified Arborist will provide specifications for this work, including methods for root pruning, backfill specifications and irrigation management guidelines.
- f. All underground utilities and drain or irrigation lines shall be routed outside the driplines of protected trees. Trenching within protected tree driplines is not permitted. If utility or irrigation lines must encroach upon the dripline, they should be tunneled or bored under the tree under the supervision of an ISA Certified Arborist.
- g. Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of the protected trees.
- h. No sprinkler or irrigation system shall be installed in such a manner that it sprays water within the driplines of the protected trees.
- i. Tree pruning that may be required for clearance during construction must be performed by an ISA Certified Arborist or Tree Worker and in accordance with

the American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines".

- j. Landscaping beneath the protected trees may include non-plant materials such as boulders, decorative rock, wood chips, organic mulch, non-compacted decomposed granite, etc. Landscape materials shall be kept two (2) feet away from the base of the trunk. The only plant species which shall be planted within the driplines of the protected trees are those which are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.
- k. Any fence/wall that will encroach into the dripline protection area of any protected tree shall be constructed using grade beam wall panels and posts or piers set no closer than 10 feet on center. Posts or piers shall be spaced in such a manner as to maximize the separation between the tree trunks and the posts or piers in order to reduce impacts to the trees.

Implementation and Notification (Action by Project Applicant):

- 1. Comply fully with the above measure.
- 2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
- 3. Regarding the above mitigation measure items e, f and i, submit written evidence to the Department of Environmental Review and Assessment from a certified arborist that indicates that the work has been properly completed as required. Provide the name, address and phone number of the certified arborist

Verification (Action by the Department of Environmental Review and Assessment):

- 1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
- 2. Review submitted information from certified arborist.
- 3. Monitor compliance during periodic site inspections of the construction work.
- 4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

**04-RZB-SDP-SPP- EXP-ABE-AHS-
0208**

**Villages at Elder Creek Estates
Rezone, Tentative Subdivision
Map, Large Lot Tentative
Subdivision Map, Special
Development Permit, Exception,
Abandonment, and Affordable
Housing Plan**

**RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO:**

NAME: DERA

COUNTY MAIL CODE: 01-220

**No Fee--For the Benefit of
Sacramento County (Code
6103)**

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: 04-RZB-SDP-SPP- EXP-ABE-AHS-0208

NAME: Villages at Elder Creek Estates Rezone, Tentative Subdivision Map, Large Lot Tentative Subdivision Map, Special Development Permit, Exception, Abandonment, and Affordable Housing Plan

LOCATION: The project site is located on the west side of Hedge Avenue, approximately 1,400 feet south of Florin Road, in the Vineyard community planning area.

ASSESSOR'S PARCEL NUMBER: 065-0051-016 -030, -031, -032, -045, -046, and -047; 065-0080-001

OWNER/APPLICANT/DEVELOPER:

EGF Holdings LLC
9601 Journey Court
Granite Bay, CA 95746

LK Dev One, LLC
5722 Ellington Court
Granite Bay, CA 95746

ENGINEER:

MacKay & Somps
1552 Eureka Road, Suite 100
Roseville, CA 95661-2851

PROJECT DESCRIPTION:

1. A **Rezone** of approximately 86.3 acres from AR-10 agricultural-residential, AR-10 (F) agricultural-residential flood combining, and AR-2 agricultural-residential, to RD-20

residential (±5.4 acres), RD-10 residential (±8.0 acres), RD-7 residential (±38.9 acres), RD-5 residential (±26.9 acres), and O recreation (±7.0 acres).

2. A **Tentative Subdivision Map** to divide approximately 86.3 gross acres into 494 single-family residential lots, 1 RD-10 lot, 1 RD-20 lot, 1 park lot, 2 common area lots, 3 landscape corridor lots, and 1 water quality treatment lot.
3. A **Tentative Subdivision Map** to divide ±86.3 gross acres into 11 large lots as follows: Lot 1 – 7.6 gross acres, Lot 2 – 6.1 gross acres, Lot 3 – 9.1 gross acres, Lot 4 – 13.1 gross acres, Lot 5 – 13.1 gross acres, Lot 6 – 9.1 gross acres, Lot 7 – 9.1 gross acres, Lot 8 - 16.4 gross acres, Lot 9 – 8.8 gross acres, Lot 10 – 8.0 gross acres, and Lot 11 – 5.4 gross acres.
4. A **Special Development Permit** to reduce the RD-5 and RD-7 zone lot area, lot width, public street frontage requirements.
5. A **Special Development Permit** to reduce the required single-family residential front, side, and rear setback requirements.
6. A **Special Development Permit** to allow an affordable housing density bonus of 87 single-family lots as permitted by the Affordable Housing Ordinance to off-set those units lost to affordable housing.
7. An Exception from Title 22 of the Sacramento County Land Development Ordinance to allow lots of less than 95 feet in depth.
8. An **Abandonment** of easements as shown on the Tentative Subdivision Map.
9. An **Affordable Housing Plan** consisting of off-site construction or dedication of land.

TYPE OF ENVIRONMENTAL DOCUMENT:

| | |
|---|--|
| <input type="checkbox"/> Negative Declaration | <input type="checkbox"/> Prior Negative Declaration |
| <input checked="" type="checkbox"/> Environmental Impact Report | <input type="checkbox"/> Prior Environmental Impact Report |
| <input type="checkbox"/> Supplemental Environmental Impact Report | |

PREPARED BY: Sacramento County Department of
Environmental Review and Assessment
827 7th Street, Room 220
Sacramento, CA 95814

PHONE: (916) 874-7914

MITIGATION MONITORING AND REPORTING PROGRAM

ADOPTED BY:

DATE:

ATTEST: _____

SECRETARY/CLERK

**State of California
County of Sacramento**

On _____ before me, _____ (name, title of officer),
personally appeared:

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this ____ day of _____, 20____.

OWNER(S):

(Print company, corporation, or organization name, if applicable)

(Print name and/or title above)

(Signature above)

ALL PURPOSE ACKNOWLEDGEMENT

| | |
|---|---|
| <p>State of California County of Sacramento</p> <p>On _____ before me, _____(name, title of officer), personally appeared:</p> <p>_____,</p> <p>who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.</p> <p>I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.</p> <p>WITNESS my hand and official seal.</p> <p>_____ <i>Signature</i></p> | <p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="radio"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES</p> <p><input type="radio"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY</p> <p><input type="radio"/> PARTNER(S) _____ PARTNERSHIP</p> <p><input type="radio"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S)</p> <p><input type="radio"/> TRUSTEE(S) _____ TRUST</p> <p><input type="radio"/> OTHER _____ TITLE(S) _____ TITLE(S) _____ ENTITY(IES) REPRESENTED _____ ENTITY(IES) REPRESENTED</p> |
|---|---|

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PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled Villages at Elder Creek Estates Rezone, Tentative Subdivision Map, Special Development Permit, Use Permit, Exception, Abandonment, and Affordable Housing Plan **(Control Number: 04-RZB-SDP-SPP-UPP-ABE-AHS-0208)**.

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The applicant shall pay an initial deposit of **\$14,70000**. This deposit includes administrative costs of **\$800.00**, which must be paid to the Department of Environmental Review and Assessment **prior to recordation of the MMRP and prior to recordation of any final parcel or subdivision map. The remaining balance will be due prior to review of any plans by the DERA or issuance of any building or grading permits.** Over the course of the project, DERA will regularly conduct cost accountings and submit invoices to the applicant when the County monitoring costs exceed the initial deposit.

RECORDATION

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the Sacramento County Code, the project applicant shall provide to the Department of Environmental Review and Assessment a Legal Description for the real property that is the subject of the project.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

PROPERTY TRANSFER

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit A. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

PENALTIES

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the Sacramento County Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the Sacramento County Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

Plans that are inconsistent with the adopted Mitigation Measures will not be approved.

In the event of an ongoing, serious non-compliance issue, the Department of Environmental Review and Assessment may call for a "stop work order" on the project.

STANDARD PROVISIONS

Page one of all Project Plans must include the following statement in a conspicuous location:

“All Plans associated with this project are subject to the conditions of Mitigation Monitoring and Reporting Program 04-RZB-SDP-SPP-UPP-ABE-AHS-0208 . For any questions regarding compliance with the MMRP document, contact MMRP staff at (916) 874-7914.”

All Project Plans and any revisions to those Plans shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and any revisions to the Department of Environmental Review and Assessment prior to final approval by the Sacramento County Building Inspection Division (BID). If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment, for determination of compliance, prior to final approval by BID.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

FVGCP - PLAN WIDE MITIGATION MEASURES

MITIGATION MEASURE HY-1 AND HY-2: FLOODING

- HY-1a Florin Vineyard Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval.
- HY-1b Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream and upstream areas and that such phased improvements are consistent with the County's 404 permit and the proposed phasing is submitted for approval to the Corps of Engineers as required by the conditions set forth in the County's 404 permit. Such analyses shall verify that the phased improvements will mitigate post-development peak flows and water surface elevations in accordance with County standards, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements.
- HY-2 Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream drainage/flooding and water quality impacts, have been implemented.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Provide documentation from the County Department of Water Resources indicating that the condition has been satisfied.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and the submitted documentation from DWR prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the County Department of Water Resources as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HY-3: HYDROLOGY AND DRAINAGE

No residential final maps shall be recorded, no residential improvement plans shall be approved, and no residential building permits shall be issued until supplemental drainage fees are paid pursuant to an approved "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Gap Community Plan Public Facilities Financing Plan (FVGCP Financing Plan). In addition to those financing mechanisms, the "Implementation Plan" shall specifically include the blending of the FVGCP Financing Plan and the North Vineyard Station Specific Plan Finance Plan (NVSSP). This blended plan shall include fair share funding and construction obligations by the FVGCP for those NVSSP Finance Plan drainage improvements and rights-of-way which are of shared benefit to developments in the Elder and Gerber Creek watersheds of the FVGCP.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to issuance of grading permits, submit proof of fee payment to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted proof of payment and consult with the County Department of Water Resources and/or the County Infrastructure Finance Section as necessary to verify that full payment has been made prior to approval of improvement plans or grading permits.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURES TC-1 THROUGH TC-4: ROADWAY SEGMENTS AND INTERSECTIONS AND TC-5: STATE ROUTE 99 AND US 50

Compliance with mitigation measures TC-1 through TC-5 to be attained through the following conditions of approval, which provide financing and trigger mechanisms for all identified roadway improvements:

1. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.

For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County.

2. The property owners shall comply with the applicable provisions of the Florin Vineyard Community Plan (FVCP), Appendix D, "*Florin Vineyard Community Plan Construction of Phased Traffic Mitigation*".
 - a. As noted in Appendix D of the FVCP, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.
 - b. The following applies if residential development occurs on the site (any residential development within the SC zone is subject to the same

provisions as all other residential development in the FVCP area). The conditions listed in Appendix D of the FVCP implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measures.
2. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that all applicable roadway improvement fees have been paid through the financing mechanisms of the required Implementaton Plan or interim fee agreement.
3. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that the required roadway improvements have been constructed based on the cumulative number of recorded lots.

Verification (Action by the Department of Environmental Review and Assessment):

1. Verify with the County Department of Transportation and/or the County Infrastructure Finance Section that the developer has paid all required fees prior to approval of improvement plans or building permits.
2. Verify with the County Land Division and Site Improvement Review Section, the County Department of Transportation, and/or the County Infrastructure Finance Section that the required improvements have been constructed based on the cumulative number of residential units constructed within the FVCP.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AQ-2: CONSTRUCTION EMISSIONS – OZONE

PRECURSORS

Compliance to be attained through Project Specific Mitigation Measures ECE-3 and ECE-4.

MITIGATION MEASURE AQ-3: OPERATIONAL EMISSIONS – OZONE PRECURSORS

All development projects within the FVGCP shall comply with the SMAQMD endorsed *Florin Vineyard Gap Community Plan Air Quality Mitigation Program* (March 26, 2007), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the emission reduction measures chosen to achieve compliance with the AQ-15 Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen emission reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of emission reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CC-1: GREENHOUSE GAS EMISSIONS

All development projects within the FVGCP shall comply with the requirements of the SMAQMD-endorsed FVGCP Climate Change Plan, dated January 28, 2010. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of project-specific measures that achieve a minimum of ten points selected in consultation with SMAQMD from the list of approved greenhouse gas reduction measures. Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development projects.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the GHG reduction measures chosen to achieve compliance with the FVGCP Climate Change Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen GHG reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of GHG reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE BR-1 AND BR-2: WETLANDS

Compliance to be attained through Project Specific Mitigation Measure ECE-7.

MITIGATION MEASURE BR-3: NATIVE OR LANDMARK TREES

Compliance to be attained through Project Specific Mitigation Measures ECE-12 and ECE-13.

MITIGATION MEASURE BR-4: SPECIAL STATUS SPECIES – SWAINSON'S HAWK

Compliance to be attained through Project Specific Mitigation Measure ECE-8.

MITIGATION MEASURE BR-5: SPECIAL STATUS SPECIES – SURVEYS

Not applicable – *Special Status Species Evaluation conducted. Site Specific Mitigation Measures ECE-9 through ECE-11 adopted.*

MITIGATION MEASURE N1 AND N-2: TRAFFIC AND RAILROAD NOISE

Compliance to be attained through Project Specific Mitigation Measures ECE-5 and ECE-6.

MITIGATION MEASURE N-3: NOISE-PRODUCING USES

Not applicable – *Project does not include industrial or commercial development.*

MITIGATION MEASURE CR-1 AND CR-2: ARCHAEOLOGICAL RESOURCES

Not applicable -- Archaeological and historical surveys completed with negative results.

MITIGATION MEASURE CR-3: SUBSURFACE ARCHAEOLOGICAL RESOURCES

- ☐ Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If cultural resources are encountered, notify the Department of Environmental Review and Assessment immediately.
4. If human remains are encountered, notify the County Coroner and the Department of Environmental Review and Assessment immediately.
5. If no cultural resources are encountered, the applicant shall provide the Department of Environmental Review and Assessment with a signed statement to that effect.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. If cultural resources are encountered, the Department of Environmental Review and Assessment will coordinate an investigation of the site with appropriate

specialists as needed. After investigation, the applicant may be required to implement additional mitigation for the cultural resources.

4. Review the signed statement if no resources are encountered.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-1: PAST CHEMICAL USAGE - LIVESTOCK

All future development proposals on portions of the Florin-Vineyard Gap Community Plan area that are known to have supported livestock (cattle, hogs, poultry, etc.) holding areas prior to the 1970's, shall implement a soil sampling and analysis program for organochlorine pesticides. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substances fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to construction activities, individual project proponents shall provide documentation demonstrating implementation of any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written documentation of known pre-1970 uses of the site to the Department of Environmental Review and Assessment. If livestock holding areas are known to have occurred, then also submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-2: PAST CHEMICAL USE – STORAGE TANKS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any/all active and inactive storage tanks and storage drums, both below and above ground, shall be removed from the property by a licensed contractor and all contents disposed of in accordance with local, state, and federal regulations. If any stained soil related to storage tanks is identified, a soil sampling and analysis program shall be implemented to identify the substance(s) and the potential environmental effects. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substance(s) fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to grading or construction activities, individual project proponents shall implement any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If any storage tanks or drums are removed from the project site, submit documentation to the Department of Environmental Review and Assessment indicating where the items were disposed.
4. If any stained soil is identified, then submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and any written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-3: WATER SUPPLY WELLS

Compliance to be attained through the following condition of approval recommended by the Sacramento County Water Agency:

Rezone Condition 45:

Destroy all abandoned wells on the proposed project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned wells on the improvement plans for the project. Prior to abandoning any existing agricultural wells, applicant shall use water from agricultural wells for grading and construction.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any wells on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the well was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted documentation of abandonment.
3. Consult with the Environmental Management Department as necessary to verify compliance.
4. Monitor compliance during periodic site inspections of the construction work.
5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-4: SEPTIC SYSTEMS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any septic systems and/or leach fields on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the system was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Environmental Management Department as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AG-1: PRIME FARMLAND AND FARMLAND OF STATEWIDE IMPORTANCE

Not applicable – *The site does not include Prime Farmland or Farmland of Statewide Importance.*

PROJECT SPECIFIC MITIGATION MEASURES

MITIGATION MEASURE ECE-1: DRAINAGE

See FVGCP Plan-wide Mitigation Measure HY-2, above.

MITIGATION MEASURE ECE--3: AIR QUALITY

- ☐ The applicant shall implement the following mitigation in order to reduce construction-related NO_x emissions:

Category 1: Reducing NO_x emissions from off-road diesel powered equipment

The project shall provide a plan, for approval by the lead agency and AQMD, demonstrating that the heavy-duty (>50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NO_x reduction and 45 percent particulate reduction¹ compared to the most recent CARB fleet average at time of construction; and

The project representative shall submit to the lead agency and AQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year and projected hours of use or fuel throughout for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide AQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.

And

Category 2: Controlling visible emissions from off-road diesel powered equipment

The project shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringlemann 2.0) shall be repaired immediately, and the lead agency and AQMD shall be notified within 48 hours of identification on non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no

¹ Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.

construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The AQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supersede other AQMD or state rules or regulations.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit to DERA a copy of the SMAQMD-approved emission reduction plan prior to the start of any construction work.
4. Submit the initial equipment inventory and monthly updates as required during construction

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and emission reduction plan prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Review the initial equipment inventory and monthly updates that are submitted.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE ECE-4: AIR QUALITY

- ☐ For the NO_x emissions over the 85 lb/day threshold that remain after application of Mitigation Measure ECE-3, above, the applicant shall pay to SMAQMD an air quality mitigation fee of 16,000/ton of NO_x over the threshold or the prevailing rate in effect at the time of construction. The fee shall be paid prior to the approval of improvement plans or the issuance of grading permits.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to the start of any construction work (including clearing and grubbing), submit proof of payment of the air quality mitigation fee to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted proof of payment and consult with the SMAQMD as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE ECE-5: NOISE

The applicant shall adhere to one of the following options:

- a. Construct a minimum 7-foot tall, combination earthen berm and masonry wall noise barrier along the Elk Grove-Florin Road frontage.
- b. The outdoor activity area of all residential backyards within 237 feet of the centerline of Elk Grove-Florin Road shall be shielded from traffic noise, either through strategic placement of the houses, usage of a backyard courtyard concept, or other attenuation method. An acoustical analysis shall be submitted to the Department of Environmental Review and Assessment which demonstrates that a noise level of 65 dB Ldn or less (under cumulative traffic conditions) is attained within the outdoor activity areas of all affected properties.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If option b is chosen, then submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis, if applicable, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE ECE-6: NOISE

An acoustical study shall be submitted to the Environmental Coordinator demonstrating that interior noise levels can be attenuated to 45 dB or less for any second-story residential construction proposed within 110 feet of the centerline of Elk Grove-Florin Road and, if mitigation option ECE-5.B is chosen, for any first story residential construction proposed within 110 feet of the centerline of Elk Grove-Florin Road. Any second story construction within 110 feet of the centerline of Elk Grove-Florin Road, and/or first story construction within 110 feet of the centerline of Elk Grove-Florin Road under option ECE-5.B, shall be built using the construction materials and techniques outlined in the acoustical analysis.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit the required acoustical analysis to the Department of Environmental Review and Assessment for construction within 110 feet of the centerline of Elk Grove-Florin Road.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis, if applicable, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE ECE-7: WETLANDS

- ☐ Prior to any grading, grubbing, or excavation within 50 feet of on-site wetlands, the applicant or owner shall obtain any/all applicable permits from the U.S. Fish and Wildlife Service (USFWS), U.S. Army Corps of Engineers, California Department of Fish and Game and the Central Valley Regional Water Quality Control Board for the proposed modifications to on-site wetlands. In addition, the project applicant or property owner shall comply with General Plan Conservation Element Policy No. CO-96 as it pertains to no net loss of wetlands. If mitigation occurring through the state and federal permitting processes results in less than 1:1 compensation for the loss of wetland habitat, the applicant or owner shall be required to pay to the County of Sacramento an amount based on a rate of \$35,000 per acre for the unmitigated/uncompensated wetlands. The payment shall be submitted to the Department of Planning and Community Development and shall be deposited in the Wetlands Restoration Trust Fund. A copy of any required permits, or written notification from the applicant that the permit authority has determined that a permit is not required, and verification of compliance with General Plan Conservation Element Policy No. CO-96 regarding no net loss of wetlands shall be submitted to the Department of Environmental Review and Assessment.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Prior to any physical disturbance within 50 feet of on-site wetlands, submit to the Department of Environmental Review and Assessment a copy of any/all permits/agreements that are required by the USFWS, USACOE, CDFG and RWQCB, or correspondence indicating that no permits/agreements are required, along with proof of any required payment into the Wetlands Restoration Trust Fund.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans, along with all submitted permits/agreements, correspondence and/or proof of payment, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.

3. Consult with the USFWS, USACOE, CDFG and RWQCB as necessary to determine compliance.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE ECE-8: SWAINSON'S HAWK FORAGING HABITAT

- ☐ Prior to the approval of improvement plans, building permits, or recordation of the final map, whichever occurs first, or, if only a rezone is requested, prior to final adoption of the zoning agreement, implement one of the following options to mitigate for the loss of 18.9 acres of Swainson's hawk foraging habitat on the project site:
- a. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat.
 - b. The project proponent shall utilize one or more of the mitigation options (land dedication and/or fee payment) established in Sacramento County's *Swainson's Hawk Impact Mitigation Program* (Chapter 16.130 of the Sacramento County Code).
 - c. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of the one of the measures above, the project proponent may be subject to that program instead..

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance with one of the above mitigation options to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted written evidence of compliance with one of the above mitigation options.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE ECE-9: BURROWING OWL NESTING HABITAT

Prior to construction activity (including site improvements, and building construction) a focused surveys shall be conducted by a qualified biologist for burrowing owls where suitable habitat is present in the project area. Suitable habitat includes agricultural field margins, drainage ditches, and fallow fields. Surveys shall be conducted no less than 14 days and no more than 30 days prior to commencement of construction activities. Surveys shall be conducted in accordance with CDFG protocol (CDFG 1995).

- A. If no occupied burrows are found in the survey area, a letter report documenting survey methods and findings shall be submitted to the County and no further mitigation is necessary.
- B. If an occupied burrow is found the applicant shall contact the Department of Environmental Review and Assessment and consult with the California Department of Fish (CDFG), prior to construction, to determine if avoidance is possible or if burrow relocation will be required.
- C. If owls are to remain on-site, a minimum of 6.5 acres of foraging habitat for each occupied burrow needs to be permanently preserved according to CDFG guidelines.
- D. In order to avoid direct impacts to owls, no activity shall take within 160 feet of an active burrow from September 1 to January 31 (wintering season) or 250 feet from February 1 through August 31 (breeding season). Protective fencing shall be place, at the distances above, around the active burrows and no activity shall occur within the protected buffer areas.
- E. Any impact to active owl burrows, relocation of owls or mitigation for habitat loss shall be done in accordance with CDFG guidelines. Written evidence from CDFG staff shall be provided to DERA attesting to the permission to remove burrows, relocate owls, mitigate for lost habitat, and provided a method for preservation habitat in perpetuity.

Implementation and Notification (Action by Project Applicant):

- 1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
- 2. Submit a copy of the preconstruction surveys to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
- 3. Submit written evidence of compliance with the above measures A through E to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the preconstruction surveys and consult with the qualified biologist, as necessary.
2. Review submitted written evidence of compliance.
3. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
4. Monitor compliance during periodic site inspections.
5. Consult with the CDFG as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE ECE-10: RAPTOR NESTING HABITAT

- ☐ If construction occurs between March 1 and September 15, pre-construction surveys for Swainson's hawk and other raptor nesting sites shall be conducted by a qualified raptor biologist. If any active nests are located within a half mile of proposed heavy equipment operations or construction activities, the project proponent shall then consult with the California Department of Fish and Game to determine the appropriate course of action to reduce potential impacts upon nesting raptors and to determine under what circumstances equipment operation and construction activities can occur.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. If any construction work (including clearing and grubbing) is scheduled to occur any time during the raptor nesting season (March 1 through September 15), a survey for raptor nests shall be conducted by a qualified biologist within 14 days prior to the start of construction. A copy of the survey and any agreement with the California Department of Fish and Game, if applicable, must be submitted to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. If necessary, incorporate protective measures for nesting raptors into all Plans and Specifications for the project.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the raptor nesting survey if required, and consult with the qualified biologist and the CDFG, as necessary.
2. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
3. Monitor compliance during periodic site inspections of (a) the implementation of any required raptor protective measures and (b) the construction work.
4. Participate in any/all Final Inspection(s), as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE ECE-11: RARE PLANT SURVEYS

Rare plant surveys will be required in vernal pool habitats prior to any grading, grubbing, or excavation within 250 feet of a vernal pool or other suitable habitat. The rare plant surveyor shall have experience as a botanical field investigator and familiarity with the local flora and potential rare plants in the habitats to be surveyed.

The surveys shall be conducted when the rare plants at the site will be easiest to identify (i.e. flowering stage), and when the plants reach that stage of maturity. A minimum of three site visit shall be required, during the plants flowering period in order to determine absence. Each site visit must be no less than 7 days apart.

Submit a written report to the Department of Environmental Review and Assessment. The survey report should include a brief description of the vegetation, survey results, photographs, time spent surveying, date of surveys, a map showing the location of the survey route and any rare plant populations and copies of any rare plant occurrence forms. Notify DFG and USFWS if species are found and apply for “take” authorization (state law section 2081 of the Fish and Game Code and federal Endangered Species Act) prior construction.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. Submit a copy of the rare plant surveys to the Department of Environmental Review and Assessment prior to the start of construction.
3. If species are found, submit a copy of applicable take permits to the Department of Environmental Review and Assessment prior to construction.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted surveys and, if applicable, take permits.
2. Consult with the USFWS and/or CDFG as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE ECE-12: CALIFORNIA BLACK WALNUT TREE COMPENSATION

The removal of 59 inches dbh of native California black walnut trees (#81, #94, and #152) shall be compensated by planting native California black walnut trees equivalent to the dbh inches lost, based on the ratios listed below, at locations that are authorized by the Department of Environmental Review and Assessment. On-site preservation of native California black walnut that are less than 6 inches (<6 inches) dbh, may also be used to meet this compensation requirement. A total of 59 inches will require compensation. If trees #165 and #166 cannot be protected pursuant to ECE-13, below, compensation will be required for these trees on the following basis: full compensation for encroachment of 50% or greater and partial compensation (% encroachment x dbh) for dripline encroachment of at least 20% but less than 50.

Equivalent compensation based on the following ratio is required:

- one preserved native walnut tree < 6 inches dbh on-site = 1 inch dbh
- one D-pot seedling (40 cubic inches or larger) = 1 inch dbh
- one 15-gallon tree = 1 inch dbh
- one 24-inch box tree = 2 inches dbh
- one 36-inch box tree = 3 inches dbh

Replacement tree planting shall be completed prior to the issuance of building permits or a bond shall be posted by the applicant in order to provide funding for purchase, planting, irrigation, and 3-year maintenance period, should the applicant default on replacement tree mitigation. The bond shall be in an amount equal to the prevailing rate of the County Tree Preservation Fund and will be due within one year of posting the bond.

Prior to the approval of Improvement Plans or Building Permits, whichever occurs first, a Replacement California black walnut Tree Planting Plan shall be prepared by a certified arborist or licensed landscape architect and shall be submitted to the Environmental Coordinator for approval. The Replacement California black walnut Planting Plan(s) shall include the following minimum elements:

1. Species, size and locations of all replacement plantings and < 6-inch dbh trees to be preserved;
2. Method of irrigation;

3. If planting in soils with a hardpan/duripan or claypan layer, include the Sacramento County Standard Tree Planting Detail L-1, including the 10-foot deep boring hole to provide for adequate drainage;
4. Planting, irrigation, and maintenance schedules;
5. Identification of the maintenance entity and a written agreement with that entity to provide care and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement California black walnut trees which do not survive during that period; and
6. Designation of 20 foot root zone radius and landscaping to occur within the radius of California black walnut trees < 6-inches dbh to be preserved on-site.

No replacement tree shall be planted within 15 feet of the driplines of existing California black walnut trees or landmark size trees that are retained on-site, or within 15 feet of a building foundation or swimming pool excavation. The minimum spacing for replacement oak trees shall be 20 feet on-center.

Examples of acceptable planting locations are publicly owned lands, common areas, and landscaped frontages (with adequate spacing). Generally unacceptable locations are utility easements (PUE, sewer, storm drains), under overhead utility lines, private yards of single family lots (including front yards), and roadway medians.

California black walnut trees <6 inches dbh to be retained on-site shall have at least a 20-foot radius suitable root zone. The suitable root zone shall not have impermeable surfaces, turf/lawn, dense plantings, soil compaction, drainage conditions that create ponding, utility easements, or other overstory tree(s) within 20 feet of the tree to be preserved. Trees to be retained shall be determined to be healthy and structurally sound for future growth, by an ISA Certified Arborist subject to Department of Environmental Review and Assessment approval.

If California black walnut tree replacement plantings are demonstrated to the satisfaction of the Environmental Coordinator to be infeasible for any or all trees removed, then compensation shall be through payment into the County Tree Preservation Fund. Payment shall be made at a rate of \$325.00 per dbh inch removed but not otherwise compensated, or at the prevailing rate at the time payment into the fund is made.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to the approval of Improvement Plans or building permits, submit the required Replacement Tree Planting Plan to the Department of Environmental Review and Assessment for review and approval.

3. Prior to the approval of building permits, submit evidence that tree planting has occurred or that a bond has been posted.
4. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Replacement Tree Planting Plan and Project Plans prior to the start of construction. Approve Plans that are determined to be in compliance with all required mitigation.
2. Prior to building permits verify tree plantings or bond has been posted.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE ECE-13: NATIVE TREE PROTECTION

Unless determined to be infeasible by the Department of Environmental Review and Assessment, trees #165 and #166 shall be preserved and protected as follows:

- A. A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of the tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of the tree. Removing limbs which make up the dripline does not change the protected area.
- B. Chain link fencing or a similar protective barrier shall be installed one foot outside the driplines of the trees prior to initiating project construction, in order to avoid damage to the trees and their root system. This protected area can be shifted with the approval of the Department of Environmental Review and Assessment, but if it results in encroachment of 20% or more, Mitigation Measure ECE-12 shall apply.
- C. No signs, ropes, cables (except cables which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the oak trees.
- D. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of the trees.
- E. Any soil disturbance (scrapping, grading, trenching, and excavation) is to be avoided within the driplines of the trees. Where this is necessary, an ISA Certified Arborist will provide specifications for this work, including methods for root pruning, backfill specifications and irrigation management guidelines.
- F. Except as modified by ECE-13.B, all underground utilities and drain or irrigation lines shall be routed outside the driplines of trees. Trenching within protected tree driplines is not permitted. If utility or irrigation lines must encroach upon the dripline, they should be tunneled or bored under the tree under the supervision of an ISA Certified Arborist.
- G. Any herbicides placed under paving materials within driplines of trees must be safe for use around trees and labeled for that use. Any pesticides used on site must be tree-safe and not easily transported by water.
- H. Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of the trees.

- I. No sprinkler or irrigation system shall be installed in such a manner that it sprays water within the driplines of the trees.
- J. Tree pruning that may be required for clearance during construction must be performed by an ISA Certified Arborist or Tree Worker and in accordance with the American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines".
- K. Landscaping beneath the oak trees may include non-plant materials such as boulders, decorative rock, wood chips, organic mulch, non-compacted decomposed granite, etc. Landscape materials shall be kept two (2) feet away from the base of the trunk. The only plant species which shall be planted within the driplines of the oak trees are those which are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.
- L. Any fence/wall that will encroach into the dripline protection area of any protected tree shall be constructed using grade beam wall panels and posts or piers set no closer than 10 feet on center. Posts or piers shall be spaced in such a manner as to maximize the separation between the tree trunks and the posts or piers in order to reduce impacts to the trees.

Implementation and Notification (Action by Project Applicant):

- 1. Comply fully with the above measure.
- 2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
- 3. Regarding the above mitigation measure items b, h and i, submit written evidence to the Department of Environmental Review and Assessment from a certified arborist that indicates that the work has been properly completed as required. Provide the name, address and phone number of the certified arborist

Verification (Action by the Department of Environmental Review and Assessment):

- 1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
- 2. Review submitted information from certified arborist.
- 3. Monitor compliance during periodic site inspections of the construction work.

5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE ECE-14: CULTURAL RESOURCES

See FVGCP Plan-wide Mitigation Measure CR-3, above.

**RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO:**

NAME: DERA

COUNTY MAIL CODE: 01-220

**No Fee--For the Benefit of
Sacramento County (Code
6103)**

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: 04-RZB-PMR-AHS-0209

NAME: Vineyard Market Square Rezone, Tentative Parcel Map, and Affordable Housing Plan

LOCATION: The property is located on the southeast corner of Gerber Road and Elk Grove-Florin Road, in the Vineyard Community.

ASSESSOR'S PARCEL NUMBER: 121-0010-051

OWNER:

George Badella
7556 St. Luke South Way
Sacramento, CA 95823

APPLICANT/DEVELOPER:

Petrovich Development Company
5046 Sunrise Boulevard
Fair Oaks, CA 95628

PROJECT DESCRIPTION:

1. A **Rezone** of approximately 37 acres from AR-10 agricultural-residential to SC shopping center.
2. A **Tentative Parcel Map** to divide approximately 37± gross acres into 7 parcels.

04-RZB-PMR-AHS-0209

**Vineyard Market Square Rezone,
Tentative Parcel Map, and
Affordable Housing Plan**

3. An **Affordable Housing Plan** consisting of on-site construction of affordable multi-family dwelling units.

TYPE OF ENVIRONMENTAL DOCUMENT:

☐ Negative Declaration

☐ Prior Negative Declaration

☒ Environmental Impact Report

☐ Prior Environmental Impact Report

☐ Supplemental Environmental Impact Report

PREPARED BY: Sacramento County Department of
Environmental Review and Assessment
827 7th Street, Room 220
Sacramento, CA 95814

PHONE: (916) 874-7914

**MITIGATION MONITORING AND REPORTING PROGRAM
ADOPTED BY:**

DATE:

ATTEST: _____

SECRETARY/CLERK

**State of California
County of Sacramento**

On _____ before me, _____ (name, title of officer),
personally appeared:

_____ ,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this ____ day of _____, 20____.

OWNER(S):

(Print company, corporation, or organization name, if applicable)

(Print name and/or title above)

(Signature above)

ALL PURPOSE ACKNOWLEDGEMENT

| | |
|---|---|
| <p>State of California County of Sacramento</p> <p>On _____ before me, _____(name, title of officer), personally appeared:</p> <p>_____,</p> <p>who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.</p> <p>I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.</p> <p>WITNESS my hand and official seal.</p> <p>_____ <i>Signature</i></p> | <p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="radio"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES</p> <p><input type="radio"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY</p> <p><input type="radio"/> PARTNER(S) _____ PARTNERSHIP</p> <p><input type="radio"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S)</p> <p><input type="radio"/> TRUSTEE(S) _____ TRUST</p> <p><input type="radio"/> OTHER _____ TITLE(S) _____ TITLE(S) _____ ENTITY(IES) REPRESENTED _____ ENTITY(IES) REPRESENTED</p> |
|---|---|

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PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled Vineyard Market Square Rezone, Tentative Parcel Map, and Affordable Housing Plan **(Control Number: 04-RZB-PMR-AHS-0209)**.

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The applicant shall pay an initial deposit of **\$10,000.00**. This deposit includes administrative costs of **\$800.00**, which must be paid to the Department of Environmental Review and Assessment **prior to recordation of the MMRP and prior to recordation of any final parcel or subdivision map. The remaining balance will be due prior to review of any plans by the DERA or issuance of any building or grading permits.** Over the course of the project, DERA will regularly conduct cost accountings and submit invoices to the applicant when the County monitoring costs exceed the initial deposit.

RECORDATION

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the Sacramento County Code, the project applicant shall provide to the Department of Environmental Review

and Assessment a Legal Description for the real property that is the subject of the project.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

PROPERTY TRANSFER

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit A. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

PENALTIES

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the Sacramento County Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the Sacramento County Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

Plans that are inconsistent with the adopted Mitigation Measures will not be approved.

In the event of an ongoing, serious non-compliance issue, the Department of Environmental Review and Assessment may call for a "stop work order" on the project.

STANDARD PROVISIONS

Page one of all Project Plans must include the following statement in a conspicuous location:

“All Plans associated with this project are subject to the conditions of Mitigation Monitoring and Reporting Program 04-RZB-PMR-AHS-0209 . For any questions regarding compliance with the MMRP document, contact MMRP staff at (916) 874-7914.”

All Project Plans and any revisions to those Plans shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and any revisions to the Department of Environmental Review and Assessment prior to final approval by the Sacramento County Building Inspection Division (BID). If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment, for determination of compliance, prior to final approval by BID.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

FVGCP - PLAN WIDE MITIGATION MEASURES

MITIGATION MEASURE HY-1 AND HY-2: FLOODING

- HY-1a Florin Vineyard Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval.
- HY-1b Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream and upstream areas and that such phased improvements are consistent with the County's 404 permit and the proposed phasing is submitted for approval to the Corps of Engineers as required by the conditions set forth in the County's 404 permit. Such analyses shall verify that the phased improvements will mitigate post-development peak flows and water surface elevations in accordance with County standards, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements.
- HY-2 Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream drainage/flooding and water quality impacts, have been implemented.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Provide documentation from the County Department of Water Resources indicating that the condition has been satisfied.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and the submitted documentation from DWR prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the County Department of Water Resources as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HY-3: HYDROLOGY AND DRAINAGE

For commercial development, all drainage fees required by the FVGCP PFFP and a fair share contribution, for NVSSP drainage improvements and rights-of-way which are of shared benefit to developments in the Elder and Gerber Creek watersheds of the FVGCP, shall be paid prior to approval of any commercial improvement plans for projects in the Elder and Gerber Creek watersheds of the FVGCP. Payment of fees pursuant to an interim fee agreement, that is adopted by the Board of Supervisors and which includes fair share contributions for the FVGCP and NVSSP drainage improvements and right of way acquisitions, shall satisfy the intent of this condition.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to approval of improvement plans or issuance of grading permits, submit proof of fee payment to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted proof of payment and consult with the County Department of Water Resources and/or the County Infrastructure Finance Section as necessary to verify that full payment has been made prior to approval of improvement plans or grading permits.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURES TC-1 THROUGH TC-4: ROADWAY SEGMENTS AND INTERSECTIONS AND TC-5: STATE ROUTE 99 AND US 50

Compliance with mitigation measures TC-1 through TC-5 to be attained through the following conditions of approval, which provide financing and trigger mechanisms for all identified roadway improvements:

1. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.

For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County.

2. The property owners shall comply with the applicable provisions of the Florin Vineyard Community Plan (FVCP), Appendix D, "*Florin Vineyard Community Plan Construction of Phased Traffic Mitigation*".
 - a. As noted in Appendix D of the FVCP, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.
 - b. The following applies if residential development occurs on the site (any residential development within the SC zone is subject to the same

provisions as all other residential development in the FVCP area). The conditions listed in Appendix D of the FVCP implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measures.
2. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that all applicable roadway improvement fees have been paid through the financing mechanisms of the required Implementaton Plan or interim fee agreement.
3. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that the required roadway improvements have been constructed based on the cumulative number of recorded lots.

Verification (Action by the Department of Environmental Review and Assessment):

1. Verify with the County Department of Transportation and/or the County Infrastructure Finance Section that the developer has paid all required fees prior to approval of improvement plans or building permits.
2. Verify with the County Land Division and Site Improvement Review Section, the County Department of Transportation, and/or the County Infrastructure Finance Section that the required improvements have been constructed based on the cumulative number of residential units constructed within the FVCP.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AQ-2: CONSTRUCTION EMISSIONS – OZONE
PRECURSORS

Not applicable – *Project did not exceed screening levels at time of application.*

MITIGATION MEASURE AQ-3: OPERATIONAL EMISSIONS – OZONE PRECURSORS

All development projects within the FVGCP shall comply with the SMAQMD endorsed *Florin Vineyard Gap Community Plan Air Quality Mitigation Program* (March 26, 2007), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the emission reduction measures chosen to achieve compliance with the AQ-15 Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen emission reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of emission reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CC-1: GREENHOUSE GAS EMISSIONS

All development projects within the FVGCP shall comply with the requirements of the SMAQMD-endorsed FVGCP Climate Change Plan, dated January 28, 2010. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of project-specific measures that achieve a minimum of ten points selected in consultation with SMAQMD from the list of approved greenhouse gas reduction measures. Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development projects.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the GHG reduction measures chosen to achieve compliance with the FVGCP Climate Change Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen GHG reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of GHG reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE BR-1 AND BR-2: WETLANDS

Compliance to be attained through Project Specific Mitigation Measure VMS-4.

MITIGATION MEASURE BR-3: NATIVE OR LANDMARK TREES

Compliance to be attained through Project Specific Mitigation Measure VMS-10.

MITIGATION MEASURE BR-4: SPECIAL STATUS SPECIES – SWAINSON'S
HAWK

Compliance to be attained through Project Specific Mitigation Measure VMS-5.

MITIGATION MEASURE BR-5: SPECIAL STATUS SPECIES – SURVEYS

Not applicable – *Special Status Species Evaluation conducted. Site Specific Mitigation Measures VMS-6 through VMS-9 adopted.*

MITIGATION MEASURE N1 AND N-2: TRAFFIC AND RAILROAD NOISE

Compliance to be attained through Project Specific Mitigation Measure VMS-3.

MITIGATION MEASURE N-3: NOISE-PRODUCING USES

All industrial or commercial development projects located adjacent to residentially designated properties shall be designed and constructed to ensure that noise levels generated by the uses do not result in General Plan Noise Element standards being exceeded on adjacent properties. An acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical consultant shall be submitted to and verified by the Department of Environmental Review and Assessment prior to the issuance of any building permits for the site. The acoustical analysis shall include, but not be limited to, consideration of potential noise conflicts due to operation of the following items:

- Mechanical building equipment, including HVAC systems;
- Loading docks and associated truck routes;
- Refuse pick up locations; and
- Refuse or recycling compactor units.

Specific designs for proposed facilities will be submitted to Sacramento County for approval prior to issuance of building permits to ensure compliance with noise standards.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CR-1 AND CR-2: ARCHAEOLOGICAL RESOURCES

Not applicable -- Archaeological and historical surveys completed with negative results.

MITIGATION MEASURE CR-3: SUBSURFACE ARCHAEOLOGICAL RESOURCES

- ☐ Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If cultural resources are encountered, notify the Department of Environmental Review and Assessment immediately.
4. If human remains are encountered, notify the County Coroner and the Department of Environmental Review and Assessment immediately.
5. If no cultural resources are encountered, the applicant shall provide the Department of Environmental Review and Assessment with a signed statement to that effect.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. If cultural resources are encountered, the Department of Environmental Review and Assessment will coordinate an investigation of the site with appropriate

specialists as needed. After investigation, the applicant may be required to implement additional mitigation for the cultural resources.

4. Review the signed statement if no resources are encountered.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-1 AND HM-2: PAST CHEMICAL USAGE

Not applicable – *Phase 1 Site Assessment conducted. Site Specific Mitigation Measure VMS-12 adopted.*

MITIGATION MEASURE HM-3: WATER SUPPLY WELLS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, including preliminary grading and trenching for infrastructure, any on-site groundwater wells that are not intended for the use of the proposed development shall be abandoned in accordance with State and County regulations; this procedure requires a well abandonment permit (issued on a per-well basis) from the Sacramento County Environmental Management Department, Environmental Health Division. Any large-diameter (old hand excavated) wells and/or cisterns shall be removed and the holes backfilled in accordance with the recommendations of a geotechnical engineer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any wells on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the well was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted documentation of abandonment.
3. Consult with the Environmental Management Department as necessary to verify compliance.
4. Monitor compliance during periodic site inspections of the construction work.
5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-4: SEPTIC SYSTEMS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any septic systems and/or leach fields on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the system was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Environmental Management Department as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AG-1: PRIME FARMLAND AND FARMLAND OF
STATEWIDE IMPORTANCE

Not applicable – *The site does not include Prime Farmland or Farmland of Statewide Importance.*

PROJECT SPECIFIC MITIGATION MEASURES

MITIGATION MEASURE VMS-1: COUNTY DRAINAGE SYSTEM

See FVGCP Plan-wide Mitigation Measure HY-2, above.

MITIGATION MEASURE VMS-3: NOISE IMPACTS

If multi-family residential units are developed on the eastern portion of the site, consistent with the Planning Department or CAC Land Use Plan option, then the applicant shall adhere to one of the following options:

- a. All residential units shall be placed a minimum of 79 feet away from the Gerber Road centerline.
- b. An acoustical analysis shall be submitted to the Department of Environmental Review and Assessment which demonstrates that a noise level of 45 dB Ldn or less (under cumulative traffic conditions) is attained within the indoor areas of all affected properties (any residential units located within 79 feet of the Gerber Road centerline). Any construction within 79 feet of the centerline of Gerber Road shall be built using the construction materials and techniques outlined in the acoustical analysis.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If residential construction is proposed within 79 feet of the Gerber Road centerline, then submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis, if applicable, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE VMS-4: POTENTIAL WETLANDS IMPACTS

- ☐ Prior to any grading, grubbing, or excavation within 50 feet of on-site wetlands, the applicant or owner shall obtain any/all applicable permits from the U.S. Fish and Wildlife Service (USFWS), U.S. Army Corps of Engineers, California Department of Fish and Game and the Central Valley Regional Water Quality Control Board for the proposed modifications to on-site wetlands. In addition, the project applicant or property owner shall comply with General Plan Conservation Element Policy No. CO-96 as it pertains to no net loss of wetlands. If mitigation occurring through the state and federal permitting processes results in less than 1:1 compensation for the loss of wetland habitat, the applicant or owner shall be required to pay to the County of Sacramento an amount based on a rate of \$35,000 per acre for the unmitigated/uncompensated wetlands. The payment shall be submitted to the Department of Planning and Community Development and shall be deposited in the Wetlands Restoration Trust Fund. A copy of any required permits, or written notification from the applicant that the permit authority has determined that a permit is not required, and verification of compliance with General Plan Conservation Element Policy No. CO-96 regarding no net loss of wetlands shall be submitted to the Department of Environmental Review and Assessment.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Prior to any physical disturbance within 50 feet of on-site wetlands, submit to the Department of Environmental Review and Assessment a copy of any/all permits/agreements that are required by the USFWS, USACOE, CDFG and RWQCB, or correspondence indicating that no permits/agreements are required, along with proof of any required payment into the Wetlands Restoration Trust Fund.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans, along with all submitted permits/agreements, correspondence and/or proof of payment, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.

3. Consult with the USFWS, USACOE, CDFG and RWQCB as necessary to determine compliance.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE VMS-5: SWAINSON'S HAWK FORAGING HABITAT

Prior to the approval of improvement plans, building permits, or recordation of the final map, whichever occurs first, implement one of the following options to mitigate for the loss of 9.25 acres of Swainson's hawk foraging habitat on the project site:

- a. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat
- b. The project proponent shall utilize one or more of the mitigation options (land dedication and/or fee payment) established in Sacramento County's Swainson's Hawk Impact Mitigation Program (Chapter 16.130 of the Sacramento County Code).
- c. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of one of the measures above, the project proponent may be subject to that program instead.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance with one of the above mitigation options to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted written evidence of compliance with one of the above mitigation options.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE VMS-6: NESTING RAPTORS

- ☐ If construction, grading, or project-related improvements are to occur between March 1 and September 15, a focused survey for raptor nests on the site and on nearby trees (within 500 feet of the site) shall be conducted by a qualified biologist within 14 days prior to the start of construction work (including clearing and grubbing). If no active nests are found during the focused survey, no further mitigation will be required. If an active nest(s) is found, the Department of Environmental Review and Assessment and the CDFG shall be contacted to determine appropriate protective measures.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. If any construction work (including clearing and grubbing) is scheduled to occur any time during the raptor nesting season (March 1 through September 15), a survey for raptor nests shall be conducted by a qualified biologist within 14 days prior to the start of construction. A copy of the survey and any agreement with the California Department of Fish and Game, if applicable, must be submitted to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. If necessary, incorporate protective measures for nesting raptors into all Plans and Specifications for the project.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the raptor nesting survey if required, and consult with the qualified biologist and the CDFG, as necessary.
2. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
3. Monitor compliance during periodic site inspections of (a) the implementation of any required raptor protective measures and (b) the construction work.
4. Participate in any/all Final Inspection(s), as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE VMS-7: BURROWING OWLS

Prior to construction activity (including site improvements, and building construction) a focused survey(s) shall be conducted by a qualified biologist for burrowing owls where suitable habitat is present in the project area. Suitable habitat includes agricultural field margins, drainage ditches, and fallow fields. Surveys shall be conducted no less than 14 days and no more than 30 days prior to commencement of construction activities. Surveys shall be conducted in accordance with CDFG protocol (CDFG 1995).

- A. If no occupied burrows are found in the survey area, a letter report documenting survey methods and findings shall be submitted to the County and no further mitigation is necessary.
- B. If an occupied burrow is found the applicant shall contact the Department of Environmental Review and Assessment and consult with the California Department of Fish (CDFG), prior to construction, to determine if avoidance is possible or if burrow relocation will be required.
- C. If owls are to remain on-site, a minimum of 6.5 acres of foraging habitat for each occupied burrow needs to be permanently preserved according to CDFG guidelines.
- D. In order to avoid direct impacts to owls, no activity shall take within 160 feet of an active burrow from September 1 to January 31 (wintering season) or 250 feet from February 1 through August 31 (breeding season). Protective fencing shall be placed, at the distances above, around the active burrows and no activity shall occur within the protected buffer areas.
- E. Any impact to active owl burrows, relocation of owls or mitigation for habitat loss shall be done in accordance with CDFG guidelines. Written evidence from CDFG staff shall be provided to DERA attesting to the permission to remove burrows, relocate owls, mitigate for lost habitat, and provided a method for preservation habitat in perpetuity.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. Submit a copy of the preconstruction surveys to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. Submit written evidence of compliance with the above measures A through E to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the preconstruction surveys and consult with the qualified biologist, as necessary.
2. Review submitted written evidence of compliance.
3. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
4. Monitor compliance during periodic site inspections.
5. Consult with the CDFG as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE VMS-8: VERNAL POOL BRANCHIOPODS

- ☐ Prior to construction within 250 feet of the seasonal wetlands on the project site, the applicant shall either conduct determinate surveys, according to U.S. Fish and Wildlife Service approved protocol, for listed vernal pool branchiopods or presence of these species shall be assumed.
- a. If determinate surveys show that no listed vernal pool branchiopods are present in the seasonal wetlands, no further mitigation is required.
 - b. If presence is assumed or confirmed, total avoidance requires establishment of minimum 250 feet buffers with fencing around the perimeter of shrimp habitat to be preserved. There shall be no construction activity within fenced area(s).
 - c. A request for consultation with the U.S. Fish and Wildlife Service and DERA will be required if the applicant requires a reduction in the 250 feet buffer.
 - d. If direct impacts (fill or excavation) to the wetlands are to occur, the applicant shall consult with the U.S. Fish and Wildlife Service and U.S. Army Corps of Engineers to obtain permits and establish compensatory mitigation for impacts to vernal pool species.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance with the above measures to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and written evidence of compliance prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Consult with the U.S. Fish and Wildlife Service and/or U.S. Army Corps of Engineers as necessary to determine compliance.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE VMS-9: RARE PLANT SURVEYS

Rare plant surveys will be required in vernal pool habitats prior to any grading, grubbing, or excavation within 250 feet of a vernal pool or other suitable habitat. The rare plant surveyor shall have experience as a botanical field investigator and familiarity with the local flora and potential rare plants in the habitats to be surveyed.

The surveys shall be conducted when the rare plants at the site will be easiest to identify (i.e. flowering stage), and when the plants reach that stage of maturity. A minimum of three site visit shall be required, during the plants flowering period in order to determine absence. Each site visit must be no less than 7 days apart.

Submit a written report to the Department of Environmental Review and Assessment. The survey report should include a brief description of the vegetation, survey results, photographs, time spent surveying, date of surveys, a map showing the location of the survey route and any rare plant populations and copies of any rare plant occurrence forms. Notify DFG and USFWS if species are found and apply for “take” authorization (state law section 2081 of the Fish and Game Code and federal Endangered Species Act) prior construction.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. Submit a copy of the rare plant surveys to the Department of Environmental Review and Assessment prior to the start of construction.
3. If species are found, submit a copy of applicable take permits to the Department of Environmental Review and Assessment prior to construction.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted surveys and, if applicable, take permits.
2. Consult with the USFWS and/or CDFG as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE VMS-10: NATIVE TREES

The removal of 90 inches dbh of native California black walnut trees (#3 through #10) and 40 inches of interior live oak (#12) shall be compensated by planting native trees (valley oak/*Quercus lobata*, interior live oak/*Quercus wislizenii*, blue oak/*Quercus douglasii*, and California black walnut) equivalent to the dbh inches lost, based on the ratios listed below, at locations that are authorized by the Department of Environmental Review and Assessment. On-site preservation of native California black walnut/oak trees that are less than 6 inches (<6 inches) dbh, may also be used to meet this compensation requirement. A total of 130 inches will require compensation.

Equivalent compensation based on the following ratio is required:

- one preserved native walnut/oak tree < 6 inches dbh on-site = 1 inch dbh
- one D-pot seedling (40 cubic inches or larger) = 1 inch dbh
- one 15-gallon tree = 1 inch dbh
- one 24-inch box tree = 2 inches dbh
- one 36-inch box tree = 3 inches dbh

Replacement tree planting shall be completed prior to the issuance of building permits or a bond shall be posted by the applicant in order to provide funding for purchase, planting, irrigation, and 3-year maintenance period, should the applicant default on replacement tree mitigation. The bond shall be in an amount equal to the prevailing rate of the County Tree Preservation Fund.

Prior to the approval of Improvement Plans or building permits, a Replacement Native Tree Planting Plan shall be submitted to the Environmental Coordinator for approval. The Replacement Native Tree Planting Plan(s) shall include the following elements:

1. Species, size and locations of all replacement plantings and < 6-inch dbh trees to be preserved;
2. Method of irrigation;
3. If planting in soils with a hardpan/duripan or claypan layer, include the Sacramento County Standard Tree Planting Detail L-1, including the 10-foot deep boring hole to provide for adequate drainage;
4. Planting, irrigation, and maintenance schedules;

5. Identification of the maintenance entity and a written agreement with that entity to provide care and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement trees which do not survive during that period.
6. Designation of 20 foot root zone radius and landscaping to occur within the radius of oak trees < 6-inches dbh to be preserved on-site.

No replacement tree shall be planted within 15 feet of the driplines of existing California black walnut/oak trees that are retained on-site, or within 15 feet of a building foundation or swimming pool excavation. The minimum spacing for replacement trees shall be 20 feet on-center. Examples of acceptable planting locations are publicly owned lands, common areas, and landscaped frontages (with adequate spacing). Generally unacceptable locations are utility easements (PUE, sewer, storm drains), under overhead utility lines, private yards of single family lots (including front yards), and roadway medians.

California black walnut/oak trees <6 inches dbh to be retained on-site shall have at least a 20-foot radius suitable root zone. The suitable root zone shall not have impermeable surfaces, turf/lawn, dense plantings, soil compaction, drainage conditions that create ponding, utility easements, or other overstory tree(s) within 20 feet of the tree to be preserved. Trees to be retained shall be determined to be healthy and structurally sound for future growth, by an ISA Certified Arborist subject to Department of Environmental Review and Assessment approval.

If California black walnut/oak tree replacement plantings are demonstrated to the satisfaction of the Environmental Coordinator to be infeasible for any or all trees removed, then compensation shall be through payment into the County Tree Preservation Fund. Payment shall be made at a rate of \$325.00 per dbh inch removed but not otherwise compensated, or at the prevailing rate at the time payment into the fund is made.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to the approval of Improvement Plans or building permits, submit the required Replacement Tree Planting Plan to the Department of Environmental Review and Assessment for review and approval.
3. Prior to the approval of building permits, submit evidence that tree planting has occurred or that a bond has been posted.
4. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Replacement Tree Planting Plan and Project Plans prior to the start of construction. Approve Plans that are determined to be in compliance with all required mitigation.
2. Prior to building permits verify tree plantings or bond has been posted.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE VMS-11: CULTURAL RESOURCES

See FVGCP Plan-wide Mitigation Measure CR-3, above.

MITIGATION MEASURE VMS-12: HAZARDOUS MATERIALS

Prior to the approval of Improvement Plans or Building Permits, whichever occurs first, consult with the Sacramento County Environmental Management Department and prepare all documentation, as prescribed by local, State and Federal regulations, necessary to determine the extent and degree of potential hazardous conditions on the project site. Identified hazardous conditions will require proper remediation prior to the commencement of any grading or construction activity on the project site. All remedial activity shall be to the satisfaction of the Environmental Management Department.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance with the above measure to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and submitted written evidence of compliance prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Environmental Management Department as necessary to determine compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

**RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO:**

NAME: DERA

COUNTY MAIL CODE: 01-220

**No Fee--For the Benefit of
Sacramento County (Code
6103)**

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: 04-RZB-SDP-SPP-AHS-0218

NAME: Gardner Parke Rezone, Tentative Subdivision Map, Special Development Permit and Affordable Housing Plan

LOCATION: The project site is located on the east side of Gardner Avenue and on the west side of Elk Grove-Florin Road, approximately 500 feet south of Florin Road, in the South Sacramento Community.

ASSESSOR'S PARCEL NUMBER: 065-0042-028, -031, -040, -041, -042, portion of -043, & -044

OWNERS:

Gerry N. Kamilos, LLC
Massie Family Trust
George & Margo Tzikas
Gardner Group
Ricky W. Massie

APPLICANT/DEVELOPER:

Gerry N. Kamilos, LLC
11249 Gold Country Boulevard, Suite 190
Gold River, CA 95670

PROJECT DESCRIPTION:

1. A **Rezone** of approximately 65.4 acres from AR-5 agricultural-residential (13.7 acres) and A-10 agricultural to RD-5 (21.8 acres), RD-7 (21.5 acres), RD-10 (15.2 acres) residential and O recreation (6.9 acres).
2. A **Tentative Subdivision Map** to divide approximately 65.4 acres into 379 single-family lots, 1 park lot, and 4 landscape lots.
3. A **Special Development Permit** to vary lot area and public street frontage in the RD-10 zone.
4. An **Affordable Housing Plan** consisting of the purchase of unit credits.

TYPE OF ENVIRONMENTAL DOCUMENT:

| | |
|---|--|
| <input type="checkbox"/> Negative Declaration | <input type="checkbox"/> Prior Negative Declaration |
| <input checked="" type="checkbox"/> Environmental Impact Report | <input type="checkbox"/> Prior Environmental Impact Report |
| <input type="checkbox"/> Supplemental Environmental Impact Report | |

PREPARED BY: Sacramento County Department of
Environmental Review and Assessment
827 7th Street, Room 220
Sacramento, CA 95814

PHONE: (916) 874-7914

MITIGATION MONITORING AND REPORTING PROGRAM

ADOPTED BY:

DATE:

ATTEST: _____

SECRETARY/CLERK

State of California
County of Sacramento

On _____ before me, _____ (name, title of officer),
personally appeared:

_____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this ____ day of _____, 20____.

OWNER(S):

(Print company, corporation, or organization name, if applicable)

(Print name and/or title above)

(Signature above)

ALL PURPOSE ACKNOWLEDGEMENT

| | |
|---|---|
| <p>State of California County of Sacramento</p> <p>On _____ before me, _____(name, title of officer), personally appeared:</p> <p>_____,</p> <p>who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.</p> <p>I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.</p> <p>WITNESS my hand and official seal.</p> <p>_____ <i>Signature</i></p> | <p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="radio"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES</p> <p><input type="radio"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY</p> <p><input type="radio"/> PARTNER(S) _____ PARTNERSHIP</p> <p><input type="radio"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S)</p> <p><input type="radio"/> TRUSTEE(S) _____ TRUST</p> <p><input type="radio"/> OTHER _____ TITLE(S) _____ TITLE(S) _____ ENTITY(IES) REPRESENTED _____ ENTITY(IES) REPRESENTED</p> |
|---|---|

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PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled Gardner Parke Rezone, Tentative Subdivision Map, Special Development Permit, Exception and Affordable Housing Plan **(Control Number: 04-RZB-SDP-SPP-AHS-0218)**.

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The MMRP fee for this project is **\$6,200.00**. This fee includes administrative costs of **\$800.00**, which must be paid to the Department of Environmental Review and Assessment **prior to recordation of the MMRP and prior to recordation of any final parcel or subdivision map. The remaining balance will be due prior to review of any plans by the DERA or issuance of any building or grading permits.**

RECORDATION

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the Sacramento County Code, the project applicant shall provide to the Department of Environmental Review

and Assessment a Legal Description for the real property that is the subject of the project.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

PROPERTY TRANSFER

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit A. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

PENALTIES

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the Sacramento County Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the Sacramento County Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

Plans that are inconsistent with the adopted Mitigation Measures will not be approved.

In the event of an ongoing, serious non-compliance issue, the Department of Environmental Review and Assessment may call for a "stop work order" on the project.

STANDARD PROVISIONS

Page one of all Project Plans must include the following statement in a conspicuous location:

“All Plans associated with this project are subject to the conditions of Mitigation Monitoring and Reporting Program 04-RZB-SDP-SPP-AHS-0218 . For any questions regarding compliance with the MMRP document, contact MMRP staff at (916) 874-7914.”

All Project Plans and any revisions to those Plans shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and any revisions to the Department of Environmental Review and Assessment prior to final approval by the Sacramento County Building Inspection Division (BID). If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment, for determination of compliance, prior to final approval by BID.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

FVGCP - PLAN WIDE MITIGATION MEASURES

MITIGATION MEASURE HY-1 AND HY-2: FLOODING

- HY-1a Florin Vineyard Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval.
- HY-1b Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream and upstream areas and that such phased improvements are consistent with the County's 404 permit and the proposed phasing is submitted for approval to the Corps of Engineers as required by the conditions set forth in the County's 404 permit. Such analyses shall verify that the phased improvements will mitigate post-development peak flows and water surface elevations in accordance with County standards, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements.
- HY-2 Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream drainage/flooding and water quality impacts, have been implemented.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Provide documentation from the County Department of Water Resources indicating that the condition has been satisfied.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and the submitted documentation from DWR prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the County Department of Water Resources as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HY-3: HYDROLOGY AND DRAINAGE

No residential final maps shall be recorded, no residential improvement plans shall be approved, and no residential building permits shall be issued until supplemental drainage fees are paid pursuant to an approved "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Gap Community Plan Public Facilities Financing Plan (FVGCP Financing Plan). In addition to those financing mechanisms, the "Implementation Plan" shall specifically include the blending of the FVGCP Financing Plan and the North Vineyard Station Specific Plan Finance Plan (NVSSP). This blended plan shall include fair share funding and construction obligations by the FVGCP for those NVSSP Finance Plan drainage improvements and rights-of-way which are of shared benefit to developments in the Elder and Gerber Creek watersheds of the FVGCP.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to issuance of grading permits, submit proof of fee payment to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted proof of payment and consult with the County Department of Water Resources and/or the County Infrastructure Finance Section as necessary to verify that full payment has been made prior to approval of improvement plans or grading permits.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

☐ MITIGATION MEASURES TC-1 THROUGH TC-4: ROADWAY SEGMENTS AND INTERSECTIONS AND TC-5: STATE ROUTE 99 AND US 50

Compliance with mitigation measures TC-1 through TC-5 to be attained through the following conditions of approval, which provide financing and trigger mechanisms for all identified roadway improvements:

1. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.

For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County.

2. The property owners shall comply with the applicable provisions of the Florin Vineyard Community Plan (FVCP), Appendix D, "*Florin Vineyard Community Plan Construction of Phased Traffic Mitigation*".
 - a. As noted in Appendix D of the FVCP, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.
 - b. The following applies if residential development occurs on the site (any residential development within the SC zone is subject to the same

provisions as all other residential development in the FVCP area). The conditions listed in Appendix D of the FVCP implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measures.
2. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that all applicable roadway improvement fees have been paid through the financing mechanisms of the required Implementaton Plan or interim fee agreement.
3. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that the required roadway improvements have been constructed based on the cumulative number of recorded lots.

Verification (Action by the Department of Environmental Review and Assessment):

1. Verify with the County Department of Transportation and/or the County Infrastructure Finance Section that the developer has paid all required fees prior to approval of improvement plans or building permits.
2. Verify with the County Land Division and Site Improvement Review Section, the County Department of Transportation, and/or the County Infrastructure Finance Section that the required improvements have been constructed based on the cumulative number of residential units constructed within the FVCP.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AQ-2: CONSTRUCTION EMISSIONS – OZONE
PRECURSORS

Not applicable – *Project did not exceed screening levels at time of application.*

MITIGATION MEASURE AQ-3: OPERATIONAL EMISSIONS – OZONE

PRECURSORS

All development projects within the FVGCP shall comply with the SMAQMD endorsed *Florin Vineyard Gap Community Plan Air Quality Mitigation Program* (March 26, 2007), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the emission reduction measures chosen to achieve compliance with the AQ-15 Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen emission reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of emission reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CC-1: GREENHOUSE GAS EMISSIONS

All development projects within the FVGCP shall comply with the requirements of the SMAQMD-endorsed FVGCP Climate Change Plan, dated January 28, 2010. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of project-specific measures that achieve a minimum of ten points selected in consultation with SMAQMD from the list of approved greenhouse gas reduction measures. Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development projects.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the GHG reduction measures chosen to achieve compliance with the FVGCP Climate Change Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen GHG reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of GHG reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE BR-1 AND BR-2: WETLANDS

Compliance to be attained through Project Specific Mitigation Measure GP-5.

MITIGATION MEASURE BR-3: NATIVE OR LANDMARK TREES

Not applicable –*Site contains no protected native or landmark trees.*

MITIGATION MEASURE BR-4: SPECIAL STATUS SPECIES – SWAINSON'S HAWK

Compliance to be attained through Project Specific Mitigation Measure ECE-8.

MITIGATION MEASURE BR-5: SPECIAL STATUS SPECIES – SURVEYS

Not applicable – *Special Status Species Evaluation conducted. Site Specific Mitigation Measures GP-7 and GP-8 adopted.*

MITIGATION MEASURE N1 AND N-2: TRAFFIC AND RAILROAD NOISE

Compliance to be attained through Project Specific Mitigation Measures GP-3 and GP-4.

MITIGATION MEASURE N-3: NOISE-PRODUCING USES

Not applicable – *Project does not include industrial or commercial development.*

MITIGATION MEASURE CR-1 AND CR-2: ARCHAEOLOGICAL RESOURCES

Not applicable -- Archaeological and historical surveys completed with negative results.

MITIGATION MEASURE CR-3: SUBSURFACE ARCHAEOLOGICAL RESOURCES

- ☐ Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If cultural resources are encountered, notify the Department of Environmental Review and Assessment immediately.
4. If human remains are encountered, notify the County Coroner and the Department of Environmental Review and Assessment immediately.
5. If no cultural resources are encountered, the applicant shall provide the Department of Environmental Review and Assessment with a signed statement to that effect.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. If cultural resources are encountered, the Department of Environmental Review and Assessment will coordinate an investigation of the site with appropriate

specialists as needed. After investigation, the applicant may be required to implement additional mitigation for the cultural resources.

4. Review the signed statement if no resources are encountered.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-1 AND HM-2: PAST CHEMICAL USAGE

Not applicable – *Phase 1 Site Assessment* conducted. *No evidence of hazardous materials related environmental conditions exist on the site.*

MITIGATION MEASURE HM-3: WATER SUPPLY WELLS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, including preliminary grading and trenching for infrastructure, any on-site groundwater wells that are not intended for the use of the proposed development shall be abandoned in accordance with State and County regulations; this procedure requires a well abandonment permit (issued on a per-well basis) from the Sacramento County Environmental Management Department, Environmental Health Division. Any large-diameter (old hand excavated) wells and/or cisterns shall be removed and the holes backfilled in accordance with the recommendations of a geotechnical engineer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any wells on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the well was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted documentation of abandonment.
3. Consult with the Environmental Management Department as necessary to verify compliance.
4. Monitor compliance during periodic site inspections of the construction work.
5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

MITIGATION MEASURE HM-4: SEPTIC SYSTEMS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any septic systems and/or leach fields on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the system was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Environmental Management Department as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AG-1: PRIME FARMLAND AND FARMLAND OF STATEWIDE IMPORTANCE

Not applicable –The site does not include Prime Farmland or Farmland of Statewide Importance.

PROJECT SPECIFIC MITIGATION MEASURES

MITIGATION MEASURE GP-1: DRAINAGE

See FVGCP Plan-wide Mitigation Measure HY-2, above.

MITIGATION MEASURE GP-3: NOISE

The applicant shall adhere to one of the following options:

- a. Construct a minimum 7-foot tall, combination earthen berm and masonry wall noise barrier along the Elk Grove-Florin Road frontage.

OR

- b. The outdoor activity area of all residential backyards within 237 feet of the centerline of Elk Grove-Florin Road shall be shielded from traffic noise, either through strategic placement of the houses, usage of a backyard courtyard concept, or other attenuation method. An acoustical analysis shall be submitted to the Department of Environmental Review and Assessment which demonstrates that a noise level of 65 dB Ldn or less (under cumulative traffic conditions) is attained within the outdoor activity areas of all affected properties.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If option b is chosen, then submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis, if applicable, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

MITIGATION MEASURE GP-4: NOISE

Either no second-story construction shall be permissible within 110 feet of the centerline of Elk Grove-Florin Road or an acoustical study shall be submitted to the Environmental Coordinator demonstrating that the interior noise levels within such second-stories can be attenuated to 45 dB. Any second story construction within 110 feet of the centerline of Elk Grove-Florin Road shall be built using the construction materials and techniques outlined in the acoustical analysis.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit the required acoustical analysis to the Department of Environmental Review and Assessment for second-story construction within 110 feet of the centerline of Elk Grove-Florin Road.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis, if applicable, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE GP-5: WETLANDS

- ☐ Prior to any grading, grubbing, or excavation on the site, the applicant or owner shall provide the wetland delineation for the site to the U.S. Army Corps of Engineers, California Department of Fish and Game, and the Central Valley Regional Water Quality Control Board and inform the agencies of the fill of the 0.09 acres. The applicant or owner shall submit this information by certified mail, and provide documented evidence of compliance with this requirement to the Department of Environmental Review and Assessment. If mitigation occurring through the state and federal permitting processes results in less than 1:1 compensation for the loss of wetland habitat, the applicant or owner shall be required to pay to the County of Sacramento an amount based on a rate of \$35,000 per acre for the unmitigated/uncompensated wetlands.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance to the Department of Environmental Review and Assessment prior to approval of Improvement Plans.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans, along with submitted evidence of compliance, correspondence and/or proof of payment, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the USFWS, USACOE, CDFG and RWQCB as necessary to determine compliance.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

MITIGATION MEASURE GP-6: SWAINSON'S HAWK FORAGING HABITAT

- ☐ Prior to the approval of Improvement Plans or Building Permits, or filing of the Final Subdivision Map, whichever occurs first, implement one of the following options to mitigate for the loss of Swainson's hawk foraging habitat on the project site, based on an impact assessment of 12.9 acres:
- a. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat.
 - b. The project proponent shall utilize one or more of the mitigation options (land dedication and/or fee payment) established in Sacramento County's *Swainson's Hawk Impact Mitigation Program* (Chapter 16.130 of the Sacramento County Code).
 - c. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of the one of the measures above, the project proponent may be subject to that program instead..

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance with one of the above mitigation options to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted written evidence of compliance with one of the above mitigation options.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE GP-7: BURROWING OWL NESTING HABITAT

Prior to construction activity (including site improvements, and building construction) a focused surveys shall be conducted by a qualified biologist for burrowing owls where suitable habitat is present in the project area. Suitable habitat includes agricultural field margins, drainage ditches, and fallow fields. Surveys shall be conducted no less than 14 days and no more than 30 days prior to commencement of construction activities. Surveys shall be conducted in accordance with CDFG protocol (CDFG 1995).

- A. If no occupied burrows are found in the survey area, a letter report documenting survey methods and findings shall be submitted to the County and no further mitigation is necessary.
- B. If an occupied burrow is found the applicant shall contact the Department of Environmental Review and Assessment and consult with the California Department of Fish (CDFG), prior to construction, to determine if avoidance is possible or if burrow relocation will be required.
- C. If owls are to remain on-site, a minimum of 6.5 acres of foraging habitat for each occupied burrow needs to be permanently preserved according to CDFG guidelines.
- D. In order to avoid direct impacts to owls, no activity shall take within 160 feet of an active burrow from September 1 to January 31 (wintering season) or 250 feet from February 1 through August 31 (breeding season). Protective fencing shall be place, at the distances above, around the active burrows and no activity shall occur within the protected buffer areas.
- E. Any impact to active owl burrows, relocation of owls or mitigation for habitat loss shall be done in accordance with CDFG guidelines. Written evidence from CDFG staff shall be provided to DERA attesting to the permission to remove burrows, relocate owls, mitigate for lost habitat, and provided a method for preservation habitat in perpetuity.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. Submit a copy of the preconstruction surveys to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. Submit written evidence of compliance with the above measures A through E to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the preconstruction surveys and consult with the qualified biologist, as necessary.
2. Review submitted written evidence of compliance.
3. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
4. Monitor compliance during periodic site inspections.
5. Consult with the CDFG as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

MITIGATION MEASURE GP-8: RAPTOR NESTING HABITAT

- ☐ If construction occurs between March 1 and September 15, pre-construction surveys for Swainson's hawk and other raptor nesting sites shall be conducted by a qualified raptor biologist. If any active nests are located within a half mile of proposed heavy equipment operations or construction activities, the project proponent shall then consult with the California Department of Fish and Game to determine the appropriate course of action to reduce potential impacts upon nesting raptors and to determine under what circumstances equipment operation and construction activities can occur.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. If any construction work (including clearing and grubbing) is scheduled to occur any time during the raptor nesting season (March 1 through September 15), a survey for raptor nests shall be conducted by a qualified biologist within 14 days prior to the start of construction. A copy of the survey and any agreement with the California Department of Fish and Game, if applicable, must be submitted to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. If necessary, incorporate protective measures for nesting raptors into all Plans and Specifications for the project.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the raptor nesting survey if required, and consult with the qualified biologist and the CDFG, as necessary.
2. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
3. Monitor compliance during periodic site inspections of (a) the implementation of any required raptor protective measures and (b) the construction work.
4. Participate in any/all Final Inspection(s), as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

MITIGATION MEASURE GP-9: CULTURAL RESOURCES

See FVGCP Plan-wide Mitigation Measure CR-3, above.

04-RZB-PMR-ABE-0226

**Taylor Properties at Gerber and
Bradshaw Roads Rezone,
Tentative Parcel Map and
Abandonment/Relocation of
Drainage Easements and
Abandonment of Right-of-Way on
Bradshaw and Gerber Roads**

**RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO:**

NAME: DERA

COUNTY MAIL CODE: 01-220

**No Fee--For the Benefit of
Sacramento County (Code
6103)**

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: 04-RZB-PMR-ABE-0226

NAME: Taylor Properties at Gerber and Bradshaw Roads Rezone, Tentative Parcel Map and Abandonment/Relocation of Drainage Easements and Abandonment of Right-of-Way on Bradshaw and Gerber Roads

LOCATION: The property is located on the southwest corner of Gerber and Bradshaw Roads, in the Vineyard Community.

ASSESSOR'S PARCEL NUMBER: 121-0060-022

OWNER:

Gerber Bradshaw Southwest LP
121 Spear Street, Suite 250
San Francisco, CA 94105

DEVELOPER:

Taylor/Village-Sacramento Investments
1792 Tribute Road, Suite 270
Sacramento, CA 95815

APPLICANT/ENGINEER:

Edward Gillum
5347 Battlewood Way
Carmichael, CA 95608

PROJECT DESCRIPTION:

1. A **Rezone** of approximately 19.7 acres from AR-10 agricultural-residential and AR-10 (F) agricultural-residential flood combining to SC shopping center.

2. A **Tentative Parcel Map** to divide approximately 19.7 acres into 7 parcels
(including Parcel A).
3. An **Abandonment and Relocation** of existing drainage easements.
4. An **Abandonment** of right-of-way on Bradshaw Road and Gerber Road.

TYPE OF ENVIRONMENTAL DOCUMENT:

| | |
|---|--|
| <input type="checkbox"/> Negative Declaration | <input type="checkbox"/> Prior Negative Declaration |
| <input checked="" type="checkbox"/> Environmental Impact Report | <input type="checkbox"/> Prior Environmental Impact Report |
| <input type="checkbox"/> Supplemental Environmental Impact Report | |

PREPARED BY: Sacramento County Department of
Environmental Review and Assessment
827 7th Street, Room 220
Sacramento, CA 95814

PHONE: (916) 874-7914

**MITIGATION MONITORING AND REPORTING PROGRAM
ADOPTED BY:**

DATE:

ATTEST: _____

SECRETARY/CLERK

*Taylor Properties at Gerber and Bradshaw Roads Rezone, Tentative Parcel Map and
Abandonment/Relocation of Drainage Easements and Abandonment of Right-of-Way on Bradshaw and
Gerber Roads*

State of California
County of Sacramento

On _____ before me, _____ (name, title of officer),
personally appeared:

_____ ,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this ____ day of _____, 20____.

OWNER(S):

(Print company, corporation, or organization name, if applicable)

(Print name and/or title above)

(Signature above)

ALL PURPOSE ACKNOWLEDGEMENT

| | |
|--|---|
| <p>State of California County of Sacramento</p> <p>On _____ before me, _____(name, title of officer), personally appeared: _____</p> <p>who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.</p> <p>I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.</p> <p>WITNESS my hand and official seal.</p> <p>_____</p> <p><i>Signature</i></p> | <p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="radio"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES</p> <p><input type="radio"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY _____</p> <p><input type="radio"/> PARTNER(S) _____ PARTNERSHIP _____</p> <p><input type="radio"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S) _____</p> <p><input type="radio"/> TRUSTEE(S) _____ TRUST _____</p> <p><input type="radio"/> OTHER _____ TITLE(S) _____ TITLE(S) _____ ENTITY(IES) REPRESENTED _____ ENTITY(IES) REPRESENTED _____</p> |
|--|---|

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PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled Taylor Properties at Gerber and Bradshaw Roads Rezone, Tentative Parcel Map and Abandonment/Relocation of Drainage Easements (**Control Number: 04-RZB-PMR-ABE-0226**).

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The applicant shall pay an initial deposit of **\$14,400.00**. This deposit includes administrative costs of **\$800.00**, which must be paid to the Department of Environmental Review and Assessment **prior to recordation of the MMRP and prior to recordation of any final parcel or subdivision map. The remaining balance will be due prior to review of any plans by the DERA or issuance of any building or grading permits.** Over the course of the project, DERA will regularly conduct cost accountings and submit invoices to the applicant when the County monitoring costs exceed the initial deposit.

RECORDATION

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the Sacramento County Code, the project applicant shall provide to the Department of Environmental Review and Assessment a Legal Description for the real property that is the subject of the project.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

PROPERTY TRANSFER

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit A. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

PENALTIES

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the Sacramento County Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the Sacramento County Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

Plans that are inconsistent with the adopted Mitigation Measures will not be approved.

In the event of an ongoing, serious non-compliance issue, the Department of Environmental Review and Assessment may call for a "stop work order" on the project.

STANDARD PROVISIONS

Page one of all Project Plans must include the following statement in a conspicuous location:

“All Plans associated with this project are subject to the conditions of Mitigation Monitoring and Reporting Program 04-RZB-PMR-ABE-0226 . For any questions regarding compliance with the MMRP document, contact MMRP staff at (916) 874-7914.”

All Project Plans and any revisions to those Plans shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and any revisions to the Department of Environmental Review and Assessment prior to final approval by the Sacramento County Building Inspection Division (BID). If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment, for determination of compliance, prior to final approval by BID.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

FVGCP - PLAN WIDE MITIGATION MEASURES

1. MITIGATION MEASURE HY-1 AND HY-2: FLOODING

- HY-1a Florin Vineyard Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval.
- HY-1b Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream and upstream areas and that such phased improvements are consistent with the County's 404 permit and the proposed phasing is submitted for approval to the Corps of Engineers as required by the conditions set forth in the County's 404 permit. Such analyses shall verify that the phased improvements will mitigate post-development peak flows and water surface elevations in accordance with County standards, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements.
- HY-2 Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream drainage/flooding and water quality impacts, have been implemented.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Provide documentation from the County Department of Water Resources indicating that the condition has been satisfied.

**Verification (Action by the Department of Environmental Review and
Assessment):**

1. Review the Project Plans and the submitted documentation from DWR prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the County Department of Water Resources as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

2. MITIGATION MEASURE HY-3: HYDROLOGY AND DRAINAGE

For commercial development, all drainage fees required by the FVGCP PFFP and a fair share contribution, for NVSSP drainage improvements and rights-of-way which are of shared benefit to developments in the Elder and Gerber Creek watersheds of the FVGCP, shall be paid prior to approval of any commercial improvement plans for projects in the Elder and Gerber Creek watersheds of the FVGCP. Payment of fees pursuant to an interim fee agreement, that is adopted by the Board of Supervisors and which includes fair share contributions for the FVGCP and NVSSP drainage improvements and right of way acquisitions, shall satisfy the intent of this condition.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to issuance of grading permits, submit proof of fee payment to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted proof of payment and consult with the County Department of Water Resources and/or the County Infrastructure Finance Section as necessary to verify that full payment has been made prior to approval of improvement plans or grading permits.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

MITIGATION MEASURES TC-1 THROUGH TC-4: ROADWAY SEGMENTS AND
INTERSECTIONS AND TC-5: STATE ROUTE 99 AND US 50

Compliance with mitigation measures TC-1 through TC-5 to be attained through the following conditions of approval, which provide financing and trigger mechanisms for all identified roadway improvements:

1. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.

For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County.

2. The property owners shall comply with the applicable provisions of the Florin Vineyard Community Plan (FVCP), Appendix D, "*Florin Vineyard Community Plan Construction of Phased Traffic Mitigation*".
 - a. As noted in Appendix D of the FVCP, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.

- b. The following applies if residential development occurs on the site (any residential development within the SC zone is subject to the same provisions as all other residential development in the FVCP area). The conditions listed in Appendix D of the FVCP implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measures.
2. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that all applicable roadway improvement fees have been paid through the financing mechanisms of the required Implementaton Plan or interim fee agreement.
3. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that the required roadway improvements have been constructed based on the cumulative number of recorded lots.

Verification (Action by the Department of Environmental Review and Assessment):

1. Verify with the County Department of Transportation and/or the County Infrastructure Finance Section that the developer has paid all required fees prior to approval of improvement plans or building permits.
2. Verify with the County Land Division and Site Improvement Review Section, the County Department of Transportation, and/or the County Infrastructure Finance Section that the required improvements have been constructed based on the cumulative number of residential units constructed within the FVCP.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

3. MITIGATION MEASURE AQ-2: CONSTRUCTION EMISSIONS – OZONE
PRECURSORS

Not applicable – *Project did not exceed screening levels at time of application.*

4. MITIGATION MEASURE AQ-3: OPERATIONAL EMISSIONS – OZONE PRECURSORS

All development projects within the FVGCP shall comply with the SMAQMD endorsed *Florin Vineyard Gap Community Plan Air Quality Mitigation Program* (March 26, 2007), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the emission reduction measures chosen to achieve compliance with the AQ-15 Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen emission reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of emission reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

5. MITIGATION MEASURE CC-1: GREENHOUSE GAS EMISSIONS

All development projects within the FVGCP shall comply with the requirements of the SMAQMD-endorsed FVGCP Climate Change Plan, dated January 28, 2010. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of project-specific measures that achieve a minimum of ten points selected in consultation with SMAQMD from the list of approved greenhouse gas reduction measures. Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development projects.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the GHG reduction measures chosen to achieve compliance with the FVGCP Climate Change Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen GHG reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of GHG reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

6. MITIGATION MEASURE BR-1 AND BR-2: WETLANDS

Compliance to be attained through Project Specific Mitigation Measure TGB-4.

7. MITIGATION MEASURE BR-3: NATIVE OR LANDMARK TREES

Compliance to be attained through Project Specific Mitigation Measures TGB-12 and TGB-13.

8. MITIGATION MEASURE BR-4: SPECIAL STATUS SPECIES – SWAINSON'S
HAWK

Compliance to be attained through Project Specific Mitigation Measure TGB-6.

9. MITIGATION MEASURE BR-5: SPECIAL STATUS SPECIES – SURVEYS

Not applicable – *Special Status Species Evaluation conducted. Site Specific Mitigation Measures TGB-5 and TGB-7 through TGB-11 adopted.*

10. MITIGATION MEASURE N1 AND N-2: TRAFFIC AND RAILROAD NOISE
Compliance to be attained through Project Specific Mitigation Measure TGB-3.

11. MITIGATION MEASURE N-3: NOISE-PRODUCING USES

All industrial or commercial development projects located adjacent to residentially designated properties shall be designed and constructed to ensure that noise levels generated by the uses do not result in General Plan Noise Element standards being exceeded on adjacent properties. An acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical consultant shall be submitted to and verified by the Department of Environmental Review and Assessment prior to the issuance of any building permits for the site. The acoustical analysis shall include, but not be limited to, consideration of potential noise conflicts due to operation of the following items:

- Mechanical building equipment, including HVAC systems;
- Loading docks and associated truck routes;
- Refuse pick up locations; and
- Refuse or recycling compactor units.

Specific designs for proposed facilities will be submitted to Sacramento County for approval prior to issuance of building permits to ensure compliance with noise standards.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

12. MITIGATION MEASURE CR-1 AND CR-2: ARCHAEOLOGICAL
RESOURCES

*Not applicable -- Archaeological and historical surveys completed with negative
results.*

13. MITIGATION MEASURE CR-3: SUBSURFACE ARCHAEOLOGICAL RESOURCES

- ☐ Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If cultural resources are encountered, notify the Department of Environmental Review and Assessment immediately.
4. If human remains are encountered, notify the County Coroner and the Department of Environmental Review and Assessment immediately.
5. If no cultural resources are encountered, the applicant shall provide the Department of Environmental Review and Assessment with a signed statement to that effect.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.

3. If cultural resources are encountered, the Department of Environmental Review and Assessment will coordinate an investigation of the site with appropriate specialists as needed. After investigation, the applicant may be required to implement additional mitigation for the cultural resources.
4. Review the signed statement if no resources are encountered.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

14. MITIGATION MEASURE HM-1: PAST CHEMICAL USAGE - LIVESTOCK

All future development proposals on portions of the Florin-Vineyard Gap Community Plan area that are known to have supported livestock (cattle, hogs, poultry, etc.) holding areas prior to the 1970's, shall implement a soil sampling and analysis program for organochlorine pesticides. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substances fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to construction activities, individual project proponents shall provide documentation demonstrating implementation of any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

15. Comply fully with the above measure.
16. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
17. Submit written documentation of known pre-1970 uses of the site to the Department of Environmental Review and Assessment. If livestock holding areas are known to have occurred, then also submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

18. MITIGATION MEASURE HM-2: PAST CHEMICAL USE – STORAGE TANKS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any/all active and inactive storage tanks and storage drums, both below and above ground, shall be removed from the property by a licensed contractor and all contents disposed of in accordance with local, state, and federal regulations. If any stained soil related to storage tanks is identified, a soil sampling and analysis program shall be implemented to identify the substance(s) and the potential environmental effects. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substance(s) fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to grading or construction activities, individual project proponents shall implement any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If any storage tanks or drums are removed from the project site, submit documentation to the Department of Environmental Review and Assessment indicating where the items were disposed.
4. If any stained soil is identified, then submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and any written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

19. MITIGATION MEASURE HM-3: WATER SUPPLY WELLS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, including preliminary grading and trenching for infrastructure, any on-site groundwater wells that are not intended for the use of the proposed development shall be abandoned in accordance with State and County regulations; this procedure requires a well abandonment permit (issued on a per-well basis) from the Sacramento County Environmental Management Department, Environmental Health Division. Any large-diameter (old hand excavated) wells and/or cisterns shall be removed and the holes backfilled in accordance with the recommendations of a geotechnical engineer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any wells on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the well was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted documentation of abandonment.
3. Consult with the Environmental Management Department as necessary to verify compliance.
4. Monitor compliance during periodic site inspections of the construction work.
5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

20. MITIGATION MEASURE HM-4: SEPTIC SYSTEMS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any septic systems and/or leach fields on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the system was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Environmental Management Department as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

21. MITIGATION MEASURE AG-1: PRIME FARMLAND AND FARMLAND OF
STATEWIDE IMPORTANCE

Not applicable – *The site does not include Prime Farmland or Farmland of Statewide
Importance.*

PROJECT SPECIFIC MITIGATION MEASURES

22. MITIGATION MEASURE TGB-1: COUNTY DRAINAGE SYSTEM

See FVGCP Plan-wide Mitigation Measure HY-2, above.

23. MITIGATION MEASURE TGB-3: NOISE IMPACTS

If multi-family residential units are developed on the western portion of the site, consistent with the Planning Department or Planning Department Hybrid Land Use Plan option, then the following shall apply:

- a. Any common residential outdoor activity area(s) shall be placed a minimum of 144 feet from the centerline of Gerber Road. If the setback requirement is not met, the project shall include design features that attenuate noise at the outdoor activity areas to 65 dB L_{dn} or less, as substantiated by an acoustical analysis, prepared by a qualified acoustical consultant and verified by the Department of Environmental Review and Assessment. The acoustical analysis shall use cumulative-plus-project traffic conditions as described in the Traffic Impact Study for the Florin Vineyard Gap Community Plan project.
- b. Any residential units placed less than 67 feet from the centerline of Gerber Road shall be designed and constructed to achieve an interior noise level of 45 dB L_{dn} or less. An acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical consultant, shall be submitted to and verified by the Department of Environmental Review and Assessment prior to the issuance of any residential building permits for the site. The acoustical analysis shall use cumulative-plus-project traffic conditions as described in the Traffic Impact Study for the Florin Vineyard Gap Community Plan project.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If common residential activity area(s) are proposed within 144 feet of the centerline of Gerber Road and/or residential construction is proposed within 67 feet of the Gerber Road centerline, then submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis, if applicable, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.

3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

24. MITIGATION MEASURE TGB-4: POTENTIAL WETLANDS IMPACTS

- ☐ Prior to any grading, grubbing, or excavation within 50 feet of on-site wetlands, the applicant or owner shall obtain any/all applicable permits from the U.S. Fish and Wildlife Service (USFWS), U.S. Army Corps of Engineers, California Department of Fish and Game and the Central Valley Regional Water Quality Control Board for the proposed modifications to on-site wetlands. In addition, the project applicant or property owner shall comply with General Plan Conservation Element Policy No. CO-96 as it pertains to no net loss of wetlands. If mitigation occurring through the state and federal permitting processes results in less than 1:1 compensation for the loss of wetland habitat, the applicant or owner shall be required to pay to the County of Sacramento an amount based on a rate of \$35,000 per acre for the unmitigated/uncompensated wetlands. The payment shall be submitted to the Department of Planning and Community Development and shall be deposited in the Wetlands Restoration Trust Fund. A copy of any required permits, or written notification from the applicant that the permit authority has determined that a permit is not required, and verification of compliance with General Plan Conservation Element Policy No. CO-96 regarding no net loss of wetlands shall be submitted to the Department of Environmental Review and Assessment.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Prior to any physical disturbance within 50 feet of on-site wetlands, submit to the Department of Environmental Review and Assessment a copy of any/all permits/agreements that are required by the USFWS, USACOE, CDFG and RWQCB, or correspondence indicating that no permits/agreements are required, along with proof of any required payment into the Wetlands Restoration Trust Fund.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans, along with all submitted permits/agreements, correspondence and/or proof of payment, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.

3. Consult with the USFWS, USACOE, CDFG and RWQCB as necessary to determine compliance.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

25. MITIGATION MEASURE TGB-5: VERNAL POOL BRANCHIOPODS

- ☐ Prior to construction within 250 feet of the vernal pools on the project site, the applicant shall either conduct determinate surveys, according to U.S. Fish and Wildlife Service approved protocol, for listed vernal pool branchiopods or presence of these species shall be assumed.
- a. If determinate surveys show that no listed vernal pool branchiopods are present in the vernal pool(s), no further mitigation is required.
 - b. If presence is assumed or confirmed, total avoidance requires establishment of minimum 250 feet buffers with fencing around the perimeter of shrimp habitat to be preserved. There shall be no construction activity within fenced area(s).
 - c. A request for consultation with the U.S. Fish and Wildlife Service and DERA will be required if the applicant requires a reduction in the 250 feet buffer.
 - d. If direct impacts (fill or excavation) to the pools are to occur, the applicant shall consult with the U.S. Fish and Wildlife Service and U.S. Army Corps of Engineers to obtain permits and establish compensatory mitigation for impacts to vernal pool species.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance with the above measures to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and written evidence of compliance prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Consult with the U.S. Fish and Wildlife Service and/or U.S. Army Corps of Engineers as necessary to determine compliance.

4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

26. MITIGATION MEASURE TGB-6: SWAINSON'S HAWK FORAGING HABITAT

Prior to the approval of improvement plans, building permits, or recordation of the final map, whichever occurs first, implement one of the following options to mitigate for the loss of 5± acres of Swainson's hawk foraging habitat on the project site:

- a. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat
- b. The project proponent shall utilize one or more of the mitigation options (land dedication and/or fee payment) established in Sacramento County's Swainson's Hawk Impact Mitigation Program (Chapter 16.130 of the Sacramento County Code).
- c. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of one of the measures above, the project proponent may be subject to that program instead.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance with one of the above mitigation options to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted written evidence of compliance with one of the above mitigation options.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

27. MITIGATION MEASURE TGB-7: NESTING RAPTORS

If construction, grading, or project-related improvements are to occur between March 1 and September 15, a focused survey for raptor nests on the site and on nearby trees (within one half mile [rural] of the site) shall be conducted by a qualified biologist within 14 days prior to the start of construction work (including clearing and grubbing). If no active nests are found during the focused survey, no further mitigation will be required.

- ☐ If an active nest(s) is found, the Department of Environmental Review and Assessment and the California Department of Fish and Game shall be contacted to determine appropriate protective measures.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. If any construction work (including clearing and grubbing) is scheduled to occur any time during the raptor nesting season (March 1 through September 15), a survey for raptor nests shall be conducted by a qualified biologist within 14 days prior to the start of construction. A copy of the survey and any agreement with the California Department of Fish and Game, if applicable, must be submitted to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. If necessary, incorporate protective measures for nesting raptors into all Plans and Specifications for the project.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the raptor nesting survey if required, and consult with the qualified biologist and the CDFG, as necessary.
2. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
3. Monitor compliance during periodic site inspections of (a) the implementation of any required raptor protective measures and (b) the construction work.
4. Participate in any/all Final Inspection(s), as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

28. MITIGATION MEASURE TGB-8: BURROWING OWLS

Prior to construction activity (including site improvements, and building construction) a focused survey(s) shall be conducted by a qualified biologist for burrowing owls where suitable habitat is present in the project area. Suitable habitat includes agricultural field margins, drainage ditches, and fallow fields. Surveys shall be conducted no less than 14 days and no more than 30 days prior to commencement of construction activities. Surveys shall be conducted in accordance with CDFG protocol (CDFG 1995).

- A. If no occupied burrows are found in the survey area, a letter report documenting survey methods and findings shall be submitted to the County and no further mitigation is necessary.
- B. If an occupied burrow is found the applicant shall contact the Department of Environmental Review and Assessment and consult with the California Department of Fish (CDFG), prior to construction, to determine if avoidance is possible or if burrow relocation will be required.
- C. If owls are to remain on-site, a minimum of 6.5 acres of foraging habitat for each occupied burrow needs to be permanently preserved according to CDFG guidelines.
- D. In order to avoid direct impacts to owls, no activity shall take within 160 feet of an active burrow from September 1 to January 31 (wintering season) or 250 feet from February 1 through August 31 (breeding season). Protective fencing shall be placed, at the distances above, around the active burrows and no activity shall occur within the protected buffer areas.
- E. Any impact to active owl burrows, relocation of owls or mitigation for habitat loss shall be done in accordance with CDFG guidelines. Written evidence from CDFG staff shall be provided to DERA attesting to the permission to remove burrows, relocate owls, mitigate for lost habitat, and provided a method for preservation habitat in perpetuity.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. Submit a copy of the preconstruction surveys to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.

3. Submit written evidence of compliance with the above measures A through E to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the preconstruction surveys and consult with the qualified biologist, as necessary.
2. Review submitted written evidence of compliance.
3. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
4. Monitor compliance during periodic site inspections.
5. Consult with the CDFG as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

29. MITIGATION MEASURE TGB-9: GIANT GARTER SNAKE HABITAT

To avoid impacts to giant garter snake the following guidelines should be followed:

- a. The applicant shall consult with the US Fish and Wildlife Service (USFWS) and California Department of Fish and Game regarding the giant garter snake (this may occur during the U.S. Army Corps Section 404 permitting process.)
- b. Confine any ground disturbing activity (i.e. clearing, grubbing, grading, and excavation) in giant garter snake habitat to May 1 to October 1, which is the snake's active period.
- c. Construction personnel should receive USFWS approved worker environmental awareness training. Prior to construction activities, a qualified biologist approved by the Service shall instruct all construction personnel about 1) the life history of the giant garter snake; 2) the importance of the habitat to the giant garter snake; and 3) the terms and conditions of the biological opinion. Proof of this instruction shall be submitted to the Sacramento Fish and Wildlife Office.
- d. Twenty-four hours prior to construction activities, a qualified biologist who is approved by the USFWS's Sacramento Office shall survey the project area. The biologist will provide the Service with a field report form documenting the monitoring efforts within 24-hours of commencement of construction activities. The monitoring biologist needs to be available thereafter; if a snake is encountered during construction activities the monitoring biologist shall have the authority to stop construction activities until appropriate corrective measures have been completed or it is determined that the snake will not be harmed. Giant garter snakes encountered during construction activities should be allowed to move away from construction activities on their own. Capture and relocation of trapped or injured individuals can only be attempted by personnel or individuals with current Service recovery permits pursuant to section 10 (a) 1(A) of the Act. A biologist shall be required to report any incidental take to the Service immediately by telephone (916) 979-2725 and by written letter addressed to the Chief, Endangered Species Division, within one working day. The project area shall be re-inspected whenever a lapse in construction activity of two week or greater has occurred.
- e. If this project is subject to any permits from the USFWS all conditions of the approval from the agency shall supersede all of the above GGS mitigation and monitoring.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.

2. Submit written evidence of compliance with the above Mitigation Measure to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted written evidence of compliance.
2. Consult with the USFWS as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

30. MITIGATION MEASURE TGB-10: NORTHWESTERN POND TURTLE
HABITAT

In an effort to prevent impacts to pond turtles the following shall be performed:

- a. Areas within the project site having suitable northwestern pond turtle habitat shall be surveyed for northwestern pond turtles by a qualified biologist within 24 hours prior to the start of construction activities (including clearing and grubbing) located within 200 feet of suitable habitat. Survey of the area shall be repeated if a lapse in construction activity of two weeks or greater occurs. If no active turtles are found during the focused survey, submit a written report with date, name of biologist to the Department of Environmental Review and Assessment. Upon receiving the report, no further mitigation will be required.
- b. If a northwestern pond turtle is encountered during construction, activities shall cease until appropriate corrective measures have been completed or it has been determined that the turtle will not be harmed.
- c. Northwestern pond turtles encountered during construction should be allowed to move away on their own. Trapped or injured individuals shall be move out of harms way outside of the construction zone but within suitable turtle habitat (wetland).
- d. Any incidental take shall be reported to the Department of Environmental Review and Assessment at (916) 874-7914 within one working day.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Submit written evidence of compliance with the above Mitigation Measure to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted written evidence of compliance.
2. Consult with the California Department of Fish and Game as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

31. MITIGATION MEASURE TGB-11: SPECIAL STATUS PLANT SPECIES

Rare plant surveys will be required in vernal pool habitats prior to any grading, grubbing, or excavation within 250 feet of a vernal pool or other suitable habitat. The rare plant surveyor shall have experience as a botanical field investigator and familiarity with the local flora and potential rare plants in the habitats to be surveyed.

The surveys shall be conducted when the rare plants at the site will be easiest to identify (i.e. flowering stage), and when the plants reach that stage of maturity. A minimum of three site visit shall be required, during the plants flowering period in order to determine absence. Each site visit must be no less than 7 days apart.

Submit a written report to the Department of Environmental Review and Assessment. The survey report should include a brief description of the vegetation, survey results, photographs, time spent surveying, date of surveys, a map showing the location of the survey route and any rare plant populations and copies of any rare plant occurrence forms. Notify DFG and USFWS if species are found and apply for “take” authorization (state law section 2081 of the Fish and Game Code and federal Endangered Species Act) prior construction.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. Submit a copy of the rare plant surveys to the Department of Environmental Review and Assessment prior to the start of construction.
3. If species are found, submit a copy of applicable take permits to the Department of Environmental Review and Assessment prior to construction.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted surveys and, if applicable, take permits.
2. Consult with the USFWS and/or CDFG as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

32. MITIGATION MEASURE TGB-12: REMOVAL OF ON-SITE NATIVE OAK TREES

The removal of 66 inches dbh of the on-site native oak trees (Tree #s 76, 96, 97, 98, 101, 102, and 103) shall be compensated by planting native oak trees (valley oak/*Quercus lobata*, interior live oak/*Quercus wislizenii*, blue oak/*Quercus douglasii*) equivalent to the dbh inches lost based on the ratios listed below, at locations that are authorized by the Department of Environmental Review and Assessment. On-site preservation of native oak trees that are less than 6 inches (<6 inches) may also be used to meet this compensation requirement.

Equivalent compensation based on the following ratio is required:

- one preserved native oak tree < 6 inches dbh on-site = 1 inch dbh
- one D-pot seedling (40 cubic inches or larger) = 1 inch dbh
- one 15-gallon tree = 1 inch dbh
- one 24-inch box tree = 2 inches dbh
- one 36-inch box tree = 3 inches dbh

Replacement tree planting shall be completed prior to the issuance of building permits or a bond shall be posted by the applicant in order to provide funding for purchase, planting, irrigation, and 3-year maintenance period, should the applicant default on replacement tree mitigation. The bond shall be in an amount equal to the prevailing rate of the County Tree Preservation Fund.

Prior to the approval of Improvement Plans or building permits, a Replacement Tree Planting Plan shall be submitted to the Environmental Coordinator for approval. The Replacement Tree Planting Plan(s) shall include the following elements:

1. Species, size and locations of all replacement plantings and < 6-inch dbh trees to be preserved;
2. Method of irrigation;
3. If planting in soils with a hardpan/duripan or claypan layer, include the Sacramento County Standard Tree Planting Detail L-1, including the 10-foot deep boring hole to provide for adequate drainage;
4. Planting, irrigation, and maintenance schedules;
5. Identification of the maintenance entity and a written agreement with that entity to provide care and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement trees which do not survive during that period.

6. Designation of 20 foot root zone radius and landscaping to occur within the radius of oak trees < 6-inches dbh to be preserved on-site.

No replacement tree shall be planted within 15 feet of the driplines of existing oak trees or landmark size trees that are retained on-site, or within 15 feet of a building foundation or swimming pool excavation. The minimum spacing for replacement trees shall be 20 feet on-center. Examples of acceptable planting locations are publicly owned lands, common areas, and landscaped frontages (with adequate spacing). Generally unacceptable locations are utility easements (PUE, sewer, storm drains), under overhead utility lines, private yards of single family lots (including front yards), and roadway medians.

If tree replacement plantings are demonstrated to the satisfaction of the Environmental Coordinator to be infeasible for any or all trees removed, then compensation shall be through payment into the County Tree Preservation Fund. Payment shall be made at a rate of \$325.00 per dbh inch removed but not otherwise compensated, or at the prevailing rate at the time payment into the fund is made.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to the approval of Improvement Plans or building permits, submit the required Replacement Tree Planting Plan to the Department of Environmental Review and Assessment for review and approval.
3. Prior to the approval of building permits, submit evidence that tree planting has occurred or that a bond has been posted.
4. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Replacement Tree Planting Plan and Project Plans prior to the start of construction. Approve Plans that are determined to be in compliance with all required mitigation.
2. Prior to building permits verify tree plantings or bond has been posted.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

33. MITIGATION MEASURE TGB-13: POTENTIAL CONSTRUCTION-RELATED
IMPACT TO PROTECTED TREES

All native walnut that are 6 inches dbh or larger on the project site, all portions of adjacent off-site native walnut and oak trees that are 6 inches dbh or larger which have driplines that extend onto the project site, and all off-site native walnut and oak trees that are 6 inches dbh or larger which may be impacted by utility installation and/or improvements associated with this project, shall be preserved and protected as follows:

- a. A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of each tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of each tree. Removing limbs that make up the dripline does not change the protected area.
- b. Any protected trees on the site that require pruning shall be pruned by a certified arborist prior to the start of construction work. All pruning shall be in accordance with the American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines."
- c. Prior to initiating construction, temporary protective fencing shall be installed at least one foot outside the driplines of the protected trees within 100-feet of construction related activities, in order to avoid damage to the tree canopies and root systems.
- d. No signs, ropes, cables (except those which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the protected trees. Small metallic numbering tags for the purpose of preparing tree reports and inventories shall be allowed.
- e. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of protected trees.
- f. No grading (grade cuts or fills) shall be allowed within the driplines of protected trees.
- g. Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of any protected tree.
- h. No trenching shall be allowed within the driplines of protected trees. If it is absolutely necessary to install underground utilities within the dripline of a protected tree, the utility line shall be bored and jacked under the supervision of a certified arborist.

- i. The construction of impervious surfaces within the driplines of protected trees shall be stringently minimized. When it is absolutely necessary, a piped aeration system per County standard detail shall be installed under the supervision of a certified arborist.
- j. All portions of any required masonry wall that will encroach into the dripline protection area of any protected tree shall be constructed using grade beam wall panels and posts set no closer than 10 feet on center. Any wrought iron fencing shall be similarly installed, with posts set no closer than 10 feet on center. Posts shall be spaced in such a manner as to maximize the separation between the tree trunks and the posts in order to reduce impacts to the trees.
- k. Trunk protection measures, per Sacramento County standards, shall be used for all protected trees where development/construction activity, including installation of any required masonry wall and wrought iron fence, occurs within 10 feet of the trunk of a tree.
- l. No sprinkler or irrigation system shall be installed in such a manner that sprays water or requires trenching within the driplines of protected trees. An above ground drip irrigation system is recommended.
- m. Landscaping beneath oak trees may include non-plant materials such as bark mulch, wood chips, boulders, etc. The only plant species which shall be planted within the driplines of oak trees are those which are tolerant of the natural semi-arid environs of the trees. A list of such drought-tolerant plant species is available at the Department of Environmental Review and Assessment. Limited drip irrigation approximately twice per summer is recommended for the understory plants.

Implementation and Notification (Action by Project Applicant):

- 1. Comply fully with the above measure.
- 2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
- 3. Regarding the above mitigation measure items b, h and i, submit written evidence to the Department of Environmental Review and Assessment from a certified arborist that indicates that the work has been properly completed as required. Provide the name, address and phone number of the certified arborist

**Verification (Action by the Department of Environmental Review and
Assessment):**

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review submitted information from certified arborist.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ **Date:** _____

34. MITIGATION MEASURE TGB-14: CULTURAL RESOURCES

See FVGCP Plan-wide Mitigation Measure CR-3, above.

04-RZB-SDP-UPP-AHS-0233

**Caselman Ranch Rezone,
Tentative Subdivision Map,
Special Development Permit and
Affordable Housing Plan**

**RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO:**

NAME: DERA

COUNTY MAIL CODE: 01-220

**No Fee--For the Benefit of
Sacramento County (Code
6103)**

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: 04-RZB-SDP-UPP-AHS-0233

NAME: Caselman Ranch Rezone, Tentative Subdivision Map, Special Development Permit and Affordable Housing Plan

LOCATION: The property is located at the northwest corner of Caselman Road and Elk Grove-Florin Road, in the South Sacramento community.

ASSESSOR'S PARCEL NUMBER: 115-0091-002, 003, 004, 005, 006 and 007

OWNER/APPLICANT:

Caselman Properties LP
PO Box 2590
Sacramento, CA 95812

DEVELOPER:

Carson Development Company
PO Box 25902
Sacramento, CA 95812

ENGINEER:

Morton and Pitalo
1788 Tribute Road, Suite 200
Sacramento, CA 95814

PROJECT DESCRIPTION:

1. A **Rezone** of approximately 50 acres from A-10 agricultural-residential to RD-5 (30± acres) and to RD-7 (20± acres) residential.

2. A **Tentative Subdivision Map** to divide 50± acres into 181 single-family lots, 80 half-plex lots, 1 park site (Lot D), 1 treatment basin lot (Lot C), and 2 landscape lots (lots adjacent to Elk Grove-Florin Road).
3. A **Special Development Permit** to deviate from the development standards for minimum lot area and public street frontage for the half-plex lots.
4. A **Use Permit** to create 80 half-plex lots.
5. An **Affordable Housing Plan** consisting of on-site construction of affordable lots distributed throughout the project.

TYPE OF ENVIRONMENTAL DOCUMENT:

☐ Negative Declaration

☐ Prior Negative Declaration

☒ Environmental Impact Report

☐ Prior Environmental Impact Report

☐ Supplemental Environmental Impact Report

PREPARED BY: Sacramento County Department of
Environmental Review and Assessment
827 7th Street, Room 220
Sacramento, CA 95814

PHONE: (916) 874-7914

MITIGATION MONITORING AND REPORTING PROGRAM

ADOPTED BY:

DATE:

ATTEST: _____

SECRETARY/CLERK

**State of California
County of Sacramento**

On _____ before me, _____ (name, title of officer),
personally appeared:

_____ ,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this ____ day of _____, 20____.

OWNER(S):

(Print company, corporation, or organization name, if applicable)

(Print name and/or title above)

(Signature above)

ALL PURPOSE ACKNOWLEDGEMENT

| | |
|---|---|
| <p>State of California County of Sacramento</p> <p>On _____ before me, _____(name, title of officer), personally appeared:</p> <p>_____,</p> <p>who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.</p> <p>I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.</p> <p>WITNESS my hand and official seal.</p> <p>_____ <i>Signature</i></p> | <p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="radio"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES</p> <p><input type="radio"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY</p> <p><input type="radio"/> PARTNER(S) _____ PARTNERSHIP</p> <p><input type="radio"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S)</p> <p><input type="radio"/> TRUSTEE(S) _____ TRUST</p> <p><input type="radio"/> OTHER _____ TITLE(S) _____ TITLE(S) _____ ENTITY(IES) REPRESENTED _____ ENTITY(IES) REPRESENTED</p> |
|---|---|

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PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled Caselman Ranch Rezone, Tentative Subdivision Map and Affordable Housing Plan **(Control Number: 04-RZB-SDP-AHS-0233)**.

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The MMRP fee for this project is **\$12,000.00**. This fee includes administrative costs of **\$800.00**, which must be paid to the Department of Environmental Review and Assessment **prior to recordation of the MMRP and prior to recordation of any final parcel or subdivision map. The remaining balance will be due prior to review of any plans by the DERA or issuance of any building or grading permits.**

RECORDATION

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the Sacramento County Code, the project applicant shall provide to the Department of Environmental Review and Assessment a Legal Description for the real property that is the subject of the project.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

PROPERTY TRANSFER

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit A. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

PENALTIES

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the Sacramento County Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the Sacramento County Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

Plans that are inconsistent with the adopted Mitigation Measures will not be approved.

In the event of an ongoing, serious non-compliance issue, the Department of Environmental Review and Assessment may call for a "stop work order" on the project.

STANDARD PROVISIONS

Page one of all Project Plans must include the following statement in a conspicuous location:

“All Plans associated with this project are subject to the conditions of Mitigation Monitoring and Reporting Program 04-RZB-SDP-AHS-0233 . For any questions regarding compliance with the MMRP document, contact MMRP staff at (916) 874-7914.”

All Project Plans and any revisions to those Plans shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and any revisions to the Department of Environmental Review and Assessment prior to final approval by the Sacramento County Building Inspection Division (BID). If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment, for determination of compliance, prior to final approval by BID.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

FVGCP - PLAN WIDE MITIGATION MEASURES

MITIGATION MEASURE HY-1 AND HY-2: FLOODING

- HY-1a Florin Vineyard Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval.
- HY-1b Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream areas, and that such improvements are consistent with requirements of state and federal environmental regulators. Such analyses shall verify that the phased improvements will reduce post-development peak flows and water surface elevations to at least pre-development levels, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements.
- HY-2 Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream drainage/flooding and water quality impacts, have been implemented.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Provide documentation from the County Department of Water Resources indicating that the condition has been satisfied.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and the submitted documentation from DWR prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the County Department of Water Resources as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HY-3: HYDROLOGY AND DRAINAGE

Prior to the issuance of grading permits, project applicants shall pay the drainage fee identified in the Florin Vineyard Community Plan Public Facilities Financing Plan for the implementation of drainage improvements within the FVGCP.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to issuance of grading permits, submit proof of fee payment to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted proof of payment and consult with the County Department of Water Resources and/or the County Infrastructure Finance Section as necessary to verify that full payment has been made prior to approval of improvement plans or grading permits.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURES TC-1 THROUGH TC-4: ROADWAY SEGMENTS AND INTERSECTIONS AND TC-5: STATE ROUTE 99 AND US 50

Compliance with mitigation measures TC-1 through TC-5 to be attained through the following conditions of approval, which provide financing and trigger mechanisms for all identified roadway improvements:

1. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.

For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County.

2. The property owners shall comply with the applicable provisions of the Florin Vineyard Community Plan (FVCP), Appendix D, "*Florin Vineyard Community Plan Construction of Phased Traffic Mitigation*".
 - a. As noted in Appendix D of the FVCP, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.
 - b. The following applies if residential development occurs on the site (any residential development within the SC zone is subject to the same

provisions as all other residential development in the FVCP area). The conditions listed in Appendix D of the FVCP implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measures.
2. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that all applicable roadway improvement fees have been paid through the financing mechanisms of the required Implementaton Plan or interim fee agreement.
3. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that the required roadway improvements have been constructed based on the cumulative number of recorded lots.

Verification (Action by the Department of Environmental Review and Assessment):

1. Verify with the County Department of Transportation and/or the County Infrastructure Finance Section that the developer has paid all required fees prior to approval of improvement plans or building permits.
2. Verify with the County Land Division and Site Improvement Review Section, the County Department of Transportation, and/or the County Infrastructure Finance Section that the required improvements have been constructed based on the cumulative number of residential units constructed within the FVCP.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AQ-2: CONSTRUCTION EMISSIONS – OZONE
PRECURSORS

Not applicable – *Project did not exceed screening levels at time of application.*

MITIGATION MEASURE AQ-3: OPERATIONAL EMISSIONS – OZONE PRECURSORS

All development projects within the FVGCP shall comply with the SMAQMD endorsed *Florin Vineyard Gap Community Plan Air Quality Mitigation Program* (March 26, 2007), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the emission reduction measures chosen to achieve compliance with the AQ-15 Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen emission reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of emission reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CC-1: GREENHOUSE GAS EMISSIONS

All development projects within the FVGCP shall comply with the requirements of the SMAQMD-endorsed FVGCP Climate Change Plan, dated January 28, 2010. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of project-specific measures that achieve a minimum of ten points selected in consultation with SMAQMD from the list of approved greenhouse gas reduction measures. Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development projects.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the GHG reduction measures chosen to achieve compliance with the FVGCP Climate Change Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen GHG reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of GHG reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE BR-1 AND BR-2: WETLANDS

Compliance to be attained through Project Specific Mitigation Measure CSR-6.

MITIGATION MEASURE BR-3: NATIVE OR LANDMARK TREES

Compliance to be attained through Project Specific Mitigation Measures CSR-10 and CSR-11.

MITIGATION MEASURE BR-4: SPECIAL STATUS SPECIES – SWAINSON'S HAWK

Compliance to be attained through Project Specific Mitigation Measure CSR-7.

MITIGATION MEASURE BR-5: SPECIAL STATUS SPECIES – SURVEYS

Not applicable – *Special Status Species Evaluation conducted. Site Specific Mitigation Measures CSR-8 and CSR-9 adopted.*

MITIGATION MEASURE N1 AND N-2: TRAFFIC AND RAILROAD NOISE

Compliance to be attained through Project Specific Mitigation Measures CSR-4 and CSR-5.

MITIGATION MEASURE N-3: NOISE-PRODUCING USES

Not applicable – *Project does not include industrial or commercial development.*

MITIGATION MEASURE CR-1 AND CR-2: ARCHAEOLOGICAL RESOURCES

Not applicable -- Archaeological and historical surveys completed with negative results.

MITIGATION MEASURE CR-3: SUBSURFACE ARCHAEOLOGICAL RESOURCES

- ☐ Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If cultural resources are encountered, notify the Department of Environmental Review and Assessment immediately.
4. If human remains are encountered, notify the County Coroner and the Department of Environmental Review and Assessment immediately.
5. If no cultural resources are encountered, the applicant shall provide the Department of Environmental Review and Assessment with a signed statement to that effect.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. If cultural resources are encountered, the Department of Environmental Review and Assessment will coordinate an investigation of the site with appropriate

specialists as needed. After investigation, the applicant may be required to implement additional mitigation for the cultural resources.

4. Review the signed statement if no resources are encountered.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-1: PAST CHEMICAL USAGE - LIVESTOCK

All future development proposals on portions of the Florin-Vineyard Gap Community Plan area that are known to have supported livestock (cattle, hogs, poultry, etc.) holding areas prior to the 1970's, shall implement a soil sampling and analysis program for organochlorine pesticides. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substances fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to construction activities, individual project proponents shall provide documentation demonstrating implementation of any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written documentation of known pre-1970 uses of the site to the Department of Environmental Review and Assessment. If livestock holding areas are known to have occurred, then also submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-2: PAST CHEMICAL USE – STORAGE TANKS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any/all active and inactive storage tanks and storage drums, both below and above ground, shall be removed from the property by a licensed contractor and all contents disposed of in accordance with local, state, and federal regulations. If any stained soil related to storage tanks is identified, a soil sampling and analysis program shall be implemented to identify the substance(s) and the potential environmental effects. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substance(s) fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to grading or construction activities, individual project proponents shall implement any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If any storage tanks or drums are removed from the project site, submit documentation to the Department of Environmental Review and Assessment indicating where the items were disposed.
4. If any stained soil is identified, then submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and any written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-3: WATER SUPPLY WELLS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, including preliminary grading and trenching for infrastructure, any on-site groundwater wells that are not intended for the use of the proposed development shall be abandoned in accordance with State and County regulations; this procedure requires a well abandonment permit (issued on a per-well basis) from the Sacramento County Environmental Management Department, Environmental Health Division. Any large-diameter (old hand excavated) wells and/or cisterns shall be removed and the holes backfilled in accordance with the recommendations of a geotechnical engineer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any wells on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the well was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted documentation of abandonment.
3. Consult with the Environmental Management Department as necessary to verify compliance.
4. Monitor compliance during periodic site inspections of the construction work.
5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-4: SEPTIC SYSTEMS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any septic systems and/or leach fields on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the system was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Environmental Management Department as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AG-1: PRIME FARMLAND AND FARMLAND OF STATEWIDE IMPORTANCE

Not applicable – *The site does not include Prime Farmland or Farmland of Statewide Importance.*

PROJECT SPECIFIC MITIGATION MEASURES

MITIGATION MEASURE CSR-1: COUNTY DRAINAGE SYSTEM

See FVGCP Plan-wide Mitigation Measure HY-2, above.

MITIGATION MEASURE CSR-4: NOISE IMPACTS

One of the following shall apply for exterior noise attenuation:

- a. Construct a minimum 8-foot tall, combination earthen berm and masonry wall noise barrier along the Elk Grove-Florin Road frontage.
- b. The outdoor activity area of all residential backyards within 238 feet of the centerline of Florin Road shall be shielded from traffic noise, either through strategic placement of the houses, usage of a backyard courtyard concept, or other attenuation method. An acoustical analysis shall be submitted to the Department of Environmental Review and Assessment which demonstrates that a noise level of 65 dB Ldn or less (under cumulative traffic conditions) is attained within the outdoor activity areas of all affected properties..

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If residential backyards are proposed within 238 feet of the centerline of Florin Road, then submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis, if applicable, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CSR-5: NOISE IMPACTS

One of the following shall apply for interior noise attenuation:

- a. All residences shall be at least 110 feet from the centerline of Elk Grove-Florin Road.
- b. If a minimum 6-foot soundwall is constructed, there will be no restriction on single-story homes, but all second stories shall be at least 110 feet from the centerline of Elk Grove-Florin Road.
- c. An acoustical study shall be submitted to the Environmental Coordinator demonstrating that the interior noise levels within residences within 110 feet of the centerline of Elk Grove-Florin Road will be attenuated to 45 dB. Any construction within 110 feet of the centerline of Elk Grove-Florin Road shall be built using the construction materials and techniques outlined in the acoustical analysis.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If option C is implemented, then submit the required acoustical analysis to the Department of Environmental Review and Assessment

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical study, if applicable, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CSR-6: POTENTIAL WETLANDS IMPACTS

- ☐ Prior to any grading, grubbing, or excavation within 50 feet of on-site wetlands, the applicant or owner shall obtain any/all applicable permits from the U.S. Fish and Wildlife Service (USFWS), U.S. Army Corps of Engineers, California Department of Fish and Game and the Central Valley Regional Water Quality Control Board for the proposed modifications to on-site wetlands. In addition, the project applicant or property owner shall comply with General Plan Conservation Element Policy No. CO-96 as it pertains to no net loss of wetlands. If mitigation occurring through the state and federal permitting processes results in less than 1:1 compensation for the loss of wetland habitat, the applicant or owner shall be required to pay to the County of Sacramento an amount based on a rate of \$35,000 per acre for the unmitigated/uncompensated wetlands. The payment shall be submitted to the Department of Planning and Community Development and shall be deposited in the Wetlands Restoration Trust Fund. A copy of any required permits, or written notification from the applicant that the permit authority has determined that a permit is not required, and verification of compliance with General Plan Conservation Element Policy No. CO-96 regarding no net loss of wetlands shall be submitted to the Department of Environmental Review and Assessment.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Prior to any physical disturbance within 50 feet of on-site wetlands, submit to the Department of Environmental Review and Assessment a copy of any/all permits/agreements that are required by the USFWS, USACOE, CDFG and RWQCB, or correspondence indicating that no permits/agreements are required, along with proof of any required payment into the Wetlands Restoration Trust Fund.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans, along with all submitted permits/agreements, correspondence and/or proof of payment, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.

3. Consult with the USFWS, USACOE, CDFG and RWQCB as necessary to determine compliance.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CSR-7: SWAINSON'S HAWK FORAGING HABITAT

Prior to the approval of improvement plans, building permits, or recordation of the final map, whichever occurs first, or, if only a rezone is requested, prior to final adoption of the zoning agreement, implement one of the following options to mitigate for the loss of 12.5 acres of Swainson's hawk foraging habitat on the project site:

- a. The project proponent shall utilize one or more of the mitigation options (land dedication and/or fee payment) established in Sacramento County's Swainson's Hawk Impact Mitigation Program (Chapter 16.130 of the Sacramento County Code).
- b. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat
- c. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of one of the measures above, the project proponent may be subject to that program instead.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance with one of the above mitigation options to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted written evidence of compliance with one of the above mitigation options.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CSR-8: BURROWING OWLS

Prior to construction activity (including site improvements, and building construction) a focused survey(s) shall be conducted by a qualified biologist for burrowing owls where suitable habitat is present in the project area. Suitable habitat includes agricultural field margins, drainage ditches, and fallow fields. Surveys shall be conducted no less than 14 days and no more than 30 days prior to commencement of construction activities. Surveys shall be conducted in accordance with CDFG protocol (CDFG 1995).

- A. If no occupied burrows are found in the survey area, a letter report documenting survey methods and findings shall be submitted to the County and no further mitigation is necessary.
- B. If an occupied burrow is found the applicant shall contact the Department of Environmental Review and Assessment and consult with the California Department of Fish (CDFG), prior to construction, to determine if avoidance is possible or if burrow relocation will be required.
- C. If owls are to remain on-site, a minimum of 6.5 acres of foraging habitat for each occupied burrow needs to be permanently preserved according to CDFG guidelines.
- D. In order to avoid direct impacts to owls, no activity shall take within 160 feet of an active burrow from September 1 to January 31 (wintering season) or 250 feet from February 1 through August 31 (breeding season). Protective fencing shall be placed, at the distances above, around the active burrows and no activity shall occur within the protected buffer areas.
- E. Any impact to active owl burrows, relocation of owls or mitigation for habitat loss shall be done in accordance with CDFG guidelines. Written evidence from CDFG staff shall be provided to DERA attesting to the permission to remove burrows, relocate owls, mitigate for lost habitat, and provided a method for preservation habitat in perpetuity.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. Submit a copy of the preconstruction surveys to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. Submit written evidence of compliance with the above measures A through E to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the preconstruction surveys and consult with the qualified biologist, as necessary.
2. Review submitted written evidence of compliance.
3. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
4. Monitor compliance during periodic site inspections.
5. Consult with the CDFG as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CSR-9: NESTING RAPTORS

- ☐ If construction occurs between March 1 and September 15, pre-construction surveys for Swainson's hawk and other raptor nesting sites shall be conducted by a qualified raptor biologist. If any active nests are located within a half mile of proposed heavy equipment operations or construction activities, the project proponent shall then consult with the California Department of Fish and Game to determine the appropriate course of action to reduce potential impacts upon nesting raptors and to determine under what circumstances equipment operation and construction activities can occur..

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. If any construction work (including clearing and grubbing) is scheduled to occur any time during the raptor nesting season (March 1 through September 15), a survey for raptor nests shall be conducted by a qualified biologist within 14 days prior to the start of construction. A copy of the survey and any agreement with the California Department of Fish and Game, if applicable, must be submitted to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. If necessary, incorporate protective measures for nesting raptors into all Plans and Specifications for the project.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the raptor nesting survey if required, and consult with the qualified biologist and the CDFG, as necessary.
2. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
3. Monitor compliance during periodic site inspections of (a) the implementation of any required raptor protective measures and (b) the construction work.
4. Participate in any/all Final Inspection(s), as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CSR-10: REMOVAL OF ON-SITE NATIVE OAK TREES

The removal of 21 inches dbh of on-site native oaks (tree #21) shall be compensated by planting native oak trees (valley oak/*Quercus lobata*, interior live oak/*Quercus wislizenii*, and blue oak/*Quercus douglasii*) equivalent to the dbh inches lost, based on the ratios listed below, at locations that are authorized by the Department of Environmental Review and Assessment. The removal of native California Black Walnut Trees and 91 inches dbh of on-site native black walnuts (tree #12, #18, #26, #31, and #55) shall be compensated by planting native black walnuts (*Juglans hindsii*) equivalent to the dbh inches lost, based on the ratios listed below, at locations that are authorized by the Department of Environmental Review and Assessment.

Equivalent compensation based on the following ratio is required:

- one preserved native oak tree < 6 inches dbh on-site = 1 inch dbh
- one D-pot seedling (40 cubic inches or larger) = 1 inch dbh
- one 15-gallon tree = 1 inch dbh
- one 24-inch box tree = 2 inches dbh
- one 36-inch box tree = 3 inches dbh

Replacement tree planting shall be completed prior to the issuance of building permits or a bond shall be posted by the applicant in order to provide funding for purchase, planting, irrigation, and 3-year maintenance period, should the applicant default on replacement tree mitigation. The bond shall be in an amount equal to the prevailing rate of the County Tree Preservation Fund.

Prior to the approval of Improvement Plans or building permits, a Replacement Oak/Black Walnut Tree Planting Plan shall be prepared by a certified arborist or licensed landscape architect and shall be submitted to the Environmental Coordinator for approval. The Replacement Oak/Black Walnut Tree Planting Plan(s) shall include the following minimum elements:

1. Species, size and locations of all replacement plantings;
2. Method of irrigation;
3. The Sacramento County Standard Tree Planting Detail L-1, including the 10-foot deep boring hole to provide for adequate drainage;
4. Planting, irrigation, and maintenance schedules;

5. Identification of the maintenance entity and a written agreement with that entity to provide care and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement trees which do not survive during that period.

No replacement tree shall be planted within 15 feet of the driplines of existing oak trees, black walnuts or landmark size trees that are retained on-site, or within 15 feet of a building foundation or swimming pool excavation. The minimum spacing for replacement trees shall be 20 feet on-center. Examples of acceptable planting locations are publicly owned lands, common areas, and landscaped frontages (with adequate spacing). Generally unacceptable locations are utility easements (PUE, sewer, storm drains), under overhead utility lines, private yards of single family lots (including front yards), and roadway medians.

If tree replacement plantings are demonstrated to the satisfaction of the Environmental Coordinator to be infeasible for any or all trees removed, then compensation shall be through payment into the County Tree Preservation Fund. Payment shall be made at a rate of \$325.00 per dbh inch removed but not otherwise compensated, or at the prevailing rate at the time payment into the fund is made.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to the approval of Improvement Plans or building permits, submit the required Replacement Tree Planting Plan to the Department of Environmental Review and Assessment for review and approval.
3. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Replacement Tree Planting Plan and Project Plans prior to the start of construction. Approve Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CSR-11: POTENTIAL CONSTRUCTION-RELATED IMPACT TO PROTECTED TREES

All oak trees not identified for removal that are 6 inches dbh or larger on the project site, all healthy landmark trees on the site, all portions of adjacent off-site trees which have driplines that extend onto the project site, and all off-site oak trees which may be impacted by utility installation and/or improvements associated with this project, shall be preserved and protected as follows:

- A. A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of the tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of the tree. Removing limbs which make up the dripline does not change the protected area.
- B. Chain link fencing or a similar protective barrier shall be installed one foot outside the driplines of the oak tree prior to initiating of project construction, in order to avoid damage to the trees and their root system.
- C. No signs, ropes, cables (except cables which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the oak trees.
- D. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the dripline of the oak trees.
- E. Any soil disturbance (scraping, grading, trenching, and excavation) is to be avoided within the dripline of the oak trees. Where this is necessary, an ISA Certified Arborist will provide specifications for this work, including methods for root pruning, backfill specifications and irrigation management guidelines.
- F. Before grading or excavation for footings, walls, or trenching within five feet outside the driplines of protected oak trees, root pruning shall be required at the limits of grading or excavation to cut roots cleanly to a depth of the excavation or 36 inches (whichever is less). Roots shall be cut by manually digging a trench and cutting exposed roots with a saw, vibrating knife, rock saw, narrow trencher with sharp blades or other approved root-pruning equipment under the supervision of an ISA Certified Arborist.
- G. All underground utilities and drain or irrigation lines shall be routed outside the driplines of oak trees. If lines must encroach upon the dripline, they should be tunneled or bored under the tree.

- H. If temporary haul or access roads must pass within the driplines of oak trees, a roadbed of six inches of mulch or gravel shall be created to protect the soil. The roadbed shall be installed from outside of the dripline and while the soil is in a dry condition, if possible. The roadbed material shall be replenished as necessary to maintain a six-inch depth.
- I. Any herbicides placed under paving materials must be safe for use around trees and labeled for that use. Any pesticides used on site must be tree-safe and not easily transported by water.
- J. Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of the oak tree.
- K. No sprinkler or irrigation system shall be installed in such a manner that it sprays water within the dripline of the oak tree.
- L. Tree pruning required for clearance during construction must be performed by an ISA Certified Arborist or Tree Worker.
- M. Landscaping beneath the oak tree may include non-plant materials such as boulders, decorative rock, wood chips, organic mulch, non-compacted decomposed granite, etc. Landscape materials shall be kept two (2) feet away from the base of the trunk. The only plant species which shall be planted within the dripline of the oak tree are those which are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.

Implementation and Notification (Action by Project Applicant):

- 1. Comply fully with the above measure.
- 2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
- 3. Regarding the above mitigation measure items E, F and L, submit written evidence to the Department of Environmental Review and Assessment from a certified arborist that indicates that the work has been properly completed as required. Provide the name, address and phone number of the certified arborist.

Verification (Action by the Department of Environmental Review and Assessment):

- 1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.

2. Review submitted information from certified arborist.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CSR-12: CULTURAL RESOURCES

See FVGCP Plan-wide Mitigation Measure CR-3, above.

04-RZB-SDP-AHS-0234

**Gardner Country Estates Rezone,
Tentative Subdivision Map and
Affordable Housing Plan**

**RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO:**

NAME: DERA

COUNTY MAIL CODE: 01-220

**No Fee--For the Benefit of
Sacramento County (Code
6103)**

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: 04-RZB-SDP-AHS-0234

NAME: Gardner Country Estates Rezone, Tentative Subdivision Map and Affordable Housing Plan

LOCATION: The property is located on the west side of Gardner Avenue, approximately 3,000 feet south of Florin Road, in the South Sacramento Community. The property is also located on the south side of Charlemagne Drive, a private street.

ASSESSOR'S PARCEL NUMBER: 065-0160-011

OWNER/APPLICANT:

MHL Investments, Inc.
1032 Justin Way
Dixon, CA 95620

ENGINEER:

Rose's Engineering
9152 Elk Grove Boulevard
Elk Grove, CA 95624

PROJECT DESCRIPTION:

1. A **Rezone** of approximately 5 acres from AR-5 agricultural-residential to RD-5 residential and LC limited commercial.

2. A **Tentative Subdivision Map** to divide approximately 5 acres into 26 residential lots (16 single-family lots and 10 half-plex lots), 4 live work lots and one landscaping lot.
3. A **Special Development Permit** to allow an affordable housing density bonus of five single-family lots as permitted by the Affordable Housing Ordinance to off-set those units lost to affordable housing.
4. A **Special Development Permit** to reduce the RD-5 zone lot area, lot width, lot depth and public street frontage requirements.
5. An **Affordable Housing Plan** consisting of on-site construction of affordable housing.

TYPE OF ENVIRONMENTAL DOCUMENT:

☐ Negative Declaration

☐ Prior Negative Declaration

☒ Environmental Impact Report

☐ Prior Environmental Impact Report

☐ Supplemental Environmental Impact Report

PREPARED BY: Sacramento County Department of
Environmental Review and Assessment
827 7th Street, Room 220
Sacramento, CA 95814

PHONE: (916) 874-7914

MITIGATION MONITORING AND REPORTING PROGRAM

ADOPTED BY:

DATE:

ATTEST: _____

SECRETARY/CLERK

State of California
County of Sacramento

On _____ before me, _____ (name, title of officer),
personally appeared:

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this ____ day of _____, 20____.

OWNER(S):

(Print company, corporation, or organization name, if applicable)

(Print name and/or title above)

(Signature above)

ALL PURPOSE ACKNOWLEDGEMENT

| | |
|---|---|
| <p>State of California County of Sacramento</p> <p>On _____ before me, _____(name, title of officer), personally appeared:</p> <p>_____,</p> <p>who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.</p> <p>I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.</p> <p>WITNESS my hand and official seal.</p> <p>_____ <i>Signature</i></p> | <p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="radio"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES</p> <p><input type="radio"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY</p> <p><input type="radio"/> PARTNER(S) _____ PARTNERSHIP</p> <p><input type="radio"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S)</p> <p><input type="radio"/> TRUSTEE(S) _____ TRUST</p> <p><input type="radio"/> OTHER _____ TITLE(S) _____ TITLE(S) _____ ENTITY(IES) REPRESENTED _____ ENTITY(IES) REPRESENTED</p> |
|---|---|

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PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled Gardner Country Estates Rezone, Tentative Subdivision Map and Affordable Housing Plan (**Control Number: 04-RZB-SDP-AHS-0234**).

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The MMRP fee for this project is **\$8,500.00**. This fee includes administrative costs of **\$800.00**, which must be paid to the Department of Environmental Review and Assessment **prior to recordation of the MMRP and prior to recordation of any final parcel or subdivision map. The remaining balance will be due prior to review of any plans by the DERA or issuance of any building or grading permits.**

RECORDATION

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the Sacramento County Code, the project applicant shall provide to the Department of Environmental Review

and Assessment a Legal Description for the real property that is the subject of the project.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

PROPERTY TRANSFER

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit A. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

PENALTIES

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the Sacramento County Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the Sacramento County Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

Plans that are inconsistent with the adopted Mitigation Measures will not be approved.

In the event of an ongoing, serious non-compliance issue, the Department of Environmental Review and Assessment may call for a "stop work order" on the project.

STANDARD PROVISIONS

Page one of all Project Plans must include the following statement in a conspicuous location:

“All Plans associated with this project are subject to the conditions of Mitigation Monitoring and Reporting Program 04-RZB-SDP-AHS-0234 . For any questions regarding compliance with the MMRP document, contact MMRP staff at (916) 874-7914.”

All Project Plans and any revisions to those Plans shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and any revisions to the Department of Environmental Review and Assessment prior to final approval by the Sacramento County Building Inspection Division (BID). If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment, for determination of compliance, prior to final approval by BID.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

FVGCP - PLAN WIDE MITIGATION MEASURES

MITIGATION MEASURE HY-1 AND HY-2: FLOODING

- HY-1a Florin Vineyard Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval.
- HY-1b Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream and upstream areas and that such phased improvements are consistent with the County's 404 permit and the proposed phasing is submitted for approval to the Corps of Engineers as required by the conditions set forth in the County's 404 permit. Such analyses shall verify that the phased improvements will mitigate post-development peak flows and water surface elevations in accordance with County standards, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements.
- HY-2 Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream drainage/flooding and water quality impacts, have been implemented.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Provide documentation from the County Department of Water Resources indicating that the condition has been satisfied.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and the submitted documentation from DWR prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the County Department of Water Resources as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HY-3: HYDROLOGY AND DRAINAGE

No residential final maps shall be recorded, no residential improvement plans shall be approved, and no residential building permits shall be issued until supplemental drainage fees are paid pursuant to an approved "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Gap Community Plan Public Facilities Financing Plan (FVGCP Financing Plan). In addition to those financing mechanisms, the "Implementation Plan" shall specifically include the blending of the FVGCP Financing Plan and the North Vineyard Station Specific Plan Finance Plan (NVSSP). This blended plan shall include fair share funding and construction obligations by the FVGCP for those NVSSP Finance Plan drainage improvements and rights-of-way which are of shared benefit to developments in the Elder and Gerber Creek watersheds of the FVGCP.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to issuance of grading permits, submit proof of fee payment to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted proof of payment and consult with the County Department of Water Resources and/or the County Infrastructure Finance Section as necessary to verify that full payment has been made prior to approval of improvement plans or grading permits.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURES TC-1 THROUGH TC-4: ROADWAY SEGMENTS AND INTERSECTIONS AND TC-5: STATE ROUTE 99 AND US 50

Compliance with mitigation measures TC-1 through TC-5 to be attained through the following conditions of approval, which provide financing and trigger mechanisms for all identified roadway improvements:

1. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.

For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County.

2. The property owners shall comply with the applicable provisions of the Florin Vineyard Community Plan (FVCP), Appendix D, "*Florin Vineyard Community Plan Construction of Phased Traffic Mitigation*".
 - a. As noted in Appendix D of the FVCP, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.
 - b. The following applies if residential development occurs on the site (any residential development within the SC zone is subject to the same

provisions as all other residential development in the FVCP area). The conditions listed in Appendix D of the FVCP implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measures.
2. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that all applicable roadway improvement fees have been paid through the financing mechanisms of the required Implementaton Plan or interim fee agreement.
3. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that the required roadway improvements have been constructed based on the cumulative number of recorded lots.

Verification (Action by the Department of Environmental Review and Assessment):

1. Verify with the County Department of Transportation and/or the County Infrastructure Finance Section that the developer has paid all required fees prior to approval of improvement plans or building permits.
2. Verify with the County Land Division and Site Improvement Review Section, the County Department of Transportation, and/or the County Infrastructure Finance Section that the required improvements have been constructed based on the cumulative number of residential units constructed within the FVCP.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AQ-2: CONSTRUCTION EMISSIONS – OZONE
PRECURSORS

Not applicable – *Project did not exceed screening levels at time of application.*

MITIGATION MEASURE AQ-3: OPERATIONAL EMISSIONS – OZONE
PRECURSORS

All development projects within the FVGCP shall comply with the SMAQMD endorsed *Florin Vineyard Gap Community Plan Air Quality Mitigation Program* (March 26, 2007), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the emission reduction measures chosen to achieve compliance with the AQ-15 Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen emission reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of emission reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CC-1: GREENHOUSE GAS EMISSIONS

All development projects within the FVGCP shall comply with the requirements of the SMAQMD-endorsed FVGCP Climate Change Plan, dated January 28, 2010. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of project-specific measures that achieve a minimum of ten points selected in consultation with SMAQMD from the list of approved greenhouse gas reduction measures. Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development projects.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the GHG reduction measures chosen to achieve compliance with the FVGCP Climate Change Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen GHG reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of GHG reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE BR-1 AND BR-2: WETLANDS

Not applicable – *Site contains no wetland features.*

MITIGATION MEASURE BR-3: NATIVE OR LANDMARK TREES

Not applicable – *Site contains no protected native or landmark trees.*

MITIGATION MEASURE BR-4: SPECIAL STATUS SPECIES – SWAINSON'S
HAWK

Not applicable – *Site is not considered Swainson's hawk foraging habitat (zoned AR-5).*

MITIGATION MEASURE BR-5: SPECIAL STATUS SPECIES – SURVEYS

Not applicable – *Site does not contain suitable habitat for special status species.*

MITIGATION MEASURE N1 AND N-2: TRAFFIC AND RAILROAD NOISE

Compliance to be attained through Project Specific Mitigation Measure GCE-2.

MITIGATION MEASURE N-3: NOISE-PRODUCING USES

All industrial or commercial development projects located adjacent to residentially designated properties shall be designed and constructed to ensure that noise levels generated by the uses do not result in General Plan Noise Element standards being exceeded on adjacent properties. An acoustical analysis substantiating the required noise level reduction, prepared by a qualified acoustical consultant shall be submitted to and verified by the Department of Environmental Review and Assessment prior to the issuance of any building permits for the site. The acoustical analysis shall include, but not be limited to, consideration of potential noise conflicts due to operation of the following items:

- Mechanical building equipment, including HVAC systems;
- Loading docks and associated truck routes;
- Refuse pick up locations; and
- Refuse or recycling compactor units.

Specific designs for proposed facilities will be submitted to Sacramento County for approval prior to issuance of building permits to ensure compliance with noise standards.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CR-1 AND CR-2: ARCHAEOLOGICAL RESOURCES

Not applicable -- Archaeological and historical surveys completed with negative results.

MITIGATION MEASURE CR-3: SUBSURFACE ARCHAEOLOGICAL RESOURCES

- ☐ Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If cultural resources are encountered, notify the Department of Environmental Review and Assessment immediately.
4. If human remains are encountered, notify the County Coroner and the Department of Environmental Review and Assessment immediately.
5. If no cultural resources are encountered, the applicant shall provide the Department of Environmental Review and Assessment with a signed statement to that effect.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. If cultural resources are encountered, the Department of Environmental Review and Assessment will coordinate an investigation of the site with appropriate

specialists as needed. After investigation, the applicant may be required to implement additional mitigation for the cultural resources.

4. Review the signed statement if no resources are encountered.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-1: PAST CHEMICAL USAGE - LIVESTOCK

All future development proposals on portions of the Florin-Vineyard Gap Community Plan area that are known to have supported livestock (cattle, hogs, poultry, etc.) holding areas prior to the 1970's, shall implement a soil sampling and analysis program for organochlorine pesticides. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substances fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to construction activities, individual project proponents shall provide documentation demonstrating implementation of any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written documentation of known pre-1970 uses of the site to the Department of Environmental Review and Assessment. If livestock holding areas are known to have occurred, then also submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-2: PAST CHEMICAL USE – STORAGE TANKS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any/all active and inactive storage tanks and storage drums, both below and above ground, shall be removed from the property by a licensed contractor and all contents disposed of in accordance with local, state, and federal regulations. If any stained soil related to storage tanks is identified, a soil sampling and analysis program shall be implemented to identify the substance(s) and the potential environmental effects. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substance(s) fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to grading or construction activities, individual project proponents shall implement any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If any storage tanks or drums are removed from the project site, submit documentation to the Department of Environmental Review and Assessment indicating where the items were disposed.
4. If any stained soil is identified, then submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and any written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-3: WATER SUPPLY WELLS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, including preliminary grading and trenching for infrastructure, any on-site groundwater wells that are not intended for the use of the proposed development shall be abandoned in accordance with State and County regulations; this procedure requires a well abandonment permit (issued on a per-well basis) from the Sacramento County Environmental Management Department, Environmental Health Division. Any large-diameter (old hand excavated) wells and/or cisterns shall be removed and the holes backfilled in accordance with the recommendations of a geotechnical engineer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any wells on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the well was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted documentation of abandonment.
3. Consult with the Environmental Management Department as necessary to verify compliance.
4. Monitor compliance during periodic site inspections of the construction work.
5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-4: SEPTIC SYSTEMS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any septic systems and/or leach fields on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the system was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Environmental Management Department as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AG-1: PRIME FARMLAND AND FARMLAND OF
STATEWIDE IMPORTANCE

Not applicable – *The site does not include Prime Farmland or Farmland of Statewide Importance.*

PROJECT SPECIFIC MITIGATION MEASURES

MITIGATION MEASURE GCE-2: NOISE IMPACTS

One of the following shall apply to all lots where the residential backyard is located within 115 feet of the centerline of Gardner Avenue, unless the backyard is located behind a house or commercial structure on the lot that faces Gardner Avenue:

- a. A 6-foot soundwall shall be installed at the rear of the landscape easement or parcel along Gardner Avenue. Once the soundwall passes the wall of a house on each lot, the soundwall may be stepped down and/or ended.
- b. Each residential backyard shall include a shielded courtyard area or similar shielded outdoor living space. An acoustical study shall be provided to demonstrate that cumulative noise levels will be reduced to at 65 dB L_{dn} or less.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If option b is proposed, then submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis, if applicable, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE GCE-3: DRAINAGE

See FVGCP Plan-wide Mitigation Measure HY-2, above.

MITIGATION MEASURE GCE-4: CULTURAL RESOURCES

See FVGCP Plan-wide Mitigation Measure CR-3, above.

04-RZB-PMR-EXP-0423

**Martin Rezone and Tentative
Parcel Map**

**RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO:**

NAME: DERA

COUNTY MAIL CODE: 01-220

**No Fee--For the Benefit of
Sacramento County (Code
6103)**

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: 04-RZB-PMR-EXP-0423

NAME: Martin Rezone and Tentative Parcel Map

LOCATION: The property is located approximately 330 feet south of Bar Du Lane,
approximately 220 feet east of Rogers Road, in the Vineyard Community.

ASSESSOR'S PARCEL NUMBER: 121-0050-040

OWNER/APPLICANT:

Felipe Martin
20 Light Sky Court
Sacramento, CA 95828

ENGINEER:

Interactive Solutions
PO Box 303
Loomis, CA 95650

PROJECT DESCRIPTION:

1. A **Rezone** of approximately 10 acres from AR-10 to AR-2.
2. A **Tentative Parcel Map** to divide the 10-acre site into 4 parcels.

3. An Exception from Title 22.24.630(2) (the County Land Development Ordinance) to allow private wells rather than a public water supply.

TYPE OF ENVIRONMENTAL DOCUMENT:

☐ Negative Declaration

☐ Prior Negative Declaration

☒ Environmental Impact Report

☐ Prior Environmental Impact Report

☐ Supplemental Environmental Impact Report

PREPARED BY: Sacramento County Department of
Environmental Review and Assessment
827 7th Street, Room 220
Sacramento, CA 95814

PHONE: (916) 874-7914

**MITIGATION MONITORING AND REPORTING PROGRAM
ADOPTED BY:**

DATE:

ATTEST: _____

SECRETARY/CLERK

**State of California
County of Sacramento**

On _____ before me, _____ (name, title of officer),
personally appeared:

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this ____ day of _____, 20____.

OWNER(S):

(Print company, corporation, or organization name, if applicable)

(Print name and/or title above)

(Signature above)

ALL PURPOSE ACKNOWLEDGEMENT

| | |
|---|---|
| <p>State of California County of Sacramento</p> <p>On _____ before me, _____(name, title of officer), personally appeared: _____</p> <p>who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.</p> <p>I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.</p> <p style="text-align: right;">WITNESS my hand and official seal.</p> <p style="text-align: right;">_____ <i>Signature</i></p> | <p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="radio"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES</p> <p><input type="radio"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY _____</p> <p><input type="radio"/> PARTNER(S) _____ PARTNERSHIP _____</p> <p><input type="radio"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S) _____</p> <p><input type="radio"/> TRUSTEE(S) _____ TRUST _____</p> <p><input type="radio"/> OTHER _____ TITLE(S) _____ TITLE(S) _____ ENTITY(IES) REPRESENTED _____ ENTITY(IES) REPRESENTED _____</p> |
|---|---|

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PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled Martin Rezone and Tentative Parcel Map (**Control Number: 04-CZB-PMR-0423**).

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The MMRP fee for this project is **\$6,800.00**. This fee includes administrative costs of **\$800.00**, which must be paid to the Department of Environmental Review and Assessment **prior to recordation of the MMRP and prior to recordation of any final parcel or subdivision map. The remaining balance will be due prior to review of any plans by the DERA or issuance of any building or grading permits.**

RECORDATION

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the Sacramento County Code, the project applicant shall provide to the Department of Environmental Review and Assessment a Legal Description for the real property that is the subject of the project.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

PROPERTY TRANSFER

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit A. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

PENALTIES

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the Sacramento County Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the Sacramento County Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

Plans that are inconsistent with the adopted Mitigation Measures will not be approved.

In the event of an ongoing, serious non-compliance issue, the Department of Environmental Review and Assessment may call for a "stop work order" on the project.

STANDARD PROVISIONS

Page one of all Project Plans must include the following statement in a conspicuous location:

“All Plans associated with this project are subject to the conditions of Mitigation Monitoring and Reporting Program 04-RZB-PMR-EXP-0423 . For any questions regarding compliance with the MMRP document, contact MMRP staff at (916) 874-7914.”

All Project Plans and any revisions to those Plans shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and any revisions to the Department of Environmental Review and Assessment prior to final approval by the Sacramento County Building Inspection Division (BID). If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment, for determination of compliance, prior to final approval by BID.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

FVGCP - PLAN WIDE MITIGATION MEASURES

MITIGATION MEASURE HY-1 AND HY-2: FLOODING

- HY-1a Florin Vineyard Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval.
- HY-1b Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream areas, and that such improvements are consistent with requirements of state and federal environmental regulators. Such analyses shall verify that the phased improvements will reduce post-development peak flows and water surface elevations to at least pre-development levels, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements.
- HY-2 Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream drainage/flooding and water quality impacts, have been implemented.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Provide documentation from the County Department of Water Resources indicating that the condition has been satisfied.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and the submitted documentation from DWR prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the County Department of Water Resources as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HY-3: HYDROLOGY AND DRAINAGE

Prior to the issuance of grading permits, project applicants shall pay the drainage fee identified in the Florin Vineyard Community Plan Public Facilities Financing Plan for the implementation of drainage improvements within the FVGCP.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to issuance of grading permits, submit proof of fee payment to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted proof of payment and consult with the County Department of Water Resources and/or the County Infrastructure Finance Section as necessary to verify that full payment has been made prior to approval of improvement plans or grading permits.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURES TC-1 THROUGH TC-4: ROADWAY SEGMENTS AND INTERSECTIONS AND TC-5: STATE ROUTE 99 AND US 50

Compliance with mitigation measures TC-1 through TC-5 to be attained through the following conditions of approval, which provide financing and trigger mechanisms for all identified roadway improvements:

1. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.

For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County.

2. The property owners shall comply with the applicable provisions of the Florin Vineyard Community Plan (FVCP), Appendix D, "*Florin Vineyard Community Plan Construction of Phased Traffic Mitigation*".
 - a. As noted in Appendix D of the FVCP, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.
 - b. The following applies if residential development occurs on the site (any residential development within the SC zone is subject to the same

provisions as all other residential development in the FVCP area). The conditions listed in Appendix D of the FVCP implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measures.
2. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that all applicable roadway improvement fees have been paid through the financing mechanisms of the required Implementaton Plan or interim fee agreement.
3. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that the required roadway improvements have been constructed based on the cumulative number of recorded lots.

Verification (Action by the Department of Environmental Review and Assessment):

1. Verify with the County Department of Transportation and/or the County Infrastructure Finance Section that the developer has paid all required fees prior to approval of improvement plans or building permits.
2. Verify with the County Land Division and Site Improvement Review Section, the County Department of Transportation, and/or the County Infrastructure Finance Section that the required improvements have been constructed based on the cumulative number of residential units constructed within the FVCP.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AQ-2: CONSTRUCTION EMISSIONS – OZONE
PRECURSORS

Not applicable – *Project did not exceed screening levels at time of application.*

MITIGATION MEASURE AQ-3: OPERATIONAL EMISSIONS – OZONE PRECURSORS

All development projects within the FVGCP shall comply with the SMAQMD endorsed *Florin Vineyard Gap Community Plan Air Quality Mitigation Program* (March 26, 2007), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the emission reduction measures chosen to achieve compliance with the AQ-15 Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen emission reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of emission reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CC-1: GREENHOUSE GAS EMISSIONS

All development projects within the FVGCP shall comply with the requirements of the SMAQMD-endorsed FVGCP Climate Change Plan, dated January 28, 2010. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of project-specific measures that achieve a minimum of ten points selected in consultation with SMAQMD from the list of approved greenhouse gas reduction measures. Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development projects.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the GHG reduction measures chosen to achieve compliance with the FVGCP Climate Change Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen GHG reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of GHG reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE BR-1 AND BR-2: WETLANDS

Compliance to be attained through Project Specific Mitigation Measure MRT-3.

MITIGATION MEASURE BR-3: NATIVE OR LANDMARK TREES

Not applicable –*Site contains no protected native or landmark trees.*

MITIGATION MEASURE BR-4: SPECIAL STATUS SPECIES – SWAINSON'S
HAWK

Compliance to be attained through Project Specific Mitigation Measure MRT-4.

MITIGATION MEASURE BR-5: SPECIAL STATUS SPECIES – SURVEYS

Not applicable – *Special Status Species Evaluation conducted. Site Specific Mitigation Measures MRT-5 and MRT-6 adopted.*

MITIGATION MEASURE N1 AND N-2: TRAFFIC AND RAILROAD NOISE

Not applicable – *Site is not adjacent to a source of significant traffic or railroad noise.*

MITIGATION MEASURE N-3: NOISE-PRODUCING USES

Not applicable – *Project does not include industrial or commercial development.*

MITIGATION MEASURE CR-1 AND CR-2: ARCHAEOLOGICAL RESOURCES

Not applicable -- Archaeological and historical surveys completed with negative results.

MITIGATION MEASURE CR-3: SUBSURFACE ARCHAEOLOGICAL RESOURCES

- ☐ Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If cultural resources are encountered, notify the Department of Environmental Review and Assessment immediately.
4. If human remains are encountered, notify the County Coroner and the Department of Environmental Review and Assessment immediately.
5. If no cultural resources are encountered, the applicant shall provide the Department of Environmental Review and Assessment with a signed statement to that effect.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. If cultural resources are encountered, the Department of Environmental Review and Assessment will coordinate an investigation of the site with appropriate

specialists as needed. After investigation, the applicant may be required to implement additional mitigation for the cultural resources.

4. Review the signed statement if no resources are encountered.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-1: PAST CHEMICAL USAGE - LIVESTOCK

All future development proposals on portions of the Florin-Vineyard Gap Community Plan area that are known to have supported livestock (cattle, hogs, poultry, etc.) holding areas prior to the 1970's, shall implement a soil sampling and analysis program for organochlorine pesticides. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substances fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to construction activities, individual project proponents shall provide documentation demonstrating implementation of any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written documentation of known pre-1970 uses of the site to the Department of Environmental Review and Assessment. If livestock holding areas are known to have occurred, then also submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-2: PAST CHEMICAL USE – STORAGE TANKS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any/all active and inactive storage tanks and storage drums, both below and above ground, shall be removed from the property by a licensed contractor and all contents disposed of in accordance with local, state, and federal regulations. If any stained soil related to storage tanks is identified, a soil sampling and analysis program shall be implemented to identify the substance(s) and the potential environmental effects. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substance(s) fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to grading or construction activities, individual project proponents shall implement any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If any storage tanks or drums are removed from the project site, submit documentation to the Department of Environmental Review and Assessment indicating where the items were disposed.
4. If any stained soil is identified, then submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and any written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-3: WATER SUPPLY WELLS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, including preliminary grading and trenching for infrastructure, any on-site groundwater wells that are not intended for the use of the proposed development shall be abandoned in accordance with State and County regulations; this procedure requires a well abandonment permit (issued on a per-well basis) from the Sacramento County Environmental Management Department, Environmental Health Division. Any large-diameter (old hand excavated) wells and/or cisterns shall be removed and the holes backfilled in accordance with the recommendations of a geotechnical engineer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any wells on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the well was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted documentation of abandonment.
3. Consult with the Environmental Management Department as necessary to verify compliance.
4. Monitor compliance during periodic site inspections of the construction work.
5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-4: SEPTIC SYSTEMS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any septic systems and/or leach fields on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the system was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Environmental Management Department as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AG-1: PRIME FARMLAND AND FARMLAND OF
STATEWIDE IMPORTANCE

Not applicable – *The site does not include Prime Farmland or Farmland of Statewide Importance.*

PROJECT SPECIFIC MITIGATION MEASURES

MITIGATION MEASURE MRT-1: DRAINAGE

See FVGCP Plan-wide Mitigation Measure HY-2, above.

MITIGATION MEASURE MRT-3: WETLANDS AND JURISDICTIONAL WATERS

- ☐ Prior to any grading, grubbing, or excavation within 50 feet of on-site wetlands, the applicant or owner shall obtain any/all applicable permits from the U.S. Fish and Wildlife Service (USFWS), U.S. Army Corps of Engineers, California Department of Fish and Game and the Central Valley Regional Water Quality Control Board for the proposed modifications to on-site wetlands. In addition, the project applicant or property owner shall comply with General Plan Conservation Element Policy No. CO-96 as it pertains to no net loss of wetlands. If mitigation occurring through the state and federal permitting processes results in less than 1:1 compensation for the loss of wetland habitat, the applicant or owner shall be required to pay to the County of Sacramento an amount based on a rate of \$35,000 per acre for the unmitigated/uncompensated wetlands. The payment shall be submitted to the Department of Planning and Community Development and shall be deposited in the Wetlands Restoration Trust Fund. A copy of any required permits, or written notification from the applicant that the permit authority has determined that a permit is not required, and verification of compliance with General Plan Conservation Element Policy No. CO-96 regarding no net loss of wetlands shall be submitted to the Department of Environmental Review and Assessment.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Prior to any physical disturbance within 50 feet of on-site wetlands, submit to the Department of Environmental Review and Assessment a copy of any/all permits/agreements that are required by the USFWS, USACOE, CDFG and RWQCB, or correspondence indicating that no permits/agreements are required, along with proof of any required payment into the Wetlands Restoration Trust Fund.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans, along with all submitted permits/agreements, correspondence and/or proof of payment, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.

3. Consult with the USFWS, USACOE, CDFG and RWQCB as necessary to determine compliance.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE MRT-4: SWAINSON'S HAWK FORAGING HABITAT

Prior to the approval of improvement plans, building permits, or recordation of the final map, whichever occurs first, implement one of the following options to mitigate for the loss of 2.5 acres of Swainson's hawk foraging habitat on the project site:

- a. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat
- b. The project proponent shall utilize one or more of the mitigation options (land dedication and/or fee payment) established in Sacramento County's Swainson's Hawk Impact Mitigation Program (Chapter 16.130 of the Sacramento County Code).
- c. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of one of the measures above, the project proponent may be subject to that program instead.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance with one of the above mitigation options to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted written evidence of compliance with one of the above mitigation options.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE MRT-5: RAPTOR NESTING HABITAT

- ☐ If construction, grading, or project-related improvements are to occur between March 1 and September 15, a focused survey for Swainson's hawk and other raptor nests on the site and on nearby trees shall take place within ½ mile of the project site and shall be conducted by a qualified biologist within 14 days prior to the start of construction work (including clearing and grubbing). If active nests are found, the California Department of Fish and Game (CDFG) shall be contacted to determine appropriate protective measures. If no active nests are found during the focused survey, no further mitigation will be required.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. If any construction work (including clearing and grubbing) is scheduled to occur any time during the raptor nesting season (March 1 through September 15), a survey for raptor nests shall be conducted by a qualified biologist within 14 days prior to the start of construction. A copy of the survey and any agreement with the California Department of Fish and Game, if applicable, must be submitted to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. If necessary, incorporate protective measures for nesting raptors into all Plans and Specifications for the project.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the raptor nesting survey if required, and consult with the qualified biologist and the CDFG, as necessary.
2. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
3. Monitor compliance during periodic site inspections of (a) the implementation of any required raptor protective measures and (b) the construction work.
4. Participate in any/all Final Inspection(s), as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE MRT-6: RARE PLANT SURVEYS

Rare plant surveys will be required in vernal pool habitats prior to any grading, grubbing, or excavation within 250 feet of a vernal pool or other suitable habitat. The rare plant surveyor shall have experience as a botanical field investigator and familiarity with the local flora and potential rare plants in the habitats to be surveyed.

The surveys shall be conducted when the rare plants at the site will be easiest to identify (i.e. flowering stage), and when the plants reach that stage of maturity. A minimum of three site visit shall be required, during the plants flowering period in order to determine absence. Each site visit must be no less than 7 days apart.

Submit a written report to the Department of Environmental Review and Assessment. The survey report should include a brief description of the vegetation, survey results, photographs, time spent surveying, date of surveys, a map showing the location of the survey route and any rare plant populations and copies of any rare plant occurrence forms. Notify DFG and USFWS if species are found and apply for “take” authorization (state law section 2081 of the Fish and Game Code and federal Endangered Species Act) prior construction.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. Submit a copy of the rare plant surveys to the Department of Environmental Review and Assessment prior to the start of construction.
3. If species are found, submit a copy of applicable take permits to the Department of Environmental Review and Assessment prior to construction.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted surveys and, if applicable, take permits.
2. Consult with the USFWS and/or CDFG as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE MRT-7: CULTURAL RESOURCES

See FVGCP Plan-wide Mitigation Measure CR-3, above.

04-RZB-PMR-0450

**Black Rezone and Tentative Parcel
Map**

**RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO:**

NAME: DERA

COUNTY MAIL CODE: 01-220

**No Fee--For the Benefit of
Sacramento County (Code
6103)**

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: 04-RZB-PMR-0450

NAME: Black Rezone and Tentative Parcel Map

LOCATION: The property is located at 9570 Rogers Road, on the southeast corner of intersection of Rogers Road and Bar Du Lane, in the Vineyard Community.

ASSESSOR'S PARCEL NUMBER: 121-0080-024, 044

OWNER/APPLICANT:

Maria-Teresa Black
9570 Rodgers Road
Sacramento, CA 95829

PROJECT DESCRIPTION:

1. A **Rezone** of 10.0 acres from AR-10 to AR-1.
2. A **Tentative Parcel Map** to divide 10 acres into 3 parcels.
3. An Exception from Title 22.24.630(2) (the County Land Development Ordinance) to allow private wells rather than a public water supply.

TYPE OF ENVIRONMENTAL DOCUMENT:

☐ Negative Declaration ☐ Prior Negative Declaration
☒ Environmental Impact Report ☐ Prior Environmental Impact Report
☐ Supplemental Environmental Impact Report

PREPARED BY: Sacramento County Department of
Environmental Review and Assessment
827 7th Street, Room 220
Sacramento, CA 95814

PHONE: (916) 874-7914

**MITIGATION MONITORING AND REPORTING PROGRAM
ADOPTED BY:**

DATE:

ATTEST: _____

SECRETARY/CLERK

**State of California
County of Sacramento**

On _____ before me, _____ (name, title of officer),
personally appeared:

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this ____ day of _____, 20____.

OWNER(S):

(Print company, corporation, or organization name, if applicable)

(Print name and/or title above)

(Signature above)

ALL PURPOSE ACKNOWLEDGEMENT

| | |
|---|---|
| <p>State of California County of Sacramento</p> <p>On _____ before me, _____(name, title of officer), personally appeared:</p> <p>_____,</p> <p>who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.</p> <p>I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.</p> <p style="text-align: right;">WITNESS my hand and official seal.</p> <p style="text-align: right;">_____ <i>Signature</i></p> | <p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="radio"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES</p> <p><input type="radio"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY _____</p> <p><input type="radio"/> PARTNER(S) _____ PARTNERSHIP _____</p> <p><input type="radio"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S) _____</p> <p><input type="radio"/> TRUSTEE(S) _____ TRUST _____</p> <p><input type="radio"/> OTHER _____ TITLE(S) _____ TITLE(S) _____ ENTITY(IES) REPRESENTED _____ ENTITY(IES) REPRESENTED _____</p> |
|---|---|

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PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled Black Rezone and Tentative Parcel Map (**Control Number: 04-RZB-PMR-0450**).

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The MMRP fee for this project is **\$7,100.00**. This fee includes administrative costs of **\$800.00**, which must be paid to the Department of Environmental Review and Assessment **prior to recordation of the MMRP and prior to recordation of any final parcel or subdivision map. The remaining balance will be due prior to review of any plans by the DERA or issuance of any building or grading permits.**

RECORDATION

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the Sacramento County Code, the project applicant shall provide to the Department of Environmental Review and Assessment a Legal Description for the real property that is the subject of the project.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

PROPERTY TRANSFER

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit A. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

PENALTIES

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the Sacramento County Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the Sacramento County Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

Plans that are inconsistent with the adopted Mitigation Measures will not be approved.

In the event of an ongoing, serious non-compliance issue, the Department of Environmental Review and Assessment may call for a "stop work order" on the project.

STANDARD PROVISIONS

Page one of all Project Plans must include the following statement in a conspicuous location:

“All Plans associated with this project are subject to the conditions of Mitigation Monitoring and Reporting Program 04-RZB-PMR-0450 . For any questions regarding compliance with the MMRP document, contact MMRP staff at (916) 874-7914.”

All Project Plans and any revisions to those Plans shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and any revisions to the Department of Environmental Review and Assessment prior to final approval by the Sacramento County Building Inspection Division (BID). If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment, for determination of compliance, prior to final approval by BID.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

FVGCP - PLAN WIDE MITIGATION MEASURES

MITIGATION MEASURE HY-1 AND HY-2: FLOODING

- HY-1a Florin Vineyard Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval.
- HY-1b Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream and upstream areas and that such phased improvements are consistent with the County's 404 permit and the proposed phasing is submitted for approval to the Corps of Engineers as required by the conditions set forth in the County's 404 permit. Such analyses shall verify that the phased improvements will mitigate post-development peak flows and water surface elevations in accordance with County standards, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements.
- HY-2 Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream drainage/flooding and water quality impacts, have been implemented.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Provide documentation from the County Department of Water Resources indicating that the condition has been satisfied.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and the submitted documentation from DWR prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the County Department of Water Resources as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HY-3: HYDROLOGY AND DRAINAGE

No residential final maps shall be recorded, no residential improvement plans shall be approved, and no residential building permits shall be issued until supplemental drainage fees are paid pursuant to an approved "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Gap Community Plan Public Facilities Financing Plan (FVGCP Financing Plan). In addition to those financing mechanisms, the "Implementation Plan" shall specifically include the blending of the FVGCP Financing Plan and the North Vineyard Station Specific Plan Finance Plan (NVSSP). This blended plan shall include fair share funding and construction obligations by the FVGCP for those NVSSP Finance Plan drainage improvements and rights-of-way which are of shared benefit to developments in the Elder and Gerber Creek watersheds of the FVGCP.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to issuance of grading permits, submit proof of fee payment to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted proof of payment and consult with the County Department of Water Resources and/or the County Infrastructure Finance Section as necessary to verify that full payment has been made prior to approval of improvement plans or grading permits.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURES TC-1 THROUGH TC-4: ROADWAY SEGMENTS AND INTERSECTIONS AND TC-5: STATE ROUTE 99 AND US 50

Compliance with mitigation measures TC-1 through TC-5 to be attained through the following conditions of approval, which provide financing and trigger mechanisms for all identified roadway improvements:

1. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.

For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County.

2. The property owners shall comply with the applicable provisions of the Florin Vineyard Community Plan (FVCP), Appendix D, "*Florin Vineyard Community Plan Construction of Phased Traffic Mitigation*".
 - a. As noted in Appendix D of the FVCP, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.
 - b. The following applies if residential development occurs on the site (any residential development within the SC zone is subject to the same

provisions as all other residential development in the FVCP area). The conditions listed in Appendix D of the FVCP implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measures.
2. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that all applicable roadway improvement fees have been paid through the financing mechanisms of the required Implementaton Plan or interim fee agreement.
3. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that the required roadway improvements have been constructed based on the cumulative number of recorded lots.

Verification (Action by the Department of Environmental Review and Assessment):

1. Verify with the County Department of Transportation and/or the County Infrastructure Finance Section that the developer has paid all required fees prior to approval of improvement plans or building permits.
2. Verify with the County Land Division and Site Improvement Review Section, the County Department of Transportation, and/or the County Infrastructure Finance Section that the required improvements have been constructed based on the cumulative number of residential units constructed within the FVCP.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AQ-2: CONSTRUCTION EMISSIONS – OZONE
PRECURSORS

Not applicable – *Project did not exceed screening levels at time of application.*

MITIGATION MEASURE AQ-3: OPERATIONAL EMISSIONS – OZONE PRECURSORS

All development projects within the FVGCP shall comply with the SMAQMD endorsed *Florin Vineyard Gap Community Plan Air Quality Mitigation Program* (March 26, 2007), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the emission reduction measures chosen to achieve compliance with the AQ-15 Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen emission reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of emission reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CC-1: GREENHOUSE GAS EMISSIONS

All development projects within the FVGCP shall comply with the requirements of the SMAQMD-endorsed FVGCP Climate Change Plan, dated January 28, 2010. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of project-specific measures that achieve a minimum of ten points selected in consultation with SMAQMD from the list of approved greenhouse gas reduction measures. Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development projects.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the GHG reduction measures chosen to achieve compliance with the FVGCP Climate Change Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen GHG reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of GHG reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE BR-1 AND BR-2: WETLANDS

Compliance to be attained through Project Specific Mitigation Measure BLK-2.

MITIGATION MEASURE BR-3: NATIVE OR LANDMARK TREES

Not applicable –*Site contains no protected native or landmark trees.*

MITIGATION MEASURE BR-4: SPECIAL STATUS SPECIES – SWAINSON'S
HAWK

Compliance to be attained through Project Specific Mitigation Measure BLK-3.

MITIGATION MEASURE BR-5: SPECIAL STATUS SPECIES – SURVEYS

Not applicable – Special Status Species Evaluation conducted. Site Specific Mitigation Measures BLK-4 through BLK -6 adopted.

MITIGATION MEASURE N1 AND N-2: TRAFFIC AND RAILROAD NOISE

Not applicable – *Site is not adjacent to a source of significant traffic or railroad noise.*

MITIGATION MEASURE N-3: NOISE-PRODUCING USES

Not applicable – *Project does not include industrial or commercial development.*

MITIGATION MEASURE CR-1 AND CR-2: ARCHAEOLOGICAL RESOURCES

Not applicable -- Archaeological and historical surveys completed with negative results.

MITIGATION MEASURE CR-3: SUBSURFACE ARCHAEOLOGICAL RESOURCES

- ☐ Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If cultural resources are encountered, notify the Department of Environmental Review and Assessment immediately.
4. If human remains are encountered, notify the County Coroner and the Department of Environmental Review and Assessment immediately.
5. If no cultural resources are encountered, the applicant shall provide the Department of Environmental Review and Assessment with a signed statement to that effect.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. If cultural resources are encountered, the Department of Environmental Review and Assessment will coordinate an investigation of the site with appropriate

specialists as needed. After investigation, the applicant may be required to implement additional mitigation for the cultural resources.

4. Review the signed statement if no resources are encountered.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-1: PAST CHEMICAL USAGE - LIVESTOCK

All future development proposals on portions of the Florin-Vineyard Gap Community Plan area that are known to have supported livestock (cattle, hogs, poultry, etc.) holding areas prior to the 1970's, shall implement a soil sampling and analysis program for organochlorine pesticides. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substances fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to construction activities, individual project proponents shall provide documentation demonstrating implementation of any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written documentation of known pre-1970 uses of the site to the Department of Environmental Review and Assessment. If livestock holding areas are known to have occurred, then also submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-2: PAST CHEMICAL USE – STORAGE TANKS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any/all active and inactive storage tanks and storage drums, both below and above ground, shall be removed from the property by a licensed contractor and all contents disposed of in accordance with local, state, and federal regulations. If any stained soil related to storage tanks is identified, a soil sampling and analysis program shall be implemented to identify the substance(s) and the potential environmental effects. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substance(s) fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to grading or construction activities, individual project proponents shall implement any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If any storage tanks or drums are removed from the project site, submit documentation to the Department of Environmental Review and Assessment indicating where the items were disposed.
4. If any stained soil is identified, then submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and any written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-3: WATER SUPPLY WELLS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, including preliminary grading and trenching for infrastructure, any on-site groundwater wells that are not intended for the use of the proposed development shall be abandoned in accordance with State and County regulations; this procedure requires a well abandonment permit (issued on a per-well basis) from the Sacramento County Environmental Management Department, Environmental Health Division. Any large-diameter (old hand excavated) wells and/or cisterns shall be removed and the holes backfilled in accordance with the recommendations of a geotechnical engineer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any wells on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the well was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted documentation of abandonment.
3. Consult with the Environmental Management Department as necessary to verify compliance.
4. Monitor compliance during periodic site inspections of the construction work.
5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-4: SEPTIC SYSTEMS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any septic systems and/or leach fields on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the system was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Environmental Management Department as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AG-1: PRIME FARMLAND AND FARMLAND OF
STATEWIDE IMPORTANCE

Not applicable – *The site does not include Prime Farmland or Farmland of Statewide Importance.*

PROJECT SPECIFIC MITIGATION MEASURES

MITIGATION MEASURE BLK-1: DRAINAGE

See FVGCP Plan-wide Mitigation Measure HY-2, above.

MITIGATION MEASURE BLK-2: WETLAND IMPACTS

- ☐ Prior to any grading, grubbing, or excavation within 50 feet of on-site wetlands, the applicant or owner shall obtain any/all applicable permits from the U.S. Fish and Wildlife Service (USFWS), U.S. Army Corps of Engineers, California Department of Fish and Game and the Central Valley Regional Water Quality Control Board for the proposed modifications to on-site wetlands. In addition, the project applicant or property owner shall comply with General Plan Conservation Element Policy No. CO-96 as it pertains to no net loss of wetlands. If mitigation occurring through the state and federal permitting processes results in less than 1:1 compensation for the loss of wetland habitat, the applicant or owner shall be required to pay to the County of Sacramento an amount based on a rate of \$35,000 per acre for the unmitigated/uncompensated wetlands. The payment shall be submitted to the Department of Planning and Community Development and shall be deposited in the Wetlands Restoration Trust Fund. A copy of any required permits, or written notification from the applicant that the permit authority has determined that a permit is not required, and verification of compliance with General Plan Conservation Element Policy No. CO-96 regarding no net loss of wetlands shall be submitted to the Department of Environmental Review and Assessment.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Prior to any physical disturbance within 50 feet of on-site wetlands, submit to the Department of Environmental Review and Assessment a copy of any/all permits/agreements that are required by the USFWS, USACOE, CDFG and RWQCB, or correspondence indicating that no permits/agreements are required, along with proof of any required payment into the Wetlands Restoration Trust Fund.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans, along with all submitted permits/agreements, correspondence and/or proof of payment, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.

3. Consult with the USFWS, USACOE, CDFG and RWQCB as necessary to determine compliance.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE BLK-3: SWAINSON'S HAWK FORAGING HABITAT

Prior to the approval of improvement plans, building permits, or recordation of the final map, whichever occurs first, implement one of the following options to mitigate for the loss of 2.5 acres of Swainson's hawk foraging habitat on the project site:

- a. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat
- b. The project proponent shall utilize one or more of the mitigation options (land dedication and/or fee payment) established in Sacramento County's Swainson's Hawk Impact Mitigation Program (Chapter 16.130 of the Sacramento County Code).
- c. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of one of the measures above, the project proponent may be subject to that program instead.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance with one of the above mitigation options to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted written evidence of compliance with one of the above mitigation options.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE BLK-4: RAPTOR NESTING HABITAT

- ☐ If construction, grading, or project-related improvements are to occur between March 1 and September 15, a focused survey for raptor nests on the site and on nearby trees (within 500 feet of the site) shall be conducted by a qualified biologist within 14 days prior to the start of construction work (including clearing and grubbing). If no active nests are found during the focused survey, no further mitigation will be required. If an active nest(s) is found, the Department of Environmental Review and Assessment and the CDFG shall be contacted to determine appropriate protective measures.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. If any construction work (including clearing and grubbing) is scheduled to occur any time during the raptor nesting season (March 1 through September 15), a survey for raptor nests shall be conducted by a qualified biologist within 14 days prior to the start of construction. A copy of the survey and any agreement with the California Department of Fish and Game, if applicable, must be submitted to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.
3. If necessary, incorporate protective measures for nesting raptors into all Plans and Specifications for the project.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the raptor nesting survey if required, and consult with the qualified biologist and the CDFG, as necessary.
2. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
3. Monitor compliance during periodic site inspections of (a) the implementation of any required raptor protective measures and (b) the construction work.
4. Participate in any/all Final Inspection(s), as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE BLK-5: VERNAL POOL BRANCHIOPODS

Prior to construction within 250 feet of the vernal pools on the project site, the applicant shall either conduct determinate surveys, according to U.S. Fish and Wildlife Service approved protocol, for listed vernal pool branchiopods or presence of these species shall be assumed.

- A. If determinate surveys show that no listed vernal pool branchiopods are present in the vernal pool(s), no further mitigation is required.
- B. If presence is assumed or confirmed, total avoidance requires establishment of minimum 250 feet buffers with fencing around the perimeter of shrimp habitat to be preserved. There shall be no construction activity within fenced area(s).
- C. A request for consultation with the U.S. Fish and Wildlife Service and DERA will be required if the applicant requires a reduction in the 250 feet buffer.

If direct impacts (fill or excavation) to the pools are to occur, the applicant shall consult with the U.S. Fish and Wildlife Service and U.S. Army Corps of Engineers to obtain permits and establish compensatory mitigation for impacts to vernal pool species.

Implementation and Notification (Action by Project Applicant):

- 1. Comply fully with the above measure.
- 2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
- 3. Submit written evidence of compliance with the above measures to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

- 1. Review the Project Plans and written evidence of compliance prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
- 2. Monitor compliance during periodic site inspections of the construction work.
- 3. Consult with the U.S. Fish and Wildlife Service and/or U.S. Army Corps of Engineers as necessary to determine compliance.

5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE BLK-6: RARE PLANT SURVEYS

Rare plant surveys will be required in vernal pool habitats prior to any grading, grubbing, or excavation within 250 feet of a vernal pool or other suitable habitat. The rare plant surveyor shall have experience as a botanical field investigator and familiarity with the local flora and potential rare plants in the habitats to be surveyed.

The surveys shall be conducted when the rare plants at the site will be easiest to identify (i.e. flowering stage), and when the plants reach that stage of maturity. A minimum of three site visit shall be required, during the plants flowering period in order to determine absence. Each site visit must be no less than 7 days apart.

Submit a written report to the Department of Environmental Review and Assessment. The survey report should include a brief description of the vegetation, survey results, photographs, time spent surveying, date of surveys, a map showing the location of the survey route and any rare plant populations and copies of any rare plant occurrence forms. Notify DFG and USFWS if species are found and apply for “take” authorization (state law section 2081 of the Fish and Game Code and federal Endangered Species Act) prior construction.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. Submit a copy of the rare plant surveys to the Department of Environmental Review and Assessment prior to the start of construction.
3. If species are found, submit a copy of applicable take permits to the Department of Environmental Review and Assessment prior to construction.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted surveys and, if applicable, take permits.
2. Consult with the USFWS and/or CDFG as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE BLK-7: CULTURAL RESOURCES

See FVGCP Plan-wide Mitigation Measure CR-3, above.

04-RZB-SDP-AHS-0457

**Rancho Siesta Rezone, Tentative
Subdivision Map and Affordable
Housing Plan**

**RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO:**

NAME: DERA

COUNTY MAIL CODE: 01-220

**No Fee--For the Benefit of
Sacramento County (Code
6103)**

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: 04-RZB-SDP-AHS-0457

NAME: Rancho Siesta Rezone, Tentative Subdivision Map and Affordable Housing Plan

LOCATION: The property is located on the north side of McCoy Avenue, approximately 500 feet east of Elk Grove-Florin Road, in the Vineyard community.

ASSESSOR'S PARCEL NUMBER: 065-0080-046 and -047

OWNER/APPLICANT:

Isaac Magana
8955 McCoy Avenue
Sacramento, CA 95829

PROJECT DESCRIPTION:

1. A **Rezone** of approximately 8.3 gross acres from AR-2 and AR-5 agricultural-residential to RD-7 residential.
2. A **Tentative Subdivision Map** to divide the property into 52 single-family lots.
3. An **Affordable Housing Plan** consisting of the payment of fees.

TYPE OF ENVIRONMENTAL DOCUMENT:

☐ Negative Declaration

☐ Prior Negative Declaration

☒ Environmental Impact Report

☐ Prior Environmental Impact Report

☐ Supplemental Environmental Impact Report

PREPARED BY: Sacramento County Department of
Environmental Review and Assessment
827 7th Street, Room 220
Sacramento, CA 95814

PHONE: (916) 874-7914

**MITIGATION MONITORING AND REPORTING PROGRAM
ADOPTED BY:**

DATE:

ATTEST: _____

SECRETARY/CLERK

**State of California
County of Sacramento**

On _____ before me, _____ (name, title of officer),
personally appeared:

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this ____ day of _____, 20____.

OWNER(S):

(Print company, corporation, or organization name, if applicable)

(Print name and/or title above)

(Signature above)

ALL PURPOSE ACKNOWLEDGEMENT

| | |
|--|---|
| <p>State of California County of Sacramento</p> <p>On _____ before me, _____(name, title of officer), personally appeared: _____,</p> <p>who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.</p> <p>I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.</p> <p>WITNESS my hand and official seal.</p> <p>_____ <i>Signature</i></p> | <p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="radio"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES</p> <p><input type="radio"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY</p> <p><input type="radio"/> PARTNER(S) _____ PARTNERSHIP</p> <p><input type="radio"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S)</p> <p><input type="radio"/> TRUSTEE(S) _____ TRUST</p> <p><input type="radio"/> OTHER _____ TITLE(S) _____ TITLE(S) _____ ENTITY(IES) REPRESENTED _____ ENTITY(IES) REPRESENTED</p> |
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PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled Rancho Siesta Rezone, Tentative Subdivision Map and Affordable Housing Plan **(Control Number: 04-RZB-SDP-AHS-0457)**.

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The MMRP fee for this project is **\$9,300.00**. This fee includes administrative costs of **\$800.00**, which must be paid to the Department of Environmental Review and Assessment **prior to recordation of the MMRP and prior to recordation of any final parcel or subdivision map. The remaining balance will be due prior to review of any plans by the DERA or issuance of any building or grading permits.**

RECORDATION

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the Sacramento County Code, the project applicant shall provide to the Department of Environmental Review and Assessment a Legal Description for the real property that is the subject of the project.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

PROPERTY TRANSFER

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit A. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

PENALTIES

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the Sacramento County Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the Sacramento County Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

Plans that are inconsistent with the adopted Mitigation Measures will not be approved.

In the event of an ongoing, serious non-compliance issue, the Department of Environmental Review and Assessment may call for a "stop work order" on the project.

STANDARD PROVISIONS

Page one of all Project Plans must include the following statement in a conspicuous location:

“All Plans associated with this project are subject to the conditions of Mitigation Monitoring and Reporting Program 04-RZB-SDP-AHS-0457 . For any questions regarding compliance with the MMRP document, contact MMRP staff at (916) 874-7914.”

All Project Plans and any revisions to those Plans shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and any revisions to the Department of Environmental Review and Assessment prior to final approval by the Sacramento County Building Inspection Division (BID). If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment, for determination of compliance, prior to final approval by BID.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

FVGCP - PLAN WIDE MITIGATION MEASURES

MITIGATION MEASURE HY-1 AND HY-2: FLOODING

- HY-1a Florin Vineyard Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval.
- HY-1b Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream and upstream areas and that such phased improvements are consistent with the County's 404 permit and the proposed phasing is submitted for approval to the Corps of Engineers as required by the conditions set forth in the County's 404 permit. Such analyses shall verify that the phased improvements will mitigate post-development peak flows and water surface elevations in accordance with County standards, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements.
- HY-2 Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream drainage/flooding and water quality impacts, have been implemented.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Provide documentation from the County Department of Water Resources indicating that the condition has been satisfied.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and the submitted documentation from DWR prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the County Department of Water Resources as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HY-3: HYDROLOGY AND DRAINAGE

No residential final maps shall be recorded, no residential improvement plans shall be approved, and no residential building permits shall be issued until supplemental drainage fees are paid pursuant to an approved "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Gap Community Plan Public Facilities Financing Plan (FVGCP Financing Plan). In addition to those financing mechanisms, the "Implementation Plan" shall specifically include the blending of the FVGCP Financing Plan and the North Vineyard Station Specific Plan Finance Plan (NVSSP). This blended plan shall include fair share funding and construction obligations by the FVGCP for those NVSSP Finance Plan drainage improvements and rights-of-way which are of shared benefit to developments in the Elder and Gerber Creek watersheds of the FVGCP.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to issuance of grading permits, submit proof of fee payment to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted proof of payment and consult with the County Department of Water Resources and/or the County Infrastructure Finance Section as necessary to verify that full payment has been made prior to approval of improvement plans or grading permits.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURES TC-1 THROUGH TC-4: ROADWAY SEGMENTS AND INTERSECTIONS AND TC-5: STATE ROUTE 99 AND US 50

Compliance with mitigation measures TC-1 through TC-5 to be attained through the following conditions of approval, which provide financing and trigger mechanisms for all identified roadway improvements:

1. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.

For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County.

2. The property owners shall comply with the applicable provisions of the Florin Vineyard Community Plan (FVCP), Appendix D, "*Florin Vineyard Community Plan Construction of Phased Traffic Mitigation*".
 - a. As noted in Appendix D of the FVCP, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.
 - b. The following applies if residential development occurs on the site (any residential development within the SC zone is subject to the same

provisions as all other residential development in the FVCP area). The conditions listed in Appendix D of the FVCP implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measures.
2. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that all applicable roadway improvement fees have been paid through the financing mechanisms of the required Implementaton Plan or interim fee agreement.
3. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that the required roadway improvements have been constructed based on the cumulative number of recorded lots.

Verification (Action by the Department of Environmental Review and Assessment):

1. Verify with the County Department of Transportation and/or the County Infrastructure Finance Section that the developer has paid all required fees prior to approval of improvement plans or building permits.
2. Verify with the County Land Division and Site Improvement Review Section, the County Department of Transportation, and/or the County Infrastructure Finance Section that the required improvements have been constructed based on the cumulative number of residential units constructed within the FVCP.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AQ-2: CONSTRUCTION EMISSIONS – OZONE
PRECURSORS

Not applicable – *Project did not exceed screening levels at time of application.*

MITIGATION MEASURE AQ-3: OPERATIONAL EMISSIONS – OZONE
PRECURSORS

All development projects within the FVGCP shall comply with the SMAQMD endorsed *Florin Vineyard Gap Community Plan Air Quality Mitigation Program* (March 26, 2007), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the emission reduction measures chosen to achieve compliance with the AQ-15 Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen emission reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of emission reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CC-1: GREENHOUSE GAS EMISSIONS

All development projects within the FVGCP shall comply with the requirements of the SMAQMD-endorsed FVGCP Climate Change Plan, dated January 28, 2010. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of project-specific measures that achieve a minimum of ten points selected in consultation with SMAQMD from the list of approved greenhouse gas reduction measures. Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development projects.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the GHG reduction measures chosen to achieve compliance with the FVGCP Climate Change Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen GHG reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of GHG reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE BR-1 AND BR-2: WETLANDS

Not applicable –*Site contains no wetlands.*

MITIGATION MEASURE BR-3: NATIVE OR LANDMARK TREES

Compliance to be attained through Project Specific Mitigation Measures RS-3 and RS-4.

MITIGATION MEASURE BR-4: SPECIAL STATUS SPECIES – SWAINSON'S
HAWK

Not applicable –*Site is not Swainson's hawk foraging habitat.*

MITIGATION MEASURE BR-5: SPECIAL STATUS SPECIES – SURVEYS

Not applicable – *Site does not contain appropriate habitat for special status species.*

MITIGATION MEASURE N1 AND N-2: TRAFFIC AND RAILROAD NOISE

Not applicable – *Site is not adjacent to a source of significant traffic or railroad noise.*

MITIGATION MEASURE N-3: NOISE-PRODUCING USES

Not applicable – *Project does not include industrial or commercial development.*

MITIGATION MEASURE CR-1 AND CR-2: ARCHAEOLOGICAL RESOURCES

Not applicable -- Archaeological and historical surveys completed with negative results.

MITIGATION MEASURE CR-3: SUBSURFACE ARCHAEOLOGICAL RESOURCES

- ☐ Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If cultural resources are encountered, notify the Department of Environmental Review and Assessment immediately.
4. If human remains are encountered, notify the County Coroner and the Department of Environmental Review and Assessment immediately.
5. If no cultural resources are encountered, the applicant shall provide the Department of Environmental Review and Assessment with a signed statement to that effect.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. If cultural resources are encountered, the Department of Environmental Review and Assessment will coordinate an investigation of the site with appropriate

specialists as needed. After investigation, the applicant may be required to implement additional mitigation for the cultural resources.

4. Review the signed statement if no resources are encountered.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-1: PAST CHEMICAL USAGE - LIVESTOCK

All future development proposals on portions of the Florin-Vineyard Gap Community Plan area that are known to have supported livestock (cattle, hogs, poultry, etc.) holding areas prior to the 1970's, shall implement a soil sampling and analysis program for organochlorine pesticides. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substances fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to construction activities, individual project proponents shall provide documentation demonstrating implementation of any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written documentation of known pre-1970 uses of the site to the Department of Environmental Review and Assessment. If livestock holding areas are known to have occurred, then also submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-2: PAST CHEMICAL USE – STORAGE TANKS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any/all active and inactive storage tanks and storage drums, both below and above ground, shall be removed from the property by a licensed contractor and all contents disposed of in accordance with local, state, and federal regulations. If any stained soil related to storage tanks is identified, a soil sampling and analysis program shall be implemented to identify the substance(s) and the potential environmental effects. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substance(s) fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to grading or construction activities, individual project proponents shall implement any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If any storage tanks or drums are removed from the project site, submit documentation to the Department of Environmental Review and Assessment indicating where the items were disposed.
4. If any stained soil is identified, then submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and any written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-3: WATER SUPPLY WELLS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, including preliminary grading and trenching for infrastructure, any on-site groundwater wells that are not intended for the use of the proposed development shall be abandoned in accordance with State and County regulations; this procedure requires a well abandonment permit (issued on a per-well basis) from the Sacramento County Environmental Management Department, Environmental Health Division. Any large-diameter (old hand excavated) wells and/or cisterns shall be removed and the holes backfilled in accordance with the recommendations of a geotechnical engineer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any wells on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the well was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted documentation of abandonment.
3. Consult with the Environmental Management Department as necessary to verify compliance.
4. Monitor compliance during periodic site inspections of the construction work.
5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-4: SEPTIC SYSTEMS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any septic systems and/or leach fields on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the system was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Environmental Management Department as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AG-1: PRIME FARMLAND AND FARMLAND OF
STATEWIDE IMPORTANCE

Not applicable – *The site does not include Prime Farmland or Farmland of Statewide Importance.*

PROJECT SPECIFIC MITIGATION MEASURES

MITIGATION MEASURE RS-1: COUNTY DRAINAGE SYSTEM

See FVGCP Plan-wide Mitigation Measure HY-2, above.

MITIGATION MEASURE RS-3: REMOVAL OF ON-SITE NATIVE TREES

The removal of 22 inches dbh of native walnut tree (#6) shall be compensated by planting native walnut trees equivalent to the dbh inches lost, based on the ratios listed below, at locations that are authorized by the Department of Environmental Review and Assessment. On-site preservation of native walnut trees that are less than 6 inches (< 6 inches) dbh, may also be used to meet this compensation requirement. A total of 22 inches will require compensation.

Equivalent compensation based on the following ratio is required:

- one preserved native walnut tree < 6 inches dbh on-site = 1 inch dbh
- one D-pot seedling (40 cubic inches or larger) = 1 inch dbh
- one 15-gallon tree = 1 inch dbh
- one 24-inch box tree = 2 inches dbh
- one 36-inch box tree = 3 inches dbh

Replacement tree planting shall be completed prior to the issuance of building permits or a bond shall be posted by the applicant in order to provide funding for purchase, planting, irrigation, and 3-year maintenance period, should the applicant default on replacement tree mitigation. The bond shall be in an amount equal to the prevailing rate of the County Tree Preservation Fund.

Prior to the approval of Improvement Plans or building permits, a Replacement Walnut Tree Planting Plan shall be prepared by a certified arborist or licensed landscape architect and shall be submitted to the Environmental Coordinator for approval. The Replacement Walnut Tree Planting Plan(s) shall include the following minimum elements:

1. Species, size and locations of all replacement plantings and < 6-inch dbh trees to be preserved
2. Method of irrigation
3. If planting in soils with a hardpan/duripan or claypan layer, include the Sacramento County Standard Tree Planting Detail L-1, including the 10-foot deep boring hole to provide for adequate drainage
4. Planting, irrigation, and maintenance schedules
5. Identification of the maintenance entity and a written agreement with that entity to provide care and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement trees which do not survive during that period

6. Designation of 20 foot root zone radius and landscaping to occur within the radius of oak trees < 6-inches dbh to be preserved on-site

No replacement tree shall be planted within 15 feet of the driplines of existing oak trees, walnuts or landmark size trees that are retained on-site, or within 15 feet of a building foundation or swimming pool excavation. The minimum spacing for replacement walnut trees shall be 20 feet on-center. Examples of acceptable planting locations are publicly owned lands, common areas, and landscaped frontages (with adequate spacing). Generally unacceptable locations are utility easements (PUE, sewer, storm drains), under overhead utility lines, private yards of single family lots (including front yards), and roadway medians.

Walnut trees <6 inches dbh to be retained on-site shall have at least a 20-foot radius suitable root zone. The suitable root zone shall not have impermeable surfaces, turf/lawn, dense plantings, soil compaction, drainage conditions that create ponding, utility easements, or other overstory tree(s) within 20 feet of the tree to be preserved. Trees to be retained shall be determined to be healthy and structurally sound for future growth, by an ISA Certified Arborist subject to Department of Environmental Review and Assessment approval.

If walnut tree replacement plantings are demonstrated to the satisfaction of the Environmental Coordinator to be infeasible for any or all trees removed, then compensation shall be through payment into the County Tree Preservation Fund. Payment shall be made at a rate of \$325.00 per dbh inch removed but not otherwise compensated, or at the prevailing rate at the time payment into the fund is made.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to the approval of Improvement Plans or building permits, submit the required Replacement Tree Planting Plan to the Department of Environmental Review and Assessment for review and approval.
3. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Replacement Tree Planting Plan and Project Plans prior to the start of construction. Approve Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.

3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE RS-4: POTENTIAL CONSTRUCTION-RELATED IMPACT TO PROTECTED TREES

Trees #5 and #7 shall be preserved and protected as follows:

- A. A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of the tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of the tree. Removing limbs which make up the dripline does not change the protected area.
- B. Chain link fencing or a similar protective barrier shall be installed one foot outside the driplines of the oak tree prior to initiating of project construction, in order to avoid damage to the trees and their root system.
- C. No signs, ropes, cables (except cables which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the oak trees.
- D. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the dripline of the oak trees.
- E. Any soil disturbance (scraping, grading, trenching, and excavation) is to be avoided within the dripline of the oak trees. Where this is necessary, an ISA Certified Arborist will provide specifications for this work, including methods for root pruning, backfill specifications and irrigation management guidelines.
- F. Before grading or excavation for footings, walls, or trenching within five feet outside the driplines of protected oak trees, root pruning shall be required at the limits of grading or excavation to cut roots cleanly to a depth of the excavation or 36 inches (whichever is less). Roots shall be cut by manually digging a trench and cutting exposed roots with a saw, vibrating knife, rock saw, narrow trencher with sharp blades or other approved root-pruning equipment under the supervision of an ISA Certified Arborist.
- G. All underground utilities and drain or irrigation lines shall be routed outside the driplines of oak trees. If lines must encroach upon the dripline, they should be tunneled or bored under the tree.
- H. If temporary haul or access roads must pass within the driplines of oak trees, a roadbed of six inches of mulch or gravel shall be created to protect the soil. The roadbed shall be installed from outside of the dripline

and while the soil is in a dry condition, if possible. The roadbed material shall be replenished as necessary to maintain a six-inch depth.

- I. Any herbicides placed under paving materials must be safe for use around trees and labeled for that use. Any pesticides used on site must be tree-safe and not easily transported by water.
- J. Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of the oak tree.
- K. No sprinkler or irrigation system shall be installed in such a manner that it sprays water within the dripline of the oak tree.
- L. Tree pruning required for clearance during construction must be performed by an ISA Certified Arborist or Tree Worker.
- M. Landscaping beneath the oak tree may include non-plant materials such as boulders, decorative rock, wood chips, organic mulch, non-compacted decomposed granite, etc. Landscape materials shall be kept two (2) feet away from the base of the trunk. The only plant species which shall be planted within the dripline of the oak tree are those which are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.

Implementation and Notification (Action by Project Applicant):

- 1. Comply fully with the above measure.
- 2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
- 3. Regarding the above mitigation measure items E, F and L, submit written evidence to the Department of Environmental Review and Assessment from a certified arborist that indicates that the work has been properly completed as required. Provide the name, address and phone number of the certified arborist

Verification (Action by the Department of Environmental Review and Assessment):

- 1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
- 2. Review submitted information from certified arborist.

3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE RS-5: CULTURAL RESOURCES

See FVGCP Plan-wide Mitigation Measure CR-3, above.

06-RZB-ABE-0709

**Champion Oaks Residential
Rezone and Abandonment**

**RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO:**

NAME: DERA

COUNTY MAIL CODE: 01-220

**No Fee--For the Benefit of
Sacramento County (Code
6103)**

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: 06-RZB-ABE-0709

NAME: Champion Oaks Residential Rezone and Abandonment

LOCATION: The project site is located on the northeast corner of Elk Grove-Florin Road and Gerber Road, in the Vineyard Community.

ASSESSOR'S PARCEL NUMBER: 065-0080-098, -099, -100 and -102

OWNER:

Elk Grove Reserve
3685 Mt. Diablo Boulevard, Suite 251
Lafayette, CA 94549

ENGINEER:

Edward Gillum
5347 Battlewood Wy
Carmichael, CA 95608

APPLICANT:

Steven Belzer, Esq.
2715 K Street, Suite B
Sacramento, CA 95816

PROJECT DESCRIPTION:

1. A **Rezone** of approximately 42.6± gross acres from AR-10 agricultural residential and AR-10(F) agricultural residential (flood combining) to RD-5 (approximately

33.4 gross acres), RD-20 (approximately 5.0 gross acres), and O recreation (approximately 4.2 net acres).

2. An **Abandonment** of excess right-of-way along Elk Grove-Florin Road and Gerber Road.
3. An **Affordable Housing Plan (Rezone Only)** which requires the applicant/developer to provide a more detailed revised affordable housing plan as part of the submittal of a future subdivision map or other entitlements.

TYPE OF ENVIRONMENTAL DOCUMENT:

| | |
|---|--|
| <input type="checkbox"/> Negative Declaration | <input type="checkbox"/> Prior Negative Declaration |
| <input checked="" type="checkbox"/> Environmental Impact Report | <input type="checkbox"/> Prior Environmental Impact Report |
| <input type="checkbox"/> Supplemental Environmental Impact Report | |

PREPARED BY: Sacramento County Department of
Environmental Review and Assessment
827 7th Street, Room 220
Sacramento, CA 95814

PHONE: (916) 874-7914

MITIGATION MONITORING AND REPORTING PROGRAM

ADOPTED BY:

DATE:

ATTEST: _____

SECRETARY/CLERK

**State of California
County of Sacramento**

On _____ before me, _____ (name, title of officer),
personally appeared:

_____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this ____ day of _____, 20____.

OWNER(S):

(Print company, corporation, or organization name, if applicable)

(Print name and/or title above)

(Signature above)

ALL PURPOSE ACKNOWLEDGEMENT

| | |
|--|---|
| <p>State of California County of Sacramento</p> <p>On _____ before me, _____(name, title of officer), personally appeared:</p> <p>_____</p> <p>who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.</p> <p>I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.</p> <p style="text-align: right;">WITNESS my hand and official seal.</p> <p style="text-align: right;">_____ <i>Signature</i></p> | <p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="radio"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES</p> <p><input type="radio"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY _____</p> <p><input type="radio"/> PARTNER(S) _____ PARTNERSHIP _____</p> <p><input type="radio"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S) _____</p> <p><input type="radio"/> TRUSTEE(S) _____ TRUST _____</p> <p><input type="radio"/> OTHER _____ TITLE(S) _____ TITLE(S) _____ ENTITY(IES) REPRESENTED _____ ENTITY(IES) REPRESENTED _____</p> |
|--|---|

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PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled Champion Oaks Rezone, Tentative Subdivision Map, Special Development Permit, Exception, and Affordable Housing Plan **(Control Number: 06-RZB-SDP-SPP-AHS-0709)**.

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The applicant shall pay an initial deposit of **\$16,100.00**. This deposit includes administrative costs of **\$800.00**, which must be paid to the Department of Environmental Review and Assessment **prior to recordation of the MMRP and prior to recordation of any final parcel or subdivision map. The remaining balance will be due prior to review of any plans by the DERA or issuance of any building or grading permits.** Over the course of the project, DERA will regularly conduct cost accountings and submit invoices to the applicant when the County monitoring costs exceed the initial deposit.

RECORDATION

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the Sacramento County

Code, the project applicant shall provide to the Department of Environmental Review and Assessment a Legal Description for the real property that is the subject of the project.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

PROPERTY TRANSFER

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit A. Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

PENALTIES

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the Sacramento County Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the Sacramento County Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

Plans that are inconsistent with the adopted Mitigation Measures will not be approved.

In the event of an ongoing, serious non-compliance issue, the Department of Environmental Review and Assessment may call for a "stop work order" on the project.

STANDARD PROVISIONS

Page one of all Project Plans must include the following statement in a conspicuous location:

“All Plans associated with this project are subject to the conditions of Mitigation Monitoring and Reporting Program 06-RZB-SDP-SPP-AHS-0709 . For any questions regarding compliance with the MMRP document, contact MMRP staff at (916) 874-7914.”

All Project Plans and any revisions to those Plans shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and any revisions to the Department of Environmental Review and Assessment prior to final approval by the Sacramento County Building Inspection Division (BID). If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment, for determination of compliance, prior to final approval by BID.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

FVGCP - PLAN WIDE MITIGATION MEASURES

MITIGATION MEASURE HY-1 AND HY-2: FLOODING

- HY-1a Florin Vineyard Community Plan (FVGCP) development shall implement the proposed FVGCP Drainage Master Plan (DMP) [FVGCP Drainage Study, Civil Engineering Solutions, Inc. (October 12, 2007) as amended and accepted by the County Department of Water Resources (DWR) on May 19, 2008], or any subsequent amendments to the DMP that are reviewed and approved by the DWR. Detailed plans for the design and construction of all proposed drainage, flood control and water quality improvements, consistent with the FVGCP DMP, shall be submitted to the DWR for review and approval.
- HY-1b Construction of the FVGCP DMP improvements may be phased, subject to the approval of the DWR, so long as hydrologic/hydraulic analyses are provided that demonstrate the phased improvements will provide adequate (100-year) flood protection to proposed development areas and will not increase flood risks in downstream and upstream areas and that such phased improvements are consistent with the County's 404 permit and the proposed phasing is submitted for approval to the Corps of Engineers as required by the conditions set forth in the County's 404 permit. Such analyses shall verify that the phased improvements will mitigate post-development peak flows and water surface elevations in accordance with County standards, and will provide water quality treatment of post-development runoff in compliance with County stormwater quality requirements.
- HY-2 Prior to the approval of improvement plans for individual development projects within the FVGCP area, the project proponent shall demonstrate to the satisfaction of DWR that all FVGCP DMP improvements necessary to provide adequate flood protection to the project, and necessary to provide adequate mitigation for the project's downstream drainage/flooding and water quality impacts, have been implemented.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Provide documentation from the County Department of Water Resources indicating that the condition has been satisfied.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and the submitted documentation from DWR prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the County Department of Water Resources as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HY-3: HYDROLOGY AND DRAINAGE

No residential final maps shall be recorded, no residential improvement plans shall be approved, and no residential building permits shall be issued until supplemental drainage fees are paid pursuant to an approved "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Gap Community Plan Public Facilities Financing Plan (FVGCP Financing Plan). In addition to those financing mechanisms, the "Implementation Plan" shall specifically include the blending of the FVGCP Financing Plan and the North Vineyard Station Specific Plan Finance Plan (NVSSP). This blended plan shall include fair share funding and construction obligations by the FVGCP for those NVSSP Finance Plan drainage improvements and rights-of-way which are of shared benefit to developments in the Elder and Gerber Creek watersheds of the FVGCP.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to issuance of grading permits, submit proof of fee payment to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted proof of payment and consult with the County Department of Water Resources and/or the County Infrastructure Finance Section as necessary to verify that full payment has been made prior to approval of improvement plans or grading permits.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURES TC-1 THROUGH TC-4: ROADWAY SEGMENTS AND INTERSECTIONS AND TC-5: STATE ROUTE 99 AND US 50

Compliance with mitigation measures TC-1 through TC-5 to be attained through the following conditions of approval, which provide financing and trigger mechanisms for all identified roadway improvements:

1. No residential final maps, with the exception of large lot final maps, shall be recorded and no residential building permits shall be issued thereon, nor any building permits issued for any other use until approval of an "Implementation Plan" that implements the financing mechanisms recommended in the approved Florin Vineyard Community Plan Public Facilities Financing Plan (FVCP Financing Plan). In addition to the financing mechanisms recommended in the FVCP Financing Plan, the "Implementation Plan" shall integrate to the extent feasible all the required roadway facilities identified in the FVCP Financing Plan and North Vineyard Station Specific Plan Financing Plan. In doing so it shall fairly and equitably distribute the costs, funding, construction triggers and construction obligations between the two Financing Plan areas. The property owners shall comply with the implementation of financing mechanisms included in the approved FVCP Financing "Implementation Plan", including any future amendments and revisions adopted by the Board of Supervisors.

For non-residential development projects, the County and Developer may enter into an interim fee agreement to satisfy the project's fair share funding obligation prior to the adoption of an "Implementation Plan". For residential projects, the County and Developer may enter into an interim fee agreement that requires full participation in the "Implementation Plan", only if funding has been advanced to the County to prepare such an "Implementation Plan" and an analysis of the facilities requirements, cost estimates and associated phasing required for the preparation of the "Implementation Plan" has been prepared by the developer and approved by the County.

2. The property owners shall comply with the applicable provisions of the Florin Vineyard Community Plan (FVCP), Appendix D, "*Florin Vineyard Community Plan Construction of Phased Traffic Mitigation*".
 - a. As noted in Appendix D of the FVCP, non-residential development projects within the Florin Vineyard Community Plan (FVCP) area are not subject to the roadway phasing requirements, but are required to contribute appropriately to meeting FVCP traffic mitigation obligations through construction of onsite roadway improvements as specified in project conditions of approval and by payment of Florin Vineyard Fee Program roadway fees.
 - b. The following applies if residential development occurs on the site (any residential development within the SC zone is subject to the same

provisions as all other residential development in the FVCP area). The conditions listed in Appendix D of the FVCP implement the mitigation measures identified in the Final EIR for the Florin Vineyard Community Plan that are necessary to relieve the identified traffic and circulation impacts. Some of the traffic mitigation roadway improvements must be constructed prior to the development of the specified cumulative total number of residential units created within the Florin Vineyard Community Plan. The Board of Supervisors may approve final subdivision maps or improvement plans for residential sites within the Florin Vineyard Community Plan above the cumulative total thresholds, if it determines that said roadway improvements are expected to be completed prior to traffic being generated by said determined number of residential units and that development of more than the designated number of residential units will not result in unacceptable traffic congestion or safety problems. Any traffic studies required by the County in support of a determination shall be paid for by the residential Developer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measures.
2. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that all applicable roadway improvement fees have been paid through the financing mechanisms of the required Implementaton Plan or interim fee agreement.
3. Prior to approval of improvement plans or issuance of grading permits, submit written evidence that the required roadway improvements have been constructed based on the cumulative number of recorded lots.

Verification (Action by the Department of Environmental Review and Assessment):

1. Verify with the County Department of Transportation and/or the County Infrastructure Finance Section that the developer has paid all required fees prior to approval of improvement plans or building permits.
2. Verify with the County Land Division and Site Improvement Review Section, the County Department of Transportation, and/or the County Infrastructure Finance Section that the required improvements have been constructed based on the cumulative number of residential units constructed within the FVCP.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AQ-2: CONSTRUCTION EMISSIONS – OZONE
PRECURSORS

Not applicable – *Project did not exceed screening levels at time of application.*

MITIGATION MEASURE AQ-3: OPERATIONAL EMISSIONS – OZONE

PRECURSORS

All development projects within the FVGCP shall comply with the SMAQMD endorsed *Florin Vineyard Gap Community Plan Air Quality Mitigation Program* (March 26, 2007), which requires implementation of a combination of Plan-wide and project-specific emission reduction measures that will achieve a minimum of 15 percent reduction in operational and area source emissions, consistent with General Plan Policy AQ-15.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the emission reduction measures chosen to achieve compliance with the AQ-15 Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen emission reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of emission reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CC-1: GREENHOUSE GAS EMISSIONS

All development projects within the FVGCP shall comply with the requirements of the SMAQMD-endorsed FVGCP Climate Change Plan, dated January 28, 2010. Individual development projects shall provide the County of Sacramento Department of Environmental Review and Assessment with written documentation demonstrating compliance with the FVGCP-wide greenhouse gas reduction measures and incorporation of project-specific measures that achieve a minimum of ten points selected in consultation with SMAQMD from the list of approved greenhouse gas reduction measures. Written evidence of SMAQMD consultation shall be required at the time of plan submittal for individual development projects.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit a list of the GHG reduction measures chosen to achieve compliance with the FVGCP Climate Change Plan, along with written evidence of consultation with the Sacramento Metropolitan Air Quality Management District, to the Department of Environmental Review and Assessment.
4. Incorporate the chosen GHG reduction measures into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment prior to the start of any construction work.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and list of GHG reduction measures prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Sacramento Metropolitan Air Quality Management District as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE BR-1 AND BR-2: WETLANDS

Compliance to be attained through Project Specific Mitigation Measure CTX-4.

MITIGATION MEASURE BR-3: NATIVE OR LANDMARK TREES

Compliance to be attained through Project Specific Mitigation Measures CTX-9 and CTX-10.

MITIGATION MEASURE BR-4: SPECIAL STATUS SPECIES – SWAINSON'S
HAWK

Compliance to be attained through Project Specific Mitigation Measure CTX-5.

MITIGATION MEASURE BR-5: SPECIAL STATUS SPECIES – SURVEYS

Not applicable – *Special Status Species Evaluation conducted. Site Specific Mitigation Measures CTX-6 through CTX-8 adopted.*

MITIGATION MEASURE N1 AND N-2: TRAFFIC AND RAILROAD NOISE

Compliance to be attained through Project Specific Mitigation Measure CTX-3a and CTX-3b.

MITIGATION MEASURE N-3: NOISE-PRODUCING USES

Not applicable – *Project does not include industrial or commercial development.*

MITIGATION MEASURE CR-1 AND CR-2: ARCHAEOLOGICAL RESOURCES

Not applicable -- *Archaeological and historical surveys completed with negative results.*

MITIGATION MEASURE CR-3: SUBSURFACE ARCHAEOLOGICAL RESOURCES

- ☐ Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If cultural resources are encountered, notify the Department of Environmental Review and Assessment immediately.
4. If human remains are encountered, notify the County Coroner and the Department of Environmental Review and Assessment immediately.
5. If no cultural resources are encountered, the applicant shall provide the Department of Environmental Review and Assessment with a signed statement to that effect.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. If cultural resources are encountered, the Department of Environmental Review and Assessment will coordinate an investigation of the site with appropriate

specialists as needed. After investigation, the applicant may be required to implement additional mitigation for the cultural resources.

4. Review the signed statement if no resources are encountered.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-1: PAST CHEMICAL USAGE - LIVESTOCK

All future development proposals on portions of the Florin-Vineyard Gap Community Plan area that are known to have supported livestock (cattle, hogs, poultry, etc.) holding areas prior to the 1970's, shall implement a soil sampling and analysis program for organochlorine pesticides. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substances fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to construction activities, individual project proponents shall provide documentation demonstrating implementation of any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written documentation of known pre-1970 uses of the site to the Department of Environmental Review and Assessment. If livestock holding areas are known to have occurred, then also submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-2: PAST CHEMICAL USE – STORAGE TANKS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any/all active and inactive storage tanks and storage drums, both below and above ground, shall be removed from the property by a licensed contractor and all contents disposed of in accordance with local, state, and federal regulations. If any stained soil related to storage tanks is identified, a soil sampling and analysis program shall be implemented to identify the substance(s) and the potential environmental effects. Prior to implementation, the soil sampling and analysis program shall be approved by the Sacramento County Environmental Management Department (EMD). The soil sampling results shall be submitted to EMD for determination of whether detected concentrations of the sampled substance(s) fall within acceptable health risk guidelines and, if they do not, the remedial measures that must be implemented to ensure the protection of human health. Prior to grading or construction activities, individual project proponents shall implement any measures required by EMD for the remediation of contaminated soils to protect human health.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If any storage tanks or drums are removed from the project site, submit documentation to the Department of Environmental Review and Assessment indicating where the items were disposed.
4. If any stained soil is identified, then submit documentation from the Environmental Management Department verifying that soil sampling results were within accepted health risk guidelines or that remediation has occurred

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and any written documentation prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-3: WATER SUPPLY WELLS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, including preliminary grading and trenching for infrastructure, any on-site groundwater wells that are not intended for the use of the proposed development shall be abandoned in accordance with State and County regulations; this procedure requires a well abandonment permit (issued on a per-well basis) from the Sacramento County Environmental Management Department, Environmental Health Division. Any large-diameter (old hand excavated) wells and/or cisterns shall be removed and the holes backfilled in accordance with the recommendations of a geotechnical engineer.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any wells on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the well was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted documentation of abandonment.
3. Consult with the Environmental Management Department as necessary to verify compliance.
4. Monitor compliance during periodic site inspections of the construction work.
5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE HM-4: SEPTIC SYSTEMS

Prior to future development on individual parcels within the Florin Vineyard Gap Community Plan area, any on-site septic system(s) and associated leach fields that are not intended for the use of the proposed development shall be abandoned in compliance with the standards of the Environmental Management Department.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. For any septic systems and/or leach fields on the project site removed as part of this provision, provide the Department of Environmental Review and Assessment with documentation that the system was abandoned in accordance with regulations.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Consult with the Environmental Management Department as necessary to verify compliance.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE AG-1: PRIME FARMLAND AND FARMLAND OF
STATEWIDE IMPORTANCE

Not applicable – *The site does not include Prime Farmland or Farmland of Statewide Importance.*

PROJECT SPECIFIC MITIGATION MEASURES

MITIGATION MEASURE CTX-1: DRAINAGE

See FVGCP Plan-wide Mitigation Measure HY-2, above.

MITIGATION MEASURE CTX-3A: POTENTIAL NOISE IMPACTS

The applicant shall adhere to one of the following options to mitigate noise levels on the RD-5 zoned portion of the property:

- a. Construct a minimum 6-foot tall masonry wall noise barrier along the Gerber Road frontage between the required landscape corridor and single family residential lots.
- b. The outdoor activity area of all residential backyards within 170 feet of the centerline of Gerber Road shall be shielded from traffic noise, either through strategic placement of the houses, usage of a backyard courtyard concept, or other attenuation method. An acoustical analysis shall be submitted to the Department of Environmental Review and Assessment which demonstrates that a noise level of 65 dB Ldn or less (under cumulative traffic conditions) is attained within the outdoor activity areas of all affected properties.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If option b is proposed, then submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis, if applicable, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CTX-3B: POTENTIAL NOISE IMPACTS

Any/all common outdoor activity area(s) within the RD-20 portion of the property that are located within 170 feet from the centerline of Gerber Road shall be shielded from traffic noise, either through strategic placement of structures, usage of a courtyard concept, or other attenuation method. An acoustical analysis shall be submitted to the Department of Environmental Review and Assessment which demonstrates that a noise level of 65 dB Ldn or less (under cumulative traffic conditions) is attained within the common outdoor activity areas.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. If common outdoor activity area(s) are proposed within 170 feet of the Gerber Road centerline, then submit the required acoustical analysis to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans and acoustical analysis, if applicable, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CTX-4: WETLANDS

- ☐ Prior to any grading, grubbing, or excavation within 50 feet of on-site wetlands (excluding features P2, P3, and P4), the applicant or owner shall obtain any/all applicable permits from the U.S. Fish and Wildlife Service (USFWS), U.S. Army Corps of Engineers, California Department of Fish and Game and the Central Valley Regional Water Quality Control Board for the proposed modifications to on-site wetlands. In addition, the project applicant or property owner shall comply with General Plan Conservation Element Policy No. CO-96 as it pertains to no net loss of wetlands. If mitigation occurring through the state and federal permitting processes results in less than 1:1 compensation for the loss of wetland habitat, the applicant or owner shall be required to pay to the County of Sacramento an amount based on a rate of \$35,000 per acre for the unmitigated/uncompensated wetlands. The payment shall be submitted to the Department of Planning and Community Development and shall be deposited in the Wetlands Restoration Trust Fund. A copy of any required permits, or written notification from the applicant that the permit authority has determined that a permit is not required, and verification of compliance with General Plan Conservation Element Policy No. CO-96 regarding no net loss of wetlands shall be submitted to the Department of Environmental Review and Assessment.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Prior to any physical disturbance within 50 feet of on-site wetlands, submit to the Department of Environmental Review and Assessment a copy of any/all permits/agreements that are required by the USFWS, USACOE, CDFG and RWQCB, or correspondence indicating that no permits/agreements are required, along with proof of any required payment into the Wetlands Restoration Trust Fund.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans, along with all submitted permits/agreements, correspondence and/or proof of payment, prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.

3. Consult with the USFWS, USACOE, CDFG and RWQCB as necessary to determine compliance.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CTX-5: SWAINSON'S HAWK FORAGING HABITAT

Prior to the approval of improvement plans, building permits, or recordation of the final map, whichever occurs first, or, if only a rezone is requested, prior to final adoption of the zoning agreement, implement one of the following options to mitigate for the loss of 10.65 acres of Swainson's hawk foraging habitat on the project site:

- a. The project proponent shall utilize one or more of the mitigation options (land dedication and/or fee payment) established in Sacramento County's *Swainson's Hawk Impact Mitigation Program* (Chapter 16.130 of the Sacramento County Code).
- b. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat
- c. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of the one of the measures above, the project proponent may be subject to that program instead..

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
3. Submit written evidence of compliance with one of the above mitigation options to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Review the submitted written evidence of compliance with one of the above mitigation options.
3. Monitor compliance during periodic site inspections of the construction work.
4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CTX-6: TRI-COLORED BLACKBIRD HABITAT

In order to mitigate potential impacts to tricolored blackbird (TBB), two pre-construction surveys of the project impact area and areas of appropriate habitat within 100 yards of the site shall be performed by a qualified biologist. The surveys shall be done during the months of March and April (one each month) the year of project construction. If tricolored blackbirds are found nesting within the survey area, project construction shall be postponed until fledging of all nestlings (about July 15). If no tricolored blackbirds are found during the pre-construction survey, no further mitigation would be required.

If breeding or nesting tricolored black birds are found the following will need to be performed. Prior to improvement Plan or Building Permit approval, whichever comes first, the project proponent will need to submit a TBB Mitigation Plan to the CDFG for review and approval. The plan should include the following measures:

1. Perform preconstruction surveys to determine the number of nesting or breeding TBB and amount of nesting habitat onsite.
2. Avoidance of active nesting colonies should be practiced through establishment of temporary setbacks and fencing. A qualified biologist shall verify that the setbacks and fencing are adequate and will determine when the colonies are no longer dependent on the nesting habitat (i.e. nestling have fledged and are no longer using habitat). Breeding season typically last from April to July.

If existing TBB habitat is to be permanently destroyed it will be necessary to recreate nesting habitat on or adjacent to the site in wetland or riparian habitat by planting tules, cattails, native blackberries, etc, at an appropriate location. Open accessible water, foraging habitat with adequate insect prey nearby (0-2 km from nests) and nesting substrate protected from predators should be present and adequately preserved and protected from future destruction. Habitat needs to be of adequate size (according to CDFG biologist) to support a breeding colony of similar or greater size to the one destroyed by construction.

Implementation and Notification (Action by Project Applicant):

1. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
2. If any construction work (including clearing and grubbing) is scheduled to occur between March 1 and July 31, then preconstruction surveys for nesting tricolored blackbirds shall be conducted by a qualified biologist between 14 and 30 days prior to the start of construction. A copy of the survey and any agreement with

the California Department of Fish and Game, if applicable, must be submitted to the Department of Environmental Review and Assessment no later than 48 hours prior to the start of construction.

3. If necessary, incorporate protective measures for nesting tricoloreds into all Plans and Specifications for the project.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the tricolored blackbird nesting survey if required, and consult with the qualified biologist and the CDFG, as necessary.
2. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
3. Monitor compliance during periodic site inspections of (a) the implementation of any required tricolored protective measures and (b) the construction work.
4. Participate in any/all Final Inspection(s), as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CTX-7: NORTHWESTERN POND TURTLE HABITAT

The following mitigation is required to ensure avoidance of impacts to the northwestern pond turtle:

- A. Prior to any construction activity within 200 feet of either Elder or Gerber Creeks, the creek and the 200-foot buffer area shall be surveyed for northwestern pond turtles by a qualified biologist within 24 hours prior to the start of construction activities (including clearing and grubbing). Survey of the area shall be repeated if a lapse in construction activity of two weeks or greater occurs. If no active turtles are found during the focused survey, submit a written report with date, name of biologist to the Department of Environmental Review and Assessment. Upon receiving the report, no further mitigation will be required.
- B. If a northwestern pond turtle is encountered during construction, activities shall cease until appropriate corrective measures have been completed or it has been determined that the turtle will not be harmed.
- C. Northwestern pond turtles encountered during construction should be allowed to move away on their own. Trapped or injured individuals shall be moved out of harms way outside of the construction zone but within suitable turtle habitat (wetland).
- D. Any incidental take shall be reported to the Department of Environmental Review and Assessment at (916) 874-7914 within one working day.

Implementation and Notification (Action by Project Applicant):

- 1. Comply fully with the above measure.
- 2. Submit written evidence of compliance with the above Mitigation Measure to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

- 1. Review the submitted written evidence of compliance.
- 2. Consult with the US Fish and Wildlife Service and/or California Department of Fish and Game as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CTX-8: GIANT GARTER SNAKE HABITAT

For the protection of the giant garter snake, construction within 200 feet of either Elder Creek or Gerber Creek shall be prohibited until all mitigation for impacts to the snake has been completed under the Drainage Master Plan, or the following shall apply:

- a. The applicant shall consult with the US Fish and Wildlife Service (USFWS) and California Department of Fish and Game regarding the giant garter snake (this may occur during the U.S. Army Corps Section 404 permitting process.)
- b. Confine any ground disturbing activity (i.e. clearing, grubbing, grading, and excavation) in giant garter snake habitat to May 1 to October 1, which is the snake's active period.
- c. Construction personnel should receive USFWS approved worker environmental awareness training. Prior to construction activities, a qualified biologist approved by the Service shall instruct all construction personnel about 1) the life history of the giant garter snake; 2) the importance of the habitat to the giant garter snake; and 3) the terms and conditions of the biological opinion. Proof of this instruction shall be submitted to the Sacramento Fish and Wildlife Office.
- d. Twenty-four hours prior to construction activities, a qualified biologist who is approved by the USFWS's Sacramento Office shall survey the project area. The biologist will provide the Service with a field report form documenting the monitoring efforts within 24-hours of commencement of construction activities. The monitoring biologist needs to be available thereafter; if a snake is encountered during construction activities the monitoring biologist shall have the authority to stop construction activities until appropriate corrective measures have been completed or it is determined that the snake will not be harmed. Giant garter snakes encountered during construction activities should be allowed to move away from construction activities on their own. Capture and relocation of trapped or injured individuals can only be attempted by personnel or individuals with current Service recovery permits pursuant to section 10 (a) 1(A) of the Act. A biologist shall be required to report any incidental take to the Service immediately by telephone (916) 979-2725 and by written letter addressed to the Chief, Endangered Species Division, within one working day. The project area shall be re-inspected whenever a lapse in construction activity of two week or greater has occurred.
- e. If this project is subject to any permits from the USFWS all conditions of the approval from the agency shall supersede all of the above GGS mitigation and monitoring.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Submit written evidence of compliance with the above Mitigation Measure to the Department of Environmental Review and Assessment.

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the submitted written evidence of compliance.
2. Consult with the USFWS as necessary to determine compliance.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CTX-9: RIPARIAN HABITAT

Any riparian habitat removed along the Elder or Gerber Creek corridors require compensation at a 1:1 ratio. If the habitat is removed due to activities consistent with the North Vineyard Station Specific Plan or Florin Vineyard Gap Community Plan Drainage Master Plans, the mitigation required as part of those plans shall satisfy this requirement. If the habitat is removed as a result of modifications to the creeks that are inconsistent with the Drainage Master Plans, then the applicant shall be 100% responsible for compensation for the loss of this habitat. Restoration within the modified creek channel may satisfy the 1:1 mitigation requirement.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CTX-10: NATIVE TREE REMOVAL

The removal of up to 939 inches dbh of native California black walnut trees shall be compensated by planting native California black walnut trees equivalent to the dbh inches lost, based on the ratios listed below, at locations that are authorized by the Department of Environmental Review and Assessment. On-site preservation of native California black walnut that are less than 6 inches (<6 inches) dbh, may also be used to meet this compensation requirement.

Equivalent compensation based on the following ratio is required:

- one preserved native walnut tree < 6 inches dbh on-site = 1 inch dbh
- one D-pot seedling (40 cubic inches or larger) = 1 inch dbh
- one 15-gallon tree = 1 inch dbh
- one 24-inch box tree = 2 inches dbh
- one 36-inch box tree = 3 inches dbh

Replacement tree planting shall be completed prior to the issuance of building permits or a bond shall be posted by the applicant in order to provide funding for purchase, planting, irrigation, and 3-year maintenance period, should the applicant default on replacement tree mitigation. The bond shall be in an amount equal to the prevailing rate of the County Tree Preservation Fund and will be due within one year of posting the bond.

Prior to the approval of Improvement Plans or Building Permits, whichever occurs first, a Replacement California black walnut Tree Planting Plan shall be prepared by a certified arborist or licensed landscape architect and shall be submitted to the Environmental Coordinator for approval. The Replacement California black walnut Planting Plan(s) shall include the following minimum elements:

1. Species, size and locations of all replacement plantings and < 6-inch dbh trees to be preserved;
2. Method of irrigation;
3. If planting in soils with a hardpan/duripan or claypan layer, include the Sacramento County Standard Tree Planting Detail L-1, including the 10-foot deep boring hole to provide for adequate drainage;
4. Planting, irrigation, and maintenance schedules;
5. Identification of the maintenance entity and a written agreement with that entity to provide care and irrigation of the trees for a 3-year establishment period,

and to replace any of the replacement California black walnut trees which do not survive during that period; and

6. Designation of 20 foot root zone radius and landscaping to occur within the radius of California black walnut trees < 6-inches dbh to be preserved on-site.

No replacement tree shall be planted within 15 feet of the driplines of existing California black walnut trees or landmark size trees that are retained on-site, or within 15 feet of a building foundation or swimming pool excavation. The minimum spacing for replacement oak trees shall be 20 feet on-center. Examples of acceptable planting locations are publicly owned lands, common areas, and landscaped frontages (with adequate spacing). Generally unacceptable locations are utility easements (PUE, sewer, storm drains), under overhead utility lines, private yards of single family lots (including front yards), and roadway medians.

California black walnut trees <6 inches dbh to be retained on-site shall have at least a 20-foot radius suitable root zone. The suitable root zone shall not have impermeable surfaces, turf/lawn, dense plantings, soil compaction, drainage conditions that create ponding, utility easements, or other overstory tree(s) within 20 feet of the tree to be preserved. Trees to be retained shall be determined to be healthy and structurally sound for future growth, by an ISA Certified Arborist subject to Department of Environmental Review and Assessment approval.

If California black walnut tree replacement plantings are demonstrated to the satisfaction of the Environmental Coordinator to be infeasible for any or all trees removed, then compensation shall be through payment into the County Tree Preservation Fund. Payment shall be made at a rate of \$325.00 per dbh inch removed but not otherwise compensated, or at the prevailing rate at the time payment into the fund is made.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Prior to the approval of Improvement Plans or building permits, submit the required Replacement Tree Planting Plan to the Department of Environmental Review and Assessment for review and approval.
3. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Replacement Tree Planting Plan and Project Plans prior to the start of construction. Approve Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
5. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CTX-12: NATIVE TREE PROTECTION

With the exception of those trees compensated through Mitigation Measure CTX-10, above, all native California black walnut trees located on the site that are 6 inches dbh or larger, all portions of adjacent off-site native trees which have driplines that extend onto the project site, and all off-site native trees which may be impacted by utility installation and/or improvements associated with this project, shall be preserved and protected as follows:

- a. A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of the tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of the tree. Removing limbs which make up the dripline does not change the protected area.
- b. Chain link fencing or a similar protective barrier shall be installed one foot outside the driplines of the protected trees prior to initiating project construction, in order to avoid damage to the trees and their root system.
- c. No signs, ropes, cables (except cables which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the protected trees.
- d. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of the protected trees.
- e. Any soil disturbance (scrapping, grading, trenching, and excavation) is to be avoided within the driplines of the protected trees. Where this is necessary, an ISA Certified Arborist will provide specifications for this work, including methods for root pruning, backfill specifications and irrigation management guidelines.
- f. All underground utilities and drain or irrigation lines shall be routed outside the driplines of protected trees. Trenching within protected tree driplines is not permitted. If utility or irrigation lines must encroach upon the dripline, they should be tunneled or bored under the tree under the supervision of an ISA Certified Arborist.
- g. Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of the protected trees.
- h. No sprinkler or irrigation system shall be installed in such a manner that it sprays water within the driplines of the protected trees.

- i. Tree pruning that may be required for clearance during construction must be performed by an ISA Certified Arborist or Tree Worker and in accordance with the American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines".
- j. Landscaping beneath the protected trees may include non-plant materials such as boulders, decorative rock, wood chips, organic mulch, non-compacted decomposed granite, etc. Landscape materials shall be kept two (2) feet away from the base of the trunk. The only plant species which shall be planted within the driplines of the protected trees are those which are tolerant of the natural semi-arid environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants.
- k. Any fence/wall that will encroach into the dripline protection area of any protected tree shall be constructed using grade beam wall panels and posts or piers set no closer than 10 feet on center. Posts or piers shall be spaced in such a manner as to maximize the separation between the tree trunks and the posts or piers in order to reduce impacts to the trees.

Implementation and Notification (Action by Project Applicant):

- 1. Comply fully with the above measure.
- 2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).
- 3. Regarding the above mitigation measure items e, f, i and k, submit written evidence to the Department of Environmental Review and Assessment from a certified arborist that indicates that the work has been properly completed as required. Provide the name, address and phone number of the certified arborist

Verification (Action by the Department of Environmental Review and Assessment):

- 1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
- 2. Review submitted information from certified arborist.
- 3. Monitor compliance during periodic site inspections of the construction work.
- 4. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE CTX-11: CULTURAL RESOURCES

See FVGCP Plan-wide Mitigation Measure CR-3, above.

EIR ACKNOWLEDGMENTS

LEAD AGENCY STAFF – SACRAMENTO COUNTY DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT

| | |
|--------------------------|-------------------------------------|
| Joyce Horizumi | Environmental Coordinator |
| Antonia Barry | Assistant Environmental Coordinator |
| Catherine Hack | Senior Environmental Analyst |
| Tim Hawkins | Senior Environmental Analyst |
| Kate Brownfield | Associate Environmental Analyst |
| Lauren Hocker | Associate Environmental Analyst |
| Kevin Messerschmitt | Associate Environmental Analyst |
| Joelle Morales | Associate Environmental Analyst |
| Peter Morse | Associate Environmental Analyst |
| Michelle Overmeyer, AICP | Associate Environmental Analyst |
| Linda Wittkop Johnston | Administrative Services Officer III |
| Justin Maulit | Office Assistant II |
| Michelle Ponder | Office Assistant II |

EIR CONSULTANT – RANEY PLANNING & MANAGEMENT, INC.

| | |
|------------------------|---------------------|
| C. Timothy Raney, AICP | President |
| Cindy Gnos, AICP | Vice President |
| Nick Pappani | Division Manager |
| Antonio Garza | Associate |
| Ariel Calvert | Associate |
| Darlene Corbitt | Project Coordinator |

TECHNICAL STUDY CONSULTANTS

Bollard Acoustical Consultants – Environmental Noise Assessment

Civil Engineering Solutions - Preliminary Drainage Study

Donald Ballanti, Certified Consulting Meteorologist – Air Quality Assessment

Economic & Planning Systems – Florin Vineyard Community Plan Public Facilities Financing Plan

Fehr and Peers – Traffic Impact Analysis

Gibson & Skordal, LLC - Biological Baseline Information Report

MacKay & Somps Civil Engineers, Inc. – Sanitary Sewer Master Plan

MWH, Inc. – Master Water Study for the Florin-Vineyard Community Plan

Peak & Associates, Inc. – Cultural Resources Study

Peterson, Brustad, Pivetti, Inc. – California American Water Supply Assessment