

City of Morgan Hill Monterey – Central Project Mitigation Monitoring Program

– February 2016

The California Environmental Quality Act (CEQA) and CEQA Guidelines require Lead Agencies to adopt a program for monitoring the mitigation measures required to avoid significant environmental impacts of a project. The monitoring program ensures that mitigation measures imposed by the City are completed at the appropriate time in the development process.

The mitigation measures identified in the Initial Study for the Monterey – Central Project are listed below along with the party responsible for implementation of the mitigation measure; the party responsible for monitoring implementation of the mitigation measure; the milestones for implementation and monitoring; and a sign off that the mitigation measure has been implemented.

**MITIGATION MONITORING PROGRAM
Monterey – Central Project**

Mitigation Measure	Timing	Monitoring Agency	Sign-Off
<p><i>IV-1. Site pre-construction surveys shall be conducted during the breeding season (February 1st through August 31st) for tree-nesting raptors and other migratory birds no more than two weeks prior to the onset of ground disturbance between February and May and within 30 days of the onset of construction from June through August. Pre-construction surveys during the nonbreeding season are not necessary for tree-nesting raptors and migratory birds, as they are expected to abandon their roosts during construction. If nesting raptors or other migratory birds are detected on or adjacent to the site during the pre-construction survey, a suitable construction-free buffer shall be established around all active nests. The precise dimension of the buffer (up to 250 feet) shall be determined at that time (by a qualified biologist) and may vary depending on location and species. The buffer areas shall be enclosed with temporary fencing, and construction equipment and workers shall not enter the enclosed setback areas. Buffers shall remain in place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents.</i></p>	<p>No more than two weeks prior to the onset of ground disturbance between February and May and within 30 days of the onset of construction from June through August</p>	<p>City of Morgan Hill Community Development Department</p>	
<p><i>IV-2(a). A pre-construction survey shall be conducted by a qualified Burrowing Owl biologist no more than 30 days prior to initiation of any ground disturbing (construction) activity to assure take avoidance of burrowing owls. The survey shall consist of a habitat assessment, burrow survey, owl survey, and completion of a written report. The written report shall be submitted to the Community Development Department. If owls are observed during the preconstruction survey, no impacts to the owls or their habitat will be allowed during the nesting season (February 1 to August 31).</i></p>	<p>No more than 30 days prior to initiation of any ground disturbing (construction) activity</p>	<p>City of Morgan Hill Community Development Department</p>	
<p><i>IV-2(b). Should burrowing owls be found on the site during the breeding season (February 1 through August 31), exclusion zones, with a</i></p>	<p>Should burrowing owls be found on the</p>	<p>City of Morgan Hill Community</p>	

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<i>250-foot radius from occupied burrows, shall be established. All development-related activities shall occur outside of the exclusion area until the young have fledged.</i>	site during the breeding season (February 1 through August 31)	Development Department	
IV-2(c). <i>If pre-construction surveys are conducted during the non-breeding season (September 1 through January 31) and burrowing owls are observed on the site, the owls may be relocated upon approval by the California Department of Fish and Wildlife, in accordance with the Burrowing Owl Mitigation Plan.</i>	If pre-construction surveys are conducted during the non-breeding season (September 1 through January 31) and burrowing owls are observed on the site	City of Morgan Hill Community Development Department	
IV-3(a). <i>Prior to approval of the project’s improvement plans, the following minimization measures shall be included on the plans for review and approval by the Morgan Hill Public Works Department. The below minimization measures shall be implemented prior to and during construction. The measures shall include:</i> <ul style="list-style-type: none"> • <i>The project shall refine the house placement and driveway alignment to minimize tree loss to the maximum extent practicable. Trees in “good” condition as defined in the Live Oak Associates Arborist Report for the project site, such as tree number 12 (coast live oak), shall be given priority in planning for tree avoidance.</i> • <i>The project proponent shall retain a consulting arborist prior to any ground disturbance activities to develop a tree protection plan outlining specific procedures to ensure that retained trees are protected during the construction phase. The plan may include a monitoring program for trees that are retained within close proximity to planned project elements.</i> • <i>For retained trees (e.g. trees numbered 17, 25, 27, and 28)</i> 	Prior to approval of the project’s improvement plans	City of Morgan Hill Public Works Department	

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<p><i>in the immediate vicinity of construction, grading, or material storage areas, the project contractor shall prevent soil compaction within the root zone resulting from heavy construction equipment. In order to minimize construction impacts to remaining trees, orange-colored barrier fencing shall be installed around the dripline of all retained trees or at the edge of construction areas. Any construction activities taking place within the dripline of retained trees shall be done by hand or with light equipment that does not cause soil compaction. All fencing shall remain in place throughout the construction phase of the project. The type of fencing to be utilized shall be directed by the consulting arborist. The fencing shall be removed upon completion of the project.</i></p> <ul style="list-style-type: none"> • <i>Any limb or root pruning to be conducted on retained trees shall be approved and supervised by the consulting arborist and shall follow best management practices developed by the International Society of Arboriculture.</i> • <i>If any of the retained trees are damaged during the construction phase, the trees shall be evaluated at the earliest possible time by the consulting arborist so that appropriate measures can be taken.</i> 			
<p><i>IV-3(b). Prior to removal of any on-site trees, the applicant shall obtain a tree cutting permit from the City of Morgan Hill in accordance with Municipal Code Section 12.32.030. Based upon design-level grading details, the application shall identify the precise location, type, size, and health of each tree proposed for removal. All trees removed on-site, including trees that are fatally damaged as a result of project buildout, shall require replacement plantings at suitable replacement-to-loss ratios to be determined by the City of Morgan Hill's Community Development Director. The City of Morgan Hill does not maintain standard ratios for replacement trees required for</i></p>	<p>Prior to removal of any on-site trees</p>	<p>City of Morgan Hill Community Development Director</p>	

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<p><i>removed trees, but the following table provides a set of replacement ratios that would adequately mitigate for trees that are removed or fatally damaged as a result of project buildout (Table 3). The City’s Community Development Director shall be the final arbiter of actual tree replacement requirements.</i></p> <table border="1" data-bbox="222 511 1104 1003"> <thead> <tr> <th colspan="5" data-bbox="222 511 1104 589">Table 3 Recommended Tree Replacement Mitigation Ratios</th> </tr> <tr> <th data-bbox="222 589 428 748" rowspan="2">Circumference of Tree to be Removed</th> <th colspan="3" data-bbox="428 589 844 638">Type of Tree to be Removed</th> <th data-bbox="844 589 1104 748" rowspan="2">Minimum Size of Each Replacement Tree</th> </tr> <tr> <th data-bbox="428 638 520 748">Native</th> <th data-bbox="520 638 737 748">Non-Native (not invasive)</th> <th data-bbox="737 638 844 748">Invasive</th> </tr> </thead> <tbody> <tr> <td data-bbox="222 748 428 824">57 inches or greater</td> <td data-bbox="428 748 520 824">5:1</td> <td data-bbox="520 748 737 824">4:1</td> <td data-bbox="737 748 844 824">none</td> <td data-bbox="844 748 1104 824">15-gallon container</td> </tr> <tr> <td data-bbox="222 824 428 873">38 - 56 inches</td> <td data-bbox="428 824 520 873">3:1</td> <td data-bbox="520 824 737 873">2:1</td> <td data-bbox="737 824 844 873">none</td> <td data-bbox="844 824 1104 873">15-gallon container</td> </tr> <tr> <td data-bbox="222 873 428 950">less than 38 inches</td> <td data-bbox="428 873 520 950">1:1</td> <td data-bbox="520 873 737 950">1:1</td> <td data-bbox="737 873 844 950">none</td> <td data-bbox="844 873 1104 950">15-gallon container</td> </tr> <tr> <td colspan="5" data-bbox="222 950 1104 1003">x:x = tree replacement to tree loss ratio</td> </tr> </tbody> </table> <p><i>A planting plan shall be prepared by a qualified botanist or qualified arborist defining the location, species, and treatments used for each planting. The plan shall be approved by the City of Morgan Hill’s Community Development Director. Subsequent to planting, a qualified botanist/arborist shall verify that any permit conditions have been satisfied including successful installation of replacement plantings. A letter report outlining the findings of the replacement planting effort shall be submitted to the City for signoff, indicating that replacement planting was completed consistently with permit requirements.</i></p>	Table 3 Recommended Tree Replacement Mitigation Ratios					Circumference of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Each Replacement Tree	Native	Non-Native (not invasive)	Invasive	57 inches or greater	5:1	4:1	none	15-gallon container	38 - 56 inches	3:1	2:1	none	15-gallon container	less than 38 inches	1:1	1:1	none	15-gallon container	x:x = tree replacement to tree loss ratio							
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<i>on the construction drawings that a suitable form of ventilation shall be installed, to the satisfaction of the City Building Official, for all residences in the proposed development in order to allow occupants to close doors and windows as desired to achieve compliance with the applicable interior noise level criteria.</i>	Building Permits	Building Official	
XII-2. <i>Prior to issuance of Building Permits, the applicant shall show on the construction drawings that at all second and third-floor building facades of all bedroom windows of residences constructed within Building C, from which Monterey Road is visible (i.e., all front and side windows), shall have a minimum STC rating of 32. The construction drawings shall be subject to review and approval by the City Building Official.</i>	Prior to issuance of Building Permits	City of Morgan Hill Building Official	