



144-490 Quintal Road Project

Mitigation Monitoring and Reporting
Program

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Prepared for:

City of Manteca
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ACRONYMS AND ABBREVIATIONS

Applicant	Quarterra Multifamily
CEQA	California Environmental Quality Act
City	City of Manteca
EIR	Environmental Impact Report
General Plan Update	City of Manteca General Plan Update
ISMND	Initial Study/Mitigated Negative Declaration
MMRP	Mitigation, Monitoring, and Reporting Program
PRC	Public Resources Code
Project	144-490 Quintal Road Project



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1.0 MITIGATION MONITORING AND REPORTING PROGRAM

The purpose of this Mitigation, Monitoring, and Reporting Program (MMRP) is to provide the City of Manteca (City) and Quarterra Multifamily (Applicant) with a comprehensive list of the mitigation measures identified in the Tiered Initial Study/Mitigated Negative Declaration (ISMND) for the 144-490 Quintal Road Project (Project).

1.1 INTRODUCTION

The City is the Lead Agency, as defined by the California Environmental Quality Act (CEQA). In accordance with Public Resources Code (PRC) Section 21081.6, a Lead Agency that approves or carries out a project with potentially significant environmental effects shall adopt a “reporting or monitoring program for the changes to the project which it has adopted or made a condition of a project approval to mitigate or avoid significant effects on the environment.”

The CEQA Guidelines provide direction for clarifying and managing the complex relationships between a Lead Agency and other agencies with respect to implementing and monitoring mitigation measures. In accordance with CEQA Guidelines Section 15097(d), “each agency has the discretion to choose its own approach to monitoring or reporting; and each agency has its own special expertise.” This discretion will be exercised by implementing agencies at the time they consider any of the activities identified in the environmental document.

In accordance with Sections 15152 and 15168 of the CEQA Guidelines and PRC Section 21094, the Tiered ISMND relies on the City of Manteca General Plan Update Environmental Impact Report (General Plan Update EIR). The General Plan Update EIR is a program-level EIR prepared pursuant to CEQA Guidelines Section 15168 to evaluate the potential impacts associated with buildout of the City’s General Plan Update. The Project is consistent with the scope of the development program evaluated in the General Plan Update EIR. Accordingly, pursuant to Section 15152 of the State CEQA Guidelines, it is appropriate to tier the ISMND from the General Plan Update EIR.

The General Plan Update EIR incorporates policies and actions from the General Plan Update to address potential impacts associated with buildout of the General Plan Update. The Tiered ISMND evaluates whether the environmental effects of the Project were adequately addressed in the General Plan Update EIR and incorporates policies and actions from the General Plan Update, where applicable to address potential impacts. The Tiered ISMND also evaluates Project-specific impacts that were not addressed in the General Plan Update EIR and identifies Project-specific mitigation measures where required. Therefore, this MMRP includes the policies and actions from the General Plan Update EIR and the Project-specific mitigation measures that would address potential impacts of the Project.

This MMRP is a working guide to facilitate both the implementation of the Project-specific mitigation measures and the policies and actions from the General Plan Update, as well as the monitoring, compliance, and reporting activities by the City and any monitors it may designate. If the City adopts the Tiered ISMND for the Project, it will adopt the MMRP.



1.2 OVERVIEW OF THE MITIGATION MONITORING AND REPORTING PROGRAM

The MMRP is presented in the following table and includes the following components:

- The list of Project-specific mitigation measures and policies and actions from the General Plan Update EIR that are contained in the Tiered ISMND, as adopted by the City;
- The party responsible for implementing the Project-specific mitigation measure or the policy and action from the General Plan Update EIR;
- The timing for implementation of the Project-specific mitigation measure or the policy and action from the General Plan Update EIR;
- The agency responsible for monitoring implementation of the Project-specific mitigation measure or the policy and action from the General Plan Update EIR; and
- The monitoring action and frequency.

The City and its contractors will be required to comply with this MMRP in all respects. In any instance where non-compliance occurs, the City-designated environmental monitors will issue a warning to the construction supervisor and the City's Project Manager. Any decisions to halt work due to non-compliance will be made by the City. The City's designated environmental monitors will keep records of any incidents on non-compliance with mitigation measures. Copies of these documents will be supplied to the City.

Once construction has begun and is underway, the City will carry out monitoring of the mitigation measures associated with construction. The MMRP will be maintained in the City's files for use in construction and operation of the Project.



Project-Specific Mitigation Measures and General Plan Update Action/Policy	Implementation Party	Timing of Implementation	Monitoring Party and Monitoring Action	Monitoring Frequency	Verification of Implementation	
					Action	Date completed with Signature
Project-Specific Mitigation Measures						
Section 3.2: Agriculture and Forestry Resources						
MM AG-1: Payment of Agricultural Mitigation Fee. The Applicant shall participate in the City's Agricultural Mitigation Fee Program by paying the established fee for the loss of Important Farmland. The mitigation fee is established on a per-acre basis in Title VI of the City's Development Fee Schedule and is required to be paid prior to the issuance of any building permits. Fees paid toward the City's program shall be used to fund conservation easements on comparable or better agricultural lands to provide compensatory mitigation.	<ul style="list-style-type: none"> Applicant 	Prior to issuance of grading permits.	Monitoring Party: <ul style="list-style-type: none"> City of Manteca Development Services Department Monitoring Action: <ul style="list-style-type: none"> Confirm fees are paid by Applicant. 	Prior to issuance of grading permit.		
Section 3.4: Biological Resources						
MM BIO-1: Avoid Disturbance of Nesting Birds. Vegetation removal and construction activities shall be initiated during the non-nesting season for migratory birds from September 1 to January 31. If work cannot be initiated during this period, a nesting bird survey shall be performed by a qualified biologist for species protected by the Migratory Bird Treaty Act and California Fish and Game Code within a 250-foot radius of proposed construction activities for passerines, and 0.25-mile for raptors, no more than two weeks prior to the start of construction activities. If active nests are found, a no-disturbance buffer shall be placed around the nest until young have fledged or the nest is determined to be no longer active by the biologist. The size of the buffer shall be determined by the biologist based on species and proximity to activities and may be reduced at the discretion of the biologist. Active nests shall be monitored by a biologist to determine time of fledging.	<ul style="list-style-type: none"> Applicant Construction Contractor Qualified Biologist 	Prior to issuance of grading permits and during the construction phase as needed.	Monitoring Party: <ul style="list-style-type: none"> City of Manteca Development Services Department Monitoring Action: <ul style="list-style-type: none"> Confirm selection of a qualified biologist The qualified biologist shall conduct pre-construction surveys no more than two weeks prior to the start of construction. The biologist will also monitor periodically, if any species are identified during the survey. Confirm pre-construction clearance by a qualified biologist. The qualified biologist will provide results of the surveys to the City in writing. 	Prior to issuance of grading permit and throughout the construction phase as needed.		
General Plan Update Action/Policy						
Section 3.5: Cultural Resources						
General Plan Update Action RC-11j: Inadvertent Discovery of Historic or Prehistoric Archaeological Artifacts and Human Remains. All new development, infrastructure, and other ground-disturbing projects shall comply with the following conditions: <ul style="list-style-type: none"> If construction or grading activities result in the discovery of significant historic or prehistoric archaeological artifacts or unique paleontological resources, all work within 100 feet of the discovery shall cease, the Development Services Director shall be notified, the resources shall be examined by a qualified archaeologist, paleontologist, or historian for recommended protection and preservation measures; and work may only resume when recommended protections are in place and have been approved by the Development Services Director; and 	<ul style="list-style-type: none"> Construction Contractor Qualified Archaeologist 	During the construction phase.	Monitoring Party: <ul style="list-style-type: none"> City of Manteca Development Services Department Monitoring Action: <ul style="list-style-type: none"> If cultural resources are discovered during construction, confirm activities are halted until the resource is reviewed by a qualified archaeologist and the appropriate treatment measures are implemented. 	Throughout the construction phase as needed.		



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<ul style="list-style-type: none"> If construction or grading activities result in the discovery of significant tribal cultural resources, all work within 100 feet of the discovery shall cease, the Development Services Director shall be notified, the resources shall be examined by a qualified archaeologist and Native American tribes on the City's Senate Bill 18 and Assembly Bill 52 list for recommended protection and preservation measures and work may only resume when recommended protections are in place and have been approved by the Development Services Director; and If human remains are discovered during any ground disturbing activity, work shall stop until the Development Services Director and the San Joaquin County Coroner have been contacted; if the human remains are determined to be of Native American origin, the Native American Heritage Commission and the most likely descendants have been consulted; and work may only resume when measures to relocate or preserve the remains in place, based on the above consultation, have been taken and approved by the Development Services Director. 						
Section 3.7: Geology and Soils						
<p>General Plan Update Action RC-10j: Inadvertent Discovery of Unique Paleontological Resources. All new development, infrastructure, and other ground-disturbing projects shall comply with the following conditions in the event of an inadvertent discovery of cultural resources or human remains:</p> <ul style="list-style-type: none"> If construction or grading activities result in the discovery of significant historic or prehistoric archaeological artifacts or unique paleontological resources, all work within 100 feet of the discovery shall cease, the Development Services Director shall be notified, the resources shall be examined by a qualified archaeologist, paleontologist, or historian for appropriate protection and preservation measures; and work may only resume when appropriate protections are in place and have been approved by the Development Services Director; and If human remains are discovered during any ground disturbing activity, work shall stop until the Development Services Director and the San Joaquin County Coroner have been contacted; if the human remains are determined to be of Native American origin, the Native American Heritage Commission and the most likely descendants have been consulted; and work may only resume when appropriate measures have been taken and approved by the Development Services Director. 	<ul style="list-style-type: none"> Applicant Construction Contractor Qualified Paleontologist 	During the construction phase.	<p>Monitoring Party:</p> <ul style="list-style-type: none"> City of Manteca Development Services Department <p>Monitoring Action:</p> <ul style="list-style-type: none"> If paleontological resources are discovered during construction, confirm activities are halted until the resources is reviewed by a qualified paleontologist and appropriate treatment measures are implemented. 	Throughout the construction phase as needed.		
Section 3.13: Noise						
<p>General Plan Update Policy S-6.7: Acoustical Analysis. Where the development of residential or other noise-sensitive land use is proposed for a noise-impacted area or where the development of a stationary noise source is proposed in the vicinity of noise sensitive uses, an acoustical analysis is required as part of the development review process so that noise mitigation may be considered in the project design. The acoustical analysis shall:</p> <ul style="list-style-type: none"> Be the responsibility of the Applicant. 	<ul style="list-style-type: none"> Applicant Qualified Acoustical Consultant 	Prior to issuance of building permits.	<p>Monitoring Party:</p> <ul style="list-style-type: none"> City of Manteca Development Services Department <p>Monitoring Action:</p> <ul style="list-style-type: none"> Confirm an acoustical analysis has been conducted by a qualified acoustical 	Once during the City's site plan review.		



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<ul style="list-style-type: none"> Be prepared by a qualified acoustical consultant experienced in the fields of environmental noise assessment and architectural acoustics. Include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions and the predominant noise sources. Estimate existing and projected (20 years) noise levels in terms of the standards of Table S-1 or Table S-2 and compare those levels to the adopted policies of the Noise Element. Recommend appropriate mitigation measures to achieve compliance with the adopted policies and standards of the Noise Element. Estimate noise exposure after the prescribed mitigation measures have been implemented. If necessary, describe a post-project assessment program to monitor the effectiveness of the proposed mitigation measures. 			consultant and that appropriate mitigation measures are identified and implemented in the project design to meet the noise level standards outlined in Table S-1 and Table S-2 of the General Plan Update.			
<p>General Plan Update Action S-6c: Construction Noise. The construction noise associated with the Project shall comply with the following measures to reduce construction noise impacts:</p> <ul style="list-style-type: none"> Restrict construction activities to the hours of 7:00 AM to 7:00 PM on Monday through Friday, and 8:00 AM to 6:00 PM on Saturdays. No construction shall be permitted outside of these hours or on Sundays or federal holidays, without a specific exemption issued by the City. No exemption shall be issued for construction within 200 feet of residential uses. A Construction Noise Management Plan shall be submitted by the Applicant for construction projects that exceed ambient noise levels by more than 12dB(A) or produce perceptible vibrations at any offsite structures, when determined necessary by the City. The Construction Noise Management Plan shall include proper posting of construction schedules, appointment of a noise disturbance coordinator, methods for assisting in noise reduction measures, and shall establish allowed truck routes to access the site that minimize exposure of residential areas to heavy truck traffic. Noise reduction measures shall include, but are not limited to, the following: <ul style="list-style-type: none"> a. Equipment and trucks used for Project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds) wherever feasible. b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for Project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust 	<ul style="list-style-type: none"> Applicant Construction Contractor 	Prior to issuance of grading permits and during the construction phase.	<p>Monitoring Party:</p> <ul style="list-style-type: none"> City of Manteca Development Services Department <p>Monitoring Action:</p> <ul style="list-style-type: none"> Confirm noise reduction measures are included in project specifications and implemented throughout the construction phase. 	Once during the City's site plan review and throughout the construction phase as needed.		



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<p>shall be used. This muffler can lower noise levels from the exhaust by up to about 10 dB(A). External jackets on the tools themselves shall be used if such jackets are commercially available. This would achieve a reduction of up to 5 dB(A). Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.</p> <p>c. Temporary power poles or zero-emission power sources shall be used instead of generators where feasible.</p> <p>d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction.</p> <p>e. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.</p> <p>f. Delivery of materials shall observe the hours of operation described above.</p> <p>g. Truck traffic shall avoid residential areas to the greatest extent feasible.</p>						
<p>General Plan Update Action S-6j: Groundborne Vibration. The City shall require new residential projects located adjacent to major freeways, truck routes, hard rail lines, or light rail lines to follow the FTA screening distance criteria to ensure that groundborne vibrations do not exceed acceptable levels.</p>	<ul style="list-style-type: none"> • Applicant • Construction Contractor 	<p>Prior to issuance of grading permits and during the construction phase.</p>	<p>Monitoring Party:</p> <ul style="list-style-type: none"> • City of Manteca Development Services Department <p>Monitoring Action:</p> <ul style="list-style-type: none"> • Confirm uses that generate vibrations that may be considered a public nuisance or hazard on any adjacent property shall be cushioned or isolated to prevent generation of vibrations and meet the requirements of Section 17.58.070 of the Manteca Municipal Code. 	<p>Once during the City's site plan review and throughout the construction phase as needed.</p>		
<p>Section 3.18: Tribal Cultural Resources</p>						
<p>Refer to General Plan Update Action RC-11j listed above in Section 3.5, Cultural Resources.</p>						

