
INTRODUCTION

The California Environmental Quality Act (CEQA) Guidelines, Section 15074(d), requires public agencies, as part of the adoption of a mitigated negative declaration, to adopt a reporting and monitoring program to ensure that changes made to the project as conditions of project approval to mitigate or avoid significant environmental effects are implemented.

The Mitigation Monitoring and Reporting Program (MMRP) contained herein is intended to satisfy the requirements of CEQA as they relate to the Duets and Congregate Care project. The MMRP is intended to be used by County staff, project contractors, and mitigation monitoring personnel during implementation of the project.

The MMRP will provide for monitoring of construction activities as necessary, in-the-field identification and resolution of environmental concerns, and reporting to County staff. The MMRP will consist of the components described below.

COMPLIANCE CHECKLIST

Table 1 contains a compliance-monitoring checklist that provides a synopsis of all adopted mitigation measures, a suggested monitoring action, identification of agencies responsible for enforcement and monitoring, and timing of implementation.

FIELD MONITORING OF MITIGATION MEASURE IMPLEMENTATION

During construction of the project facilities, El Dorado County's designated construction inspector will be responsible for monitoring the implementation of mitigation measures. The inspector will report to the El Dorado County Planning Department, and will be thoroughly familiar with all plans and requirements of the project. In addition, the inspector will be familiar with construction contract requirements, construction schedules, standard construction practices, and mitigation techniques. Aided by **Table 1**, the inspector will typically be responsible for the following activities:

- On-site, day to day monitoring of construction activities;
- Reviewing construction plans to ensure conformance with adopted mitigation measures;
- Ensuring contractor knowledge of and compliance with all appropriate conditions of project approval;
- Evaluating the adequacy of construction impact mitigation measures, and proposing improvements to the contractors and County staff;
- Requiring correction of activities that violate project mitigation measures, or that represent unsafe or dangerous conditions. The inspector shall have the ability and authority to secure compliance with the conditions or standards through El Dorado County, if necessary;
- Acting in the role of contact for property owners or any other affected persons who wish to register observations of violations of project mitigation measures, or unsafe or dangerous conditions. Upon receiving any complaints, the inspector shall immediately contact the construction representative. The inspector shall be responsible for verifying any such observations and for developing any necessary corrective actions in

consultation with the construction representative and the El Dorado County Department of Transportation;

- Maintaining prompt and regular communication with County staff;
- Obtaining assistance as necessary from technical experts such as archaeologists and wildlife biologists to develop site-specific procedures for implementing the mitigation measures adopted by the County for the project. For example, it may be necessary at times for a wildlife biologist to work in the field with the inspector and construction contractor to explicitly identify and mark areas to be avoided during construction; and
- Maintaining a log of all significant interactions, violations of permit conditions or mitigation measures, and necessary corrective measures.

PLAN CHECK

Many mitigation measures will be monitored via plan check during project implementation. County staff will be responsible for monitoring plan check mitigation measures.

TABLE 1
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Implementation and Monitoring Action	Enforcement/ Monitoring Agency	Timing	Mitigation Completed	
<i>Biological Resources</i>					
MM 1 (Duets and Congregate Care MND)	Grading and improvement plans shall state: "It is the Contractor's responsibility to comply with all applicable state and federal laws and regulations including the Federal and State Endangered Species Acts and the Clean Water Act. The County Grading Permit does not authorize Contractor to conduct activities not permitted by applicable State and Federal agencies in areas subject to State and Federal jurisdiction."	<i>Review improvement plans.</i>	<i>El Dorado County</i>	<i>Prior to approval of plans</i>	
MM 2 (Duets and Congregate Care MND)	<ol style="list-style-type: none"> 1. Twenty-four hours prior to construction activities, a qualified biologist will conduct a preconstruction survey for California horned lizard. 2. All horned lizards found on the project site during the preconstruction survey will be relocated to the property west of the EID easement. 3. A qualified biologist will be present on-site for all clearing and grubbing activities. All horned lizards found during clearing and grubbing will be relocated to the property west of the EID easement. 	<i>Monitor construction activities for compliance</i>	<i>El Dorado County Planning Department</i>	<i>Clearing and Grubbing</i>	

	Mitigation Measure	Implementation and Monitoring Action	Enforcement/ Monitoring Agency	Timing	Mitigation Completed
MM 3 (Duets and Congregate Care MND)	<p>A qualified biologist will conduct a survey within 3 weeks prior to the start of grading, clearing, or other construction activities for active nests. The survey will be conducted within 200 ft of the project site.</p> <ol style="list-style-type: none"> 1. If no active nests are found, no further avoidance measures will be necessary. 2. If an active nest is located within 200 ft of a construction area, the biologist will record the location(s) on a site map. <ul style="list-style-type: none"> • If the species is listed under the federal or state endangered species acts, the appropriate federal or state agency will be contacted for guidance. • If the species is not federal or state listed, but protected under the federal Migratory Bird Treaty Act of 1918, the biologist will establish a minimum 100 ft buffer (Environmentally Sensitive Area) around the nest tree. • The biologist will delimit the buffer zone with yellow caution tape, surveyor's flagging, pin flags, stakes, etc. The buffer zone shall be maintained until young have fledged. No construction activities shall occur within 100 ft of a nest tree while young are in the nest. • A biologist will monitor the nest weekly 	<p><i>Review survey and monitor construction activities for compliance</i></p>	<p><i>El Dorado County Planning Department</i></p>	<p><i>Prior to clearing and grubbing</i></p>	

	Mitigation Measure	Implementation and Monitoring Action	Enforcement/ Monitoring Agency	Timing	Mitigation Completed
	during construction to evaluate potential disturbance caused by construction activities. The biological monitor will have the authority to stop construction if the nesting birds appear to be adversely affected by construction activities.				
MM 4 (Duets and Congregate Care MND)	The landscaping plan must show that only plants associated with gabbroic northern mixed chaparral will be planted on graded slopes surrounding the project site.	<i>Review landscaping plan.</i>	<i>El Dorado County</i>	<i>Prior to clearing and grubbing</i>	
MM 5 (Duets and Congregate Care MND)	Pay El Dorado County rare plant mitigation fee for Zone 1.	<i>Verify payment of fees</i>	<i>El Dorado County</i>	<i>Prior to clearing and grubbing</i>	
MM 6 (Duets and Congregate Care MND)	<ol style="list-style-type: none"> 1. Establish an on-site <i>Calystegia</i> Preserve north of the project site, adjacent to the Pine Hill Preserve. 2. Transplant the four <i>Calystegia stebbinsii</i> from the project site to the <i>Calystegia</i> Preserve. 3. Collect seeds of <i>Calystegia stebbinsii</i> from plants in project study area; treat seeds (scarify and/or heat treatments), and plant seeds or seedlings in the <i>Calystegia</i> Preserve. 4. Remove chaparral shrubs from <i>Calystegia stebbinsii</i> transplant/seedling 	<i>Verify transplantation</i>	<i>El Dorado County</i>	<i>Prior to clearing and grubbing</i>	

	Mitigation Measure	Implementation and Monitoring Action	Enforcement/ Monitoring Agency	Timing	Mitigation Completed
	areas to encourage germination and growth of <i>Calystegia stebbinsii</i> plants.				
MM 7 (Duets and Congregate Care MND)	<ol style="list-style-type: none"> 1. A qualified biologist will stake the ordinary high watermark (OHWM) of channels 1 and 2 adjacent to the project site. 2. Contractor will install temporary, high visibility construction fencing five feet from the staked OHWM prior to clearing and grubbing activities commence. 3. Contractor will remove the temporary fencing after the grading pad is completed and drainage, roads, and utilities are installed. 	<i>Monitor construction activities for compliance</i>	<i>El Dorado County</i>	<i>Prior to clearing and grubbing and throughout construction</i>	
MM 8 (Duets and Congregate Care MND)	<ol style="list-style-type: none"> 1. Prepare tree replacement plan showing the replacement of every inch diameter at breast height of tree removed from the site by planting the same number of inches of native oak trees on- site. 	<i>Review tree planting plan and verify tree planting.</i>	<i>El Dorado County</i>	<i>Prior to clearing and grubbing</i>	