

**LANDS OF MORGAN SUBDIVISION  
APPLICATION NO. GP-18-01, Z-18-01 & S-18-02  
MITIGATION MONITORING AND REPORTING PROGRAM**

When an agency makes a finding that potentially significant impacts have been mitigated to less than significant levels, the agency must also adopt a program for reporting on or monitoring the efficacy of the mitigation measures that were adopted (Public Resources Code 21081.6). This document consists of a proposed Mitigation Monitoring and Reporting Program for the Lands of Morgan Subdivision. The monitoring and reporting measures included in this program are the responsibility of the Project Sponsor, Bill Morgan or any subsequent subdivider.

The Mitigation Monitoring and Reporting Program includes the confirmation of, or review and approval of, the implementation of specific mitigation actions in the form of reports and plans. The mitigation measures included in this monitoring program will be completed at various stages of the Project, including future document submittals for Building and Grading Permit approvals, actions or approvals linked to other Responsible Agencies if applicable, as well as during project construction and implementation. Solano County will provide documentation that the Mitigation Monitoring and Reporting Program has been fully adhered to and completed. This Mitigation Monitoring and Reporting Program applies to all activities evaluated by the Lands of Morgan Subdivision Application No. GP-18-01, Z-18-01 and S-18-02 Initial Study.

Solano County remains responsible for ensuring that the implementation of these mitigation measures occurs to the extent noted in this Mitigation Monitoring and Reporting Program and, where it is noted, Solano County will be responsible for reviewing and monitoring the required mitigation measures to ensure compliance (CEQA Guidelines 15097).

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Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
<b>Air Quality</b>				
<b>MM AQ-1:</b> Prior to issuance of a grading/improvement plan permit, the Subdivider shall require its construction contractor to prepare and implement a Dust Control and Construction Exhaust Mitigation Plan subject to the satisfaction of the Public Works Division and Yolo Solano Air Quality Management District.	Applicant/Subdivider	DRM	Prior to issuance of grading permit	Less than significant
<b>Biological Resources</b>				
<b>MM Bio-1, American Badger:</b> Prior to issuance of a grading/improvement plan permit, the Subdivider, shall hire a qualified biologist to survey the areas for development for the presence of the American Badger and develop a monitoring plan to keep the badgers out of the area during construction activities involving roads, driveways, residences or accessory structures including swimming pools. The survey shall be conducted no more than 30 days prior to construction. The biologist report and monitoring plan shall be submitted to the Department of Resource Management prior to issuance of a grading permit or building permit.	Applicant/Subdivider	DRM	Prior to issuance of grading permit	Less than significant
<b>MM Bio – 2, Burrowing Owls:</b> Prior to issuance of grading/improvement plan permit, pre-construction burrowing owl surveys shall be conducted in all areas that may provide suitable nesting habitat according to the California Department of Fish and Wildlife (CDFW) (1995) guidelines, shall be implemented by the Subdivider or individual lot owners, prior to construction. Pre-construction burrowing owl surveys	Applicant/Subdivider	DRM	Prior to issuance of grading /improvement plan permit	Less than significant

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<p>shall be conducted in all areas that may provide suitable nesting habitat according to CDFW (1995) guidelines.</p> <ul style="list-style-type: none"> <li>i. No more than 30 days before construction, a habitat survey including documentation of burrows and burrowing owls shall be conducted by a qualified wildlife biologist within 500 feet of the construction area in areas suitable for burrowing owls.</li> <li>ii. The survey shall conform to the protocol described by the California Burrowing Owl Consortium, which includes up to four surveys on different dates if there are suitable burrows present. The CDFW shall be consulted by the Subdivider prior to survey initiation to ensure the most current pre-construction survey methodologies are utilized.</li> <li>iii. The CDFW defines impacts as disturbance within approximately 160 feet of occupied burrows during the non-breeding season of September 1 through January 31, or within approximately 250 feet during the breeding season of February 1 through August 31. Even when these buffer distances are maintained, the alteration of breeding and behavioral patterns of burrowing owls during construction activities shall be considered adverse disturbance to the owls, as determined by the</li> </ul>				

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<p>Subdivider.</p> <p>iv. The Subdivider shall avoid disturbing active burrowing owl nests and occupied nesting burrows and shall implement standard CDFW mitigation guidelines.</p> <p>v. If, as determined by the qualified wildlife biologist, construction activities will not adversely affect occupied burrows or disrupt breeding behavior, construction may proceed without any restriction or mitigation measures for burrowing owls.</p> <p>vi. If, as determined by the qualified wildlife biologist, in consultation with CDFW, construction could adversely affect occupied burrows during the September 1 through January 31 non-breeding season, the subject owls may be passively relocated from the occupied burrow(s) using one-way doors, according to CDFW guidelines, using the following measures:</p> <p>vi. There shall be at least two unoccupied burrows suitable for burrowing owl within 300 feet of the occupied burrow before one-way doors are installed in the occupied burrow.</p> <p>vii. The unoccupied burrows shall also be located at least 160 feet from construction activities and</p>				

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<p>can be natural burrows or artificial burrows constructed according to current design specifications.</p> <p>viii. If artificial burrows are created, these burrows shall be in place at least 1 week before one-way doors are installed on the currently occupied burrows.</p> <p>ix. One-way doors must be in place for a minimum of 48 hours to ensure that owls have left the burrow before the burrow is excavated.</p> <p>x. Mitigation for the loss of occupied habitat shall be based upon the recommendations of the qualified biologist in consultation with CDFW.</p>				
<p><b>MM Bio – 3, Western Pond Turtle:</b> Prior to issuance of grading/improvement plan permit and no more than 30 days prior to construction, a qualified biologist shall conduct surveys for western pond turtles within the creeks or ponds. If nests or active basking sites are found, then the biologist shall implement a plan to relocate or protect the species, in consultation with California Department of Fish and Wildlife (CDFW). The biologist shall also conduct on-site training to the construction foreman and construction workers to educate them on identifying this species of turtle and location of potential basking, nesting and/or estivation</p>	Applicant/Subdivider	DRM	Prior to issuance of grading/improvement plan permit	Less than significant

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sites that may be present during construction.				
<p><b>MM Bio – 4, Swainson Hawk &amp; Preconstruction Foraging Habitat</b></p> <p>A. Prior to recordation of the Second phase Final Map, the Subdivider shall compensate for the loss of 4.8 acres of Swainson Hawk of foraging habitat at a ratio of 1:1 (1 acre for every 1 acre removed).</p> <p>B. Mitigation may be in the form of fee-title or a conservation easement or credits, held by a non-profit land management organization, on lands containing suitable Swainson’s hawk foraging habitat and as approved by the CDFW in Solano County. The purchase of Swainson’s Hawk mitigation credits at a mitigation bank or conservation area located in Solano County is acceptable.</p>	Applicant/Subdivider	DRM	Prior to recordation of Second Phase Final Map	Less than significant
<p><b>MM Bio – 5, Avoidance of avian nests and protected avian species:</b></p> <p>A. If construction activities are scheduled to occur during the breeding season (February 1-August 31), a qualified wildlife biologist shall</p>	Applicant/Subdivider	DRM	Prior to construction	Less than significant

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<p>conduct pre-construction surveys of all potential suitable nesting habitat within 0.5 miles of active construction areas, including trees, shrubs, grassland and wetland vegetation. The qualified wildlife biologist shall determine the timing of the preconstruction surveys based upon the time of year and habitats that are present. The qualified wildlife biologist shall conduct surveys no more than 30 days prior to construction.</p> <p>B. If active nests are found, maintain a no disturbance buffer zone around the active nests during the breeding season or until it is determined that the young have fledged. The no disturbance buffer zone from active Swainson Hawk nest(s) or any protected avian specie shall be 0.5 miles or as may otherwise be determined by the Planning Services Division, Department of Resource Management, in consultation with a qualified biologist, United States Fish and Wildlife Service (USFWS) and CDFW as appropriate.</p>				
<p><b>MM Bio – 6, Special Status Plants:</b> Prior to issuance of grading/improvement plan permit, survey the site for special status plant species. The survey area should include staging areas, roadways (internal access and driveways), ponds and drainage corridors. A qualified biologist shall time the survey appropriately and submit a report to the Department of Resource Management.</p>	Applicant/Subdivider	DRM	Prior to issuance of grading /improvement plan approval	Less than significant

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Special status plants shall be avoided and if removed or harmed, the qualified biologist shall recommend on-site mitigation measures.				
<p><b>MM Bio- 7, Aquatic Resource/Potential waters of the USA</b></p> <p>A. Prior to the issuance of any grading/improvement plan permit, obtain and comply with all necessary Clean Water Act 404 (United States Army Corp of Engineers), 401 (California Regional Water Quality Control Board) and California Fish and Game Section 1600 permits in advance of project construction. Submit evidence of final verification from the Army Corp of Engineers of the preliminary jurisdictional delineation to the Department of Resource Management.</p> <p>B. Avoid any impacts or loss to an aquatic resource/potential waters of the United States (seasonal wetlands or seasonal swale) by either:</p> <ul style="list-style-type: none"> <li>i. Relocate Gibson Canyon Court, detention ponds, driveways, primary and accessory structures or septic systems/leachfields on the subject property, to avoid any alteration of an aquatic resource, or</li> <li>ii. Compensate by purchasing wetland mitigation credit created for the permanent</li> </ul>	Applicant/Subdivider	DRM	Prior to issuance of grading/improvement plan approval	Less than significant

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<p>impacts related to the construction of Gibson Canyon Court, detention ponds as shown on the tentative subdivision map. The actual acreage shall be determined in consultation with the Army Corp of Engineers. The Subdivider shall submit evidence in the form of a sales agreement or receipt, of the purchase, prior to issuance of a grading/improvement plan and recordation of the phased Final Map.</p> <p>C. Construction staging areas shall be located 100 feet from any jurisdictional waters of the USA.</p> <p>D. Identify all aquatic resource and the 100-foot setback from the aquatic resource on the grading &amp; improvement plans.</p> <p>E. Prior to construction activity or ground disturbance, stake or flag the boundaries of the seasonal and non-seasonal wetlands, and tributaries, as areas to be avoided. Exclusion flagging and signs that can be read 20 feet away shall be placed 100 feet away, to indicate clearly where areas must be avoided by construction activities. This task shall be under the direct supervision of a qualified biologist with 6 years of field experience.</p> <p>F. Record a declaration on the phased Final Map that each individual lot owner shall be responsible for implementing mitigation measure Bio - 7 C, D, and</p>				

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E, prior to issuance of any grading/improvement plan or building permit for construction of the driveways leading to the primary or accessory residence, and/or any accessory structures.				
<b>MM Bio- 8, Riparian Corridor:</b> In order to protect the riparian corridor and the tributaries, delineate on the phased Final Map a 100-foot wide setback, measured from the centerline of the tributaries or creek. Development including any structures, sewage disposal areas, swimming pool, residences, patio or driveways, shall be prohibited within the setback.				
33. In order to allow wildlife migration and improve passage, record on the phased Final Map that perimeter fencing between the lots and along the drainage corridor English Creek and Gibson Canyon Creek, shall not harm wildlife or preclude passage. Solid fencing, barb wire or other sharp material are prohibited. Fencing shall be open and made of materials that do not harm wildlife.	Applicant/Subdivider	DRM	Prior to Final Map Recordation	Less than significant
<b>MM Bio-10, Oaks/Riparian Vegetation:</b> A. In order to protect and preserve Oak	Applicant/Subdivider	DRM	Prior to issuance of grading/improvement plan approval	Less than significant

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<p>Woodlands and Heritage trees, prior to issuance of a grading permit/improvement plans or recordation of each phased Final Map, Subdivider shall comply with the following:</p> <ul style="list-style-type: none"> <li>i. Prior to improvement plan approval for Lot 9 and 10, hire a qualified and certified Arborist to prepare a tree inventory/resources report. Identify all Oak species 6"dbh or greater, on the grading/improvement plan to be retained or removed. Identify heritage trees on the plans. Consistent with General Plan policy RS. I-3, heritage trees are defined as (a) trees with a trunk diameter of 15 inches or more measured at 54 inches above natural grade, (b) any oak tree native to California with a diameter of 10 inches above natural grade, or (c) any tree or group of trees special significance in consultation with the Department of Resource Management. The Arborist shall recommend and monitor specific measures to protect Oak trees 6" dbh or greater or heritage trees from construction impacts. If Oak trees or heritage trees are not identified by the Arborist, then Mitigation Measure Bio-10 shall not apply.</li> <li>ii. Any loss of oak trees 6 inches or greater dbh shall be compensated on site subject to a mitigation and replanting plan prepared by the certified Arborist. Compensation shall be with in-kind species at ratio of recommended by</li> </ul>				

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<p>the Arborist in consultation with the Department of Resource Management. The replanting shall be on-site and a landscape plan with irrigation shall be submitted to the Planning Services Division for review and approval</p>				

<b>Cultural Resources</b>				
<p>A. Prior to issuance of grading permit/improvement plan approval, a qualified archeologist shall provide training to the construction personnel and periodic construction monitoring to identify artifacts.</p>	Applicant/Subdivider	DRM	Prior to grading/improvement plan approval	Less than significant
<p>B. Prior to improvement plan approval/grading permit Lot 5, for any ground disturbances within 50 feet of the western portion of P-47-000167, a qualified archeologist shall conduct archeological testing and evaluation to properly assess the resource for CRHR eligibility criteria.</p>				
<p>C. Prior to issuance of building permit for modifications to the residence (SAS-004) at 4142 Cantelow Road/APN 0105170150), a researcher meeting the federal Secretary of the Interior's Professional Qualifications Standards in history/architectural history shall conduct a California Register of Historic Resources evaluation of the structure.</p>				
<p>D. In the event that presently undocumented buried archeological deposits are encountered during any Project-associated construction activity, work must cease within 50-foot radius of the discovery. A qualified archeologist must be retained to document the discovery, assess its significance, and recommend treatment. If human remains or any associated funerary artifacts are discovered during construction, all work must cease within the immediate vicinity of the discovery. In accordance with the California Health and</p>				

<p>Safety Code (Section 7050.5), the Solano County Sheriff/Coroner must be contacted immediately. If the Coroner determines the remains to be Native American, the Coroner will notify the Native American Heritage Commission which will in turn appoint a Most Likely Descendent (MLD) to act as a Tribal Representative. The MLD will work with the Subdivider and a qualified archeologist to determine the proper treatment of the human remains and associated funerary objects. Construction activities will not resume until either the human remains are exhumed, or the remains are avoided via project construction design change.</p>				
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**Geology/Hazards**

<p><b>MM Geo-1:</b></p> <p>A. In order to protect property and persons from future landslides, delineate areas of debris flow or earthflow landslide identified by the Geotechnical Report prepared by KC Engineering Company, dated February 16, 2018, on each phased Final Map. Placement of structures (primary or accessory structures including swimming pools) and driveways shall not be located in the downslope of the currently mapped shallow land sliding, as recommended by the Geotechnical Report.</p> <p>B. In order to protect property and persons from the susceptibility of soil erosion and landslide susceptibility, record on each phased Final Map that grading on slopes of 25% or greater</p>	<p>Applicant/Subdivider</p>	<p>DRM</p>	<p>Prior to Final Map recordation</p>	<p>Less than significant</p>
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<p>at natural grade shall be prohibited. Grading of roadway or driveway grading shall follow the natural topography. Cut and fill will require erosion control measures subject to the approval of the Public Works Division, Department of Resource Management prior to issuance of a grading/improvement plan or building permit.</p> <p>C. Prior to issuance of building permits or grading permits for primary or accessory structures including swimming pool and driveways, parcel specific geotechnical recommendations shall be prepared by a Geotechnical Engineer licensed in California, and submitted to the Building Division for approval.</p>				
<p><b>MM HYDRO-1:</b></p> <p>A. A storm water maintenance program for detention basins and drainage facilities shall be included in a Road Improvement Maintenance Agreement recorded on each lot within the subdivision. Responsibility for maintenance of storm water facilities shall reside with the property owner on which the storm water facility is located. Said facilities shall be periodically inspected to the satisfaction of Public Works Engineering. The Subdivider shall demonstrate, to the satisfaction of Public Works Engineering, that contractual agreements have been reached with all affected parties to implement said inspection prior to the performance of any grading work</p>	Applicant/Subdivider	DRM	Prior to grading/improvement plan approval	Less than significant

<p>associated with the subdivision.</p> <p>B. Prior to issuance of a grading/improvement plan, the Subdivider shall develop a storm water maintenance program to the satisfaction of Solano County Public Works Engineering that shall include, at a minimum, the following requirements:</p> <ul style="list-style-type: none"> <li>i. Periodic cleaning of the drainages, culverts, detention basins and related facilities.</li> <li>ii. Periodic maintenance of the embankments, spillways and piping.</li> <li>iii. Contingencies for anticipated and unexpected repair and/or replacement of the above as applicable.</li> <li>iv. Annual inspections by an independent engineer of the detention basins, embankments and spillways to verify that the facilities are in sound condition. A copy of the annual inspection report shall be furnished to Public Works Engineering upon completion.</li> </ul> <p>C. Subdivider or property owner must obtain a grading permit from Solano County Public Works Engineering prior to performance of any grading work associated with the subdivision improvements or individual lot improvements,</p> <p>D. Prior to recordation of each phased Final Map, Subdivider shall complete all storm water detention and discharge improvements relating</p>				
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<p>to the phased development, subject to the final approval of Public Works Engineering.</p> <p>E. All watercourses where flows will be increased at final build out must have controls installed to retain sediment or restrict flows to predevelopment levels.</p> <p>F. All detention ponds must be maintained with emergency overflows that are lined with non-erosive materials.</p>				
<b>Water Supply</b>				
<p><b>MM WS-1:</b></p> <p>A. Prior to recordation of the Final Map for Phase 2, submit updated water quantity test results to the Environmental Health Division which demonstrates that ample water for domestic purposes is available for Lot 3, pursuant to Section 26-80 of the County Code. A minimum yield of 3 gallons per minute shall be deemed acceptable for domestic use provided that a note is included on the Final Map or parcel map that at least 500 gallons of water storage capacity will be required at the time of lot development. A yield of five gallons per minute shall be deemed acceptable for residential development with no additional storage requirements for drinking water supplies; however, additional storage may be required to meet the current fire code. If the water test fails, installation of public water service and connection is required for Lot 3. The recorded map shall indicate whether Lot 3 may be served by public water or well water service.</p> <p>B. Prior to the recordation of each phased Final Map,</p>	Applicant/Subdivider	DRM	Prior to Final Map Recordation	Less than significant

<p>complete all engineering and construction related to the public water system, according to the terms of agreement with the Rural North Vacaville Water District, in compliance with the rules and regulations of the Rural North Vacaville District. Submit evidence to the Department of Resource Management that the engineering plans and necessary infrastructure installation is complete to the satisfaction of the Rural North Vacaville Water District.</p>				
<b>Noise</b>				
<p><b>MM - Noise – 1:</b> Construction shall only occur during the hours of 8 a.m. to 5 p.m., Monday through Friday; and 9 a.m. to 4 p.m. on Saturdays, and no work should occur on Sundays and Federal holidays</p>	Applicant/Subdivider	DRM	On-going during construction	Less than significant
<b>Public Services</b>				
<p><b>MM PS-1</b> - Prior to each phased Final Map recordation, install the fire hydrants and necessary infrastructure required by the Vacaville Fire Protection District. Submit evidence to the Department of Resource Management that installation of the infrastructure is completed to the satisfaction of the Vacaville Fire Protection District.</p>	Applicant/Subdivider	DRM	Prior to Final Map Recordation	Less than significant

