
APPENDIX C

MITIGATION MONITORING AND

REPORTING PLAN

CHAPPELL ROAD PROJECT FINAL EIR MITIGATION

1. STATUTORY REQUIREMENT

When a lead agency makes findings on significant environmental effects identified in an environmental impact report (EIR), the agency must also adopt a "reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval to mitigate or avoid significant effects on the environment" (Public Resources Code Section 21081.6(a) and California Environmental Quality Act Guidelines Section 15091(d) and Section 15097). The Mitigation Monitoring and Reporting Program (MMRP) is implemented to ensure that the mitigation measures and project revisions identified in the EIR are implemented. Therefore, the MMRP must include all changes in the proposed project either adopted by the project proponent or made conditions of approval by the lead agency or a responsible agency.

2. ADMINISTRATION OF THE MITIGATION MONITORING AND REPORTING PROGRAM

The City of Hollister (City) is the lead agency responsible for the adoption of the MMRP. The City, as the lead agency, is responsible for implementing, verifying, and documenting compliance with the MMRP, in coordination with other identified agencies. According to CEQA Guidelines Section 15097(a), a public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity that accepts the delegation. However, until mitigation measures have been completed, the lead agency remains responsible for ensuring that implementation of the measures occurs in accordance with the program.

Verification of mitigation compliance and responsibility for compliance is the responsibility of the City's project manager. The project manager will be responsible for coordinating plan reviews and field verification with the appropriate City staff or outside agencies.

3. MITIGATION MEASURES AND REPORTING PROGRAM

Table 1 is structured to enable quick reference to mitigation measures and the associated monitoring program based on the environmental resource. The numbering of mitigation measures correlates with the numbering of measures found in the Impact Analysis sections of the Draft EIR. This MMRP will be used as a template for all future projects approved in the project area. Additional mitigation measures may be imposed on a project-specific basis.

MITIGATION MONITORING AND REPORTING PROGRAM

TABLE 1
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements	Responsible Party	Timing	Verification (Date and Initials)
Aesthetics				
MM 3.1.3	Future development in the project area shall develop a Master Development Plan that shall be submitted to the City for review and approval. The plan shall be submitted to the City prior to receiving an entitlement from the City of Hollister that would require improvements of the site such as subdivision or site and architectural approvals. The Master Development Plan shall demonstrate that development standards for the parcel under development shall be congruent with the existing visual character and quality of the surrounding developed parcels, as defined by the City in the City's General Plan. The Master Development Plan shall demonstrate compliance with existing City regulations and development standards as they relate to visual character and quality.	<ul style="list-style-type: none"> Project applicant 	<ul style="list-style-type: none"> Prior to approval of future projects 	<ul style="list-style-type: none">
MM 3.1.4	The project applicant shall develop a nighttime lighting plan and submit it for approval by the City of Hollister. The plan shall demonstrate compliance with Hollister Municipal Code Section 17.16.090 and shall be incorporated in the project's construction plan and approvals.	<ul style="list-style-type: none"> Project applicant 	<ul style="list-style-type: none"> Prior to approval of future projects 	<ul style="list-style-type: none">
Agricultural Resources				
MM 3.2.1	<p>In the event, that no City program is in place, the subdivider shall provide that for every one (1) acre of Prime Farmland on the site that is permanently converted to nonagricultural use as a result of project development, one (1) acre of land of comparable agricultural productivity shall be preserved in perpetuity. The mitigation shall be satisfied by the applicant through:</p> <ul style="list-style-type: none"> Granting a perpetual conservation easement(s), deed restriction(s), or other farmland conservation mechanism(s) to the City or qualifying entity which has been approved by the City, such as the San Benito County Agricultural Trust, for the 	<ul style="list-style-type: none"> Project applicant 	<ul style="list-style-type: none"> Prior to approval of future projects 	<ul style="list-style-type: none">

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements	Responsible Party	Timing	Verification (Date and Initials)
	<p>purpose of permanently preserving agricultural land; or</p> <ul style="list-style-type: none"> Making an in-lieu payment to a qualifying entity which has been approved by the City, such as the San Benito County Agricultural Trust, to be applied toward the future purchase of Prime Farmland. The payment amount shall be determined by the qualifying entity or a licensed appraiser; or Making an in-lieu payment to a qualifying entity which has been approved by the City, such as the San Benito County Agricultural Trust, to be applied toward a future perpetual conservation easement, deed restriction, or other farmland conservation mechanism to preserve Prime Farmland. The amount of the payment shall be determined by the qualifying entity or a licensed appraiser. 			
MM 3.2.2	The project applicant shall demonstrate adequate land use separation on all site plans and applications for subdivision. Highway 25 already serves as a natural buffer for Parcels A, B2, C through I, and 1 through 3; however, B1 would require a 200-foot minimum land use buffer. Final site plans for parcel B1 development shall include a 200-foot land use buffer. The buffer distance shall be measured from the edge of active agricultural fields or vineyards and the nearest residential property line. Distances comprising the buffer may include roadway rights-of-way, easements, landscaping, and other uninhabited uses.	<ul style="list-style-type: none"> Project applicant 	<ul style="list-style-type: none"> Prior to approval of future projects 	<ul style="list-style-type: none">
MM 3.3.2	The project applicant and/or its contractor shall prohibit the installation of wood-burning fireplaces within the project. This prohibition shall be noted on the deed for future property owners to comply with. Natural gas fireplaces are acceptable.	<ul style="list-style-type: none"> Project applicant 	<ul style="list-style-type: none"> Prior to sale of future lots 	<ul style="list-style-type: none">
MM 3.3.5a	All off-road diesel-fueled equipment (e.g., rubber-tired dozers, graders, scrapers, excavators, asphalt paving equipment, cranes, and tractors) associated with project construction shall be at least California Air Resources Board (CARB) Tier 3 Certified or better.	<ul style="list-style-type: none"> Construction contractor 	<ul style="list-style-type: none"> During construction 	<ul style="list-style-type: none">

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements	Responsible Party	Timing	Verification (Date and Initials)
MM 3.3.5b	<p>In the case when a subsequent project's site improvement construction (i.e., demolition activities, site preparation, and grading/soil movement) will span greater than 5 acres and is scheduled to last more than two years, the subsequent project shall be required to prepare a site-specific construction pollutant mitigation plan in consultation with City staff prior to the issuance of grading permits. Project-specific construction-related dispersion modeling acceptable to the City shall be used to identify potential toxic air contaminant impacts, including diesel particulate matter. If health risk thresholds (i.e., probability of contracting cancer is greater than 10 in 1 million) would be exceeded, mitigation measures shall be identified in a construction pollutant mitigation plan to address potential impacts and shall be based on site-specific information such as the distance to the nearest sensitive receptors, project site plan details, and construction schedule. The City shall ensure construction contractors include all identified measures and that the measures reduce the health risk below health risk thresholds. Construction pollutant mitigation plan measures shall include, but not be limited to:</p> <ol style="list-style-type: none"> 1. Limiting the amount of acreage to be graded in a single day. 2. Restricting intensive equipment usage and intensive ground disturbance to typical business hours (8:00 a.m. to 5:00 p.m.) when residents are more likely to be away from their homes. 3. Notifying residents one week prior to commencing on-site construction so that any necessary precautions (such as rescheduling or relocation of outdoor activities) can be implemented. The written notification shall include the name and telephone number of the project manager or designee. In the event that complaints are received, the project manager or designee shall respond to the complaint within 24 hours. The response shall include identification of measures being taken by the project construction contractor to reduce construction-related air pollutants. Such a measure may include relocating equipment. 	<ul style="list-style-type: none"> • Project applicant 	<ul style="list-style-type: none"> • Prior to issuance of grading permits 	<ul style="list-style-type: none"> •

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements	Responsible Party	Timing	Verification (Date and Initials)
MM 3.3.6	Future nonresidential developments projected to generate more than 100 heavy-duty trucks daily will be evaluated through the CEQA process to ensure they do not cause a significant health risk in terms of excess cancer risk greater than 10 in 1 million, acute or chronic hazards with a Hazard Index greater than 1.0, or annual PM2.5 exposures greater than 0.3 µg/m ³ . If the site-specific analysis reveals significant exposures to health risks (i.e., health risk in terms of excess cancer risk greater than 10 in 1 million, or acute or chronic hazards with a Hazard Index greater than 1.0), measures shall be employed to reduce the risk to below the threshold (e.g., project redesign and location of TAC sources away from sensitive receptors).	<ul style="list-style-type: none"> Project applicant 	<ul style="list-style-type: none"> Prior to approval of future projects 	<ul style="list-style-type: none">
Biological Resources				
MM 3.4.1a	A Worker Environmental Awareness Program (WEAP) shall be implemented to educate construction workers about the presence of special-status species and/or sensitive biological resources in and/or near the project work area and to instruct them on proper avoidance.	<ul style="list-style-type: none"> Construction contractor 	<ul style="list-style-type: none"> Prior to construction 	<ul style="list-style-type: none">

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements	Responsible Party	Timing	Verification (Date and Initials)
MM 3.4.1b	<p>If clearing and/or construction activities would occur during the raptor nesting season (February 15–September 15), a qualified biologist shall conduct preconstruction surveys to identify active nests within 14 days of construction initiation. Surveys must be performed by a qualified biologist for the purposes of determining presence/absence of active nest sites within the proposed impact area, including construction access routes and a 200-foot buffer (if feasible). If no active nests are found, no further mitigation is required. Surveys shall be repeated if construction activities are delayed or postponed for more than 30 days.</p> <p>If white-tailed kite, merlin, Cooper’s hawk, or other raptor (excluding Swainson’s hawk) nests are identified within 500 feet of project activities, the project applicant shall impose a 250-foot setback to all active raptor sites prior to commencement of project construction activities to avoid construction- or access-related disturbances to nesting raptors. Project-related activities (i.e., vegetation removal, earth moving, and construction) shall not occur within any setbacks until nests are deemed inactive. Activities permitted within setbacks and the size of setbacks may be adjusted through consultation with the City and the appropriate agency (CDFW or USFWS).</p> <p>If active Swainson’s hawk nest sites are identified within 0.25 mile of project activities, the project applicant shall impose a 0.25-mile setback to all active nest sites prior to commencement of any construction activities to avoid construction- or access-related disturbances to nests. Project-related activities (i.e., vegetation removal, earth moving, and construction) shall not occur within the setback until the nest is deemed inactive. Activities permitted within setbacks and the size of setbacks may be adjusted through consultation with the CDFW.</p>	<ul style="list-style-type: none"> Construction contractor 	<ul style="list-style-type: none"> Prior to construction 	<ul style="list-style-type: none">
MM 3.4.1c	<p>If clearing and/or construction activities will occur during the migratory bird nesting season (February 1–September 1), a qualified biologist shall conduct preconstruction surveys to identify active migratory bird nests within 14 days prior to construction initiation. Focused surveys must be performed by a qualified biologist for the</p>	<ul style="list-style-type: none"> Construction contractor 	<ul style="list-style-type: none"> Prior to construction 	<ul style="list-style-type: none">

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements	Responsible Party	Timing	Verification (Date and Initials)
	<p>purposes of determining the presence/absence of active nest sites within the proposed impact area, including construction access routes and a 200-foot buffer (if feasible).</p> <p>If migratory bird nests are identified within 200 feet of project activities, the applicant will impose a 150-foot setback to all active migratory bird nest sites prior to commencement of project construction activities to avoid construction- or access-related disturbances to nesting birds. Project-related activities (i.e., vegetation removal, earth moving, and construction) shall not occur within any setbacks until nests are deemed inactive. Activities permitted within setbacks and the size of setbacks may be adjusted through consultation with the City.</p>			
MM 3.4.1d	Trees containing active migratory bird and/or raptor (excluding Swainson's hawk) nests that must be removed as a result of project implementation shall be removed during the non-breeding season (September 16–January 31). Swainson's hawks are state listed as threatened species; therefore, impacts to Swainson's hawk nest trees require regulatory authorization from the CDFW prior to removal.	<ul style="list-style-type: none"> Construction contractor 	<ul style="list-style-type: none"> Prior to construction 	<ul style="list-style-type: none">
MM 3.4.1e	Construction activities shall occur during daylight hours. If bats are observed foraging during daylight hours, construction activities shall cease until bats are no longer observed in the area.	<ul style="list-style-type: none"> Construction contractor 	<ul style="list-style-type: none"> During construction 	<ul style="list-style-type: none">
MM 3.4.1f	Prior to the start of any construction activities, a qualified biologist, approved by the CDFW, shall conduct preconstruction surveys for San Joaquin whipsnake. If individuals are found, work will not begin until they are out of the project area. The qualified biologist shall relocate any individuals out of the project area into nearby suitable habitat if they are found on-site and cannot or do not move out of the project area on their own.	<ul style="list-style-type: none"> Construction contractor 	<ul style="list-style-type: none"> Prior to construction 	<ul style="list-style-type: none">
MM 3.4.1g	No monofilament plastic or mesh less than 0.25 inch will be used for erosion control measures.	<ul style="list-style-type: none"> Construction contractor 	<ul style="list-style-type: none"> During construction 	<ul style="list-style-type: none">
MM 3.4.1h	The project construction area will be clearly marked with orange plastic fencing, and all construction-related activities will occur	<ul style="list-style-type: none"> Construction contractor 	<ul style="list-style-type: none"> During construction 	<ul style="list-style-type: none">

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements	Responsible Party	Timing	Verification (Date and Initials)
	within the project area. With the exception of the access road, no construction activity or equipment shall be allowed outside of the orange plastic fencing.			
MM 3.4.1i	A litter control program shall be instituted during all construction activities for the proposed project.	• Construction contractor	• During construction	•
MM 3.4.1j	All refueling and vehicle maintenance activities shall be confined to the designated staging areas.	• Construction contractor	• During construction	•
MM 3.4.1k	Project-related vehicles shall observe a 20 mile per hour speed limit in the project area, except on county and/or city roads and state and federal highways.	• Construction contractor	• During construction	•
Cultural and Tribal Cultural Resources				
MM 3.5.1	Prior to project implementation, the project applicant shall conduct historical resources studies and surveys and prepare assessment reports on a project-by-project basis, when a project proposes to alter, demolish, or degrade a potential historic resource. Historical resources studies, surveys, and assessment reports shall be performed by persons who meet the Secretary of the Interior's Professional Qualification Standards for Archaeology and Historic Preservation (48 CFR 44716).	• Project applicant	• Prior to future project approval	•
MM 3.5.2	If during the course of grading or construction unknown archaeological and paleontological resources are discovered, the contractor shall halt work immediately within 50 feet of the discovery, the City of Hollister shall be notified, and a professional archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to determine the significance of the discovery. A qualified archaeologist shall determine impacts, significance, and mitigation in consultation with recognized local Native American groups, if appropriate. In addition, prior to the commencement of project site preparation, all construction personnel shall be informed of the potential to inadvertently uncover cultural resources and the procedures to follow subsequent to an inadvertent discovery of	• Construction contractor	• During construction	•

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements	Responsible Party	Timing	Verification (Date and Initials)
	cultural resources.			
MM 3.5.3	If during the course of grading or construction unknown tribal resources are discovered, the contractor shall halt work immediately within 50 feet of the discovery, the City of Hollister shall be notified, and a professional archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to determine the significance of the discovery. Additionally, consultation with the area designated tribe shall take place as deemed necessary by the City and the professional archaeologist.	<ul style="list-style-type: none"> Construction contractor 	<ul style="list-style-type: none"> During construction 	<ul style="list-style-type: none">
Greenhouse Gas Emissions				
MM 3.7.2	<p>Project plans submitted to the City for approval shall demonstrate adherence to the following measures:</p> <ul style="list-style-type: none"> Use of energy-efficient lighting technologies for all nonresidential parking lot lighting. Installation of interior real-time energy monitors in all nonresidential buildings. Installation of new and resurfaced parking lots, sidewalks, and crosswalks made of materials with high reflectivity, such as concrete or reflective aggregate in paving materials, at all nonresidential areas. Pre-wiring for solar water heating and solar electricity all nonresidential buildings. Installation of electrical outlets on the exterior of nonresidential buildings at an accessible location to charge electric-powered lawn and garden equipment. Designation of preferred parking stalls at all nonresidential land uses for electric, hybrid, and other alternative-fuel vehicles in all public and private parking lots consistent with the California Green Building Code. 	<ul style="list-style-type: none"> Project applicant 	<ul style="list-style-type: none"> Prior to future project approval 	
Hazards and Hazardous Materials				

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements	Responsible Party	Timing	Verification (Date and Initials)
MM 3.8.2a	Prior to construction in the project area, a Phase I Environmental Site Assessment (ESA) shall be completed to analyze the potential for acute hazards or hazardous materials in the project area and whether future residents or employees would be at risk from those hazards.	<ul style="list-style-type: none"> Project applicant 	<ul style="list-style-type: none"> Prior to future project approval 	<ul style="list-style-type: none">
MM 3.8.2b	<p>If hazardous materials are encountered during construction or accidentally released as a result of construction activities, the contractor shall implement the following procedures:</p> <ul style="list-style-type: none"> Stop all work within 25 feet of any discovered contamination or release. Identify the scope and immediacy of the problem. Coordinate with responsible agencies (Department of Toxic Substances Control, Central Coast Regional Water Quality Control Board, or US Environmental Protection Agency). Conduct the necessary investigation and remediation activities to resolve the situation before continuing construction work. 	<ul style="list-style-type: none"> Construction contractor 	<ul style="list-style-type: none"> During construction 	<ul style="list-style-type: none">
MM 3.8.2c	The project applicant shall employ a Cal/OSHA-registered asbestos contractor to remove any asbestos-containing materials encountered during demolition to ensure the safety of the surrounding neighborhoods.	<ul style="list-style-type: none"> Construction contractor 	<ul style="list-style-type: none"> During demolition 	<ul style="list-style-type: none">
MM 3.8.2d	<p>To prevent accidental release of lead-based paint, the contractor shall use the following techniques during construction:</p> <ul style="list-style-type: none"> Stabilize loose and flaky paint prior to construction activities. Require all workers to wear OSHA-level protective material for handling lead-based paint per OSHA requirements for lead in construction. Remove all lead-based paint materials to a scrap yard or landfill that can accept such materials. 	<ul style="list-style-type: none"> Construction contractor 	<ul style="list-style-type: none"> During demolition 	<ul style="list-style-type: none">
MM 3.8.2e	To prevent the accidental release of polychlorinated biphenyls (PCBs), the contractor shall remove all fluorescent light tubes prior to demolition. If a "no PCB" sticker on the fluorescent fixture ballasts	<ul style="list-style-type: none"> Construction contractor 	<ul style="list-style-type: none"> Prior to demolition 	<ul style="list-style-type: none">

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements	Responsible Party	Timing	Verification (Date and Initials)
	cannot be located, ballasts shall be removed as PCB containing.			
Transportation and Traffic				
MM 3.14.1a	<p>The developer will pay the applicable San Benito County Regional Traffic Impact Mitigation Fee as a fair-share contribution toward improvements at the following intersections:</p> <ul style="list-style-type: none"> • Intersection 3: Airline Highway and Union Road • Intersection 11: Fairview Road and Hillcrest Road • Intersection 12: Memorial Drive and Hillcrest Road • Intersection 17: San Benito Street and Fourth Street • Intersection 22: SR 25 and Santa Ana Road • Intersection 27: San Felipe Road and Maple Street • Intersection 28: San Felipe Road and SR 25 • Intersection 30: SR 25 and Wright Road • Intersection 34: Union Road/Mitchell Road and SR 156 • Intersection 37: SR 25 and SR 156 • Intersection 42: US 101 NB Ramps and SR 25 • Intersection 44: Rustic Street and Maple Street 	<ul style="list-style-type: none"> • Project applicant 	<ul style="list-style-type: none"> • Prior to future project approvals 	<ul style="list-style-type: none"> •
MM 3.14.4a	<p><u>Off-Site Bicycle Facilities.</u> The project developer shall conduct a bicycle and pedestrian safety study in the project vicinity, and if necessary, identify the potential improvements to the bicycle and pedestrian network in coordination with the City of Hollister. If the City determines additional facilities are necessary, the project applicant shall contribute to the completion of the facilities. The contribution shall be determined by the City of Hollister and shall be based on the project's contribution to the total projected growth in the area.</p>	<ul style="list-style-type: none"> • Project applicant 	<ul style="list-style-type: none"> • Prior to future project approvals 	<ul style="list-style-type: none"> •
MM 3.14.4b	<p><u>Contribute to Planned Bicycle Facilities in the Project Area.</u> The project developers shall contribute to the completion of planned bicycle facilities in the project vicinity, if a funding mechanism has been established for these improvements. The contribution shall be</p>	<ul style="list-style-type: none"> • Project applicant 	<ul style="list-style-type: none"> • Prior to project approval 	<ul style="list-style-type: none"> •

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements	Responsible Party	Timing	Verification (Date and Initials)
	determined by the City of Hollister and shall be based on the project's contribution to the total projected growth in the area.			
MM 3.14.4c	<p><u>Installation of Sidewalks.</u> At each stage of project development, sidewalks shall be built along both sides of all new streets within the project site. For streets proposed at the property line, the applicant shall only be responsible for the sidewalk adjacent to the project site. Neighborhoods shall be designed with adequate and continuous pedestrian facilities to encourage the use of nonauto modes of travel. New sidewalks along the project site frontages on Chappell Road, Pacific Way, and Santa Ana Road shall connect to existing pedestrian facilities providing continuous sidewalk connections from the project site to existing and planned pedestrian facilities in the area.</p> <p>Additionally, frontage improvements along Santa Ana Road shall be designed to be consistent with San Benito County and City of Hollister roadway design standards and guidelines and to accommodate the future planned installation of a bike lane along Santa Ana Road.</p>	<ul style="list-style-type: none"> Project applicant 	<ul style="list-style-type: none"> Prior to future project approval 	<ul style="list-style-type: none">
MM 3.14.4d	<p><u>Development of a Safe Routes to School Program.</u> The project developers, in coordination with the City of Hollister, shall conduct a safe routes to school study to determine safe routes from the project site to the school sites anticipated to serve the project. If the City determines safety improvements are necessary along the routes, the project applicant shall contribute its fair share, as determined by the City, to the completion of those improvements.</p>	<ul style="list-style-type: none"> Project applicant 	<ul style="list-style-type: none"> Prior to project occupancy 	<ul style="list-style-type: none">