

Silver Eagle Road at Western Subdivision Project Mitigation Monitoring Plan

In January 1989, Assembly Bill (AB) 3180 went into effect requiring the City to monitor all mitigation measures applicable to this project and included in the Mitigated Negative Declaration. For this project, mitigation reporting will be performed by the City of Sacramento in accordance with the monitoring and reporting program developed by the City to implement AB 3180.

This Mitigation Monitoring Plan is being prepared for the City of Sacramento Community Development Department, Environmental Planning Services, 300 Richards Boulevard, 3rd Floor, Sacramento, CA 95811, pursuant to the California Environmental Quality Act (CEQA) Guidelines, California Public Resources Code 21081.

Project Name:	Silver Eagle Road at Western Subdivision Project (Z22-072)
Project Location:	The approximately 6.67-acre project site is bounded by Silver Eagle Road to the north, Western Avenue to the west, and Ford Road to the south in the City of Sacramento, California.
Project Description:	The Silver Eagle Road at Western Subdivision Project (proposed project) would include development of 41 single-family residential lots ranging in size from 4,106 square feet (sf) to 8,468 sf. Primary site access would be provided by two new connections, one to Western Avenue and one to Ford Road, and would provide access to an internal roadway system. Other site improvements would include installation of utility lines, landscaping improvements, and off-site improvements to the existing sanitary sewer line in Ford Road. Development of the proposed project would require the approval of a Tentative Subdivision Map to subdivide the project site and a Site Plan and Design Review of the proposed subdivision layout and project.

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Mitigation Measure		Reporting Milestone	Reporting / Responsible Party	Verification of Compliance	
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Air Quality					
III-1.	<p>Prior to approval of any Improvement Plans and/or Grading Plans, the project applicant shall provide proof of compliance with the following to the satisfaction of the City of Sacramento Community Development Department:</p> <p>The project applicant shall show on the plans via notation that the contractor shall ensure that the heavy-duty off-road vehicles (50 horsepower or more) to be used in the construction of the proposed project, including owned, leased, and subcontractor vehicles, shall be a combination of engine Tier 3 or Tier 4 off-road construction equipment, or hybrid, electric, or alternatively fueled equipment (or any combination of the above), sufficient to achieve a fleet-wide average reduction in construction-related NO_x emissions to below the applicable SMAQMD thresholds of significance (85 lbs/day). For instance, the emissions presented in Table 4 were achieved by requiring all equipment used during construction to be engine Tier 4 Final.</p> <p>In addition, all off-road equipment operating at the construction site must be maintained in proper working condition according to manufacturer's specifications. Idling shall be limited to five minutes or less in accordance with the In-Use Off-Road Diesel Vehicle Regulation as required by CARB. Clear signage regarding idling restrictions shall be placed at the entrances to the construction site.</p> <p>Portable equipment over 50 horsepower must have either a valid SMAQMD Permit to Operate (PTO) or a valid statewide Portable Equipment Registration Program (PERP) placard and sticker issued by CARB.</p> <p>Conformance with the foregoing requirements shall be included as notes and be confirmed through review and approval of grading plans by the City of Sacramento Community Development Department.</p>	Prior to approval of any Improvement Plans and/or Grading Plans	City of Sacramento Community Development Department		

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Biological Resources					
IV-1.	<p>Prior to commencement of construction activities and when plants would be in bloom, a qualified biologist shall conduct pre-construction surveys. Surveys shall be conducted to conform to the USFWS botanical survey guidelines (USFWS, 2000), CNPS survey protocol (CNPS, 2001), and the CDFW-recommended protocols for botanical resource surveys (CDFW 2018). Such protocols include surveying areas at the appropriate time of year, when plants are in bloom, to confirm the presence or absence of such species on the site. If special-status plants are not found, then further mitigation measures are not necessary. The results of the preconstruction survey shall be submitted to the City of Sacramento Community Development Director, or designee thereof, as applicable.</p> <p>Should populations of special-status plant species be found present on the project site, a qualified biologist shall prepare an avoidance and mitigation plan detailing protection and avoidance measures, transplantation procedures, success criteria, and long-term monitoring protocols. Such measures could include, but are not limited to, collecting seed-bearing soil and spreading such soil into a suitable mitigation site. The plan shall be submitted to the City's Community Development Department for review and approval and shall ensure that impacts to rare plants shall result in no net loss of individual plants after a five-year monitoring period. In addition, a pre-construction worker awareness training shall be conducted to alert workers to the presence of and protections for special-status plants.</p>	Prior to commencement of construction activities and when plants would be in bloom	City of Sacramento Community Development Department		
IV-2.	<p>If construction activities commence between February 15 and September 1, a pre-construction survey for nesting Swainson's hawks and whitetailed kite within 0.25-mile of the project site shall be conducted by a qualified biologist within 14 days of project construction. If nesting Swainson's hawks or white-tailed kite are not found, then further mitigation measures are not necessary. If active nests are found within 0.25-mile of the project site, construction shall cease within 0.25-mile of the active nest until a qualified biologist determines that the young have fledged or that the nesting attempt has failed. If an active Swainson's hawk or white-tailed kite nest is found within an on-site tree proposed for removal, then the project applicant shall obtain any required permits from CDFW and shall further implement additional mitigation as recommended by a qualified biologist based on CDFW guidelines. The results of the pre-construction survey shall be submitted to the City of Sacramento</p>	If construction activities commence between February 15 and September 1, within 14 days of project construction	City of Sacramento Community Development Director		

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<i>Community Development Director, or designee thereof, as applicable.</i>				
<p>IV-3. <i>If construction activities commence between February 1 and August 31, a pre-construction survey for nesting burrowing owls within the project site and a 500 feet buffer surrounding the site shall be conducted within 15 days of project construction. The pre-construction survey shall be conducted by a qualified biologist consistent with the CDFW 2012 Staff Report on Burrowing Owl Mitigation. Survey results shall only be valid for the breeding season in which the survey was conducted. If a lapse in project-related work of 15 calendar days or longer occurs, an additional survey shall be required prior to reinitiation. A written summary of the survey results shall be submitted to the City of Sacramento Community Development Department before any construction permits are issued. If nesting burrowing owls are not found, then further mitigation measures are not necessary.</i></p> <p><i>If an active burrow (i.e., a burrow occupied by more than one adult burrowing owl, and/or if juvenile owls are observed) is found, the project applicant shall implement the following measures:</i></p> <ul style="list-style-type: none"> <i>a. Avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young (including individuals or family groups foraging on or near the site following fledging); and</i> <i>b. Establish a minimum 500-foot non-disturbance buffer zone around nests, unless otherwise approved by the City in consultation with CDFW. The buffer zone shall be flagged or otherwise clearly marked to prevent project-related activities from occurring within the buffer zone. Should construction activities cause the nesting bird to vocalize, make defensive flights at intruders, or otherwise display agitated behavior, then the exclusionary buffer shall be increased such that project construction activities occur far enough from the nest that the bird(s) cease displaying such agitated behavior. Construction shall only occur within the 500-foot buffer zone during the breeding season if a qualified biologist monitors the nest and determines that the proposed activities would not disturb nesting behavior; that the birds have not begun egg-laying and incubation; or that the juveniles from the occupied burrows have fledged and moved off-site. Any</i> 	If construction activities commence between February 1 and August 31	City of Sacramento Community Development Department		

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<p><i>modifications to the aforementioned buffer shall be approved by the City in consultation with CDFW. The buffer reduction request shall include relevant information and/or propose new measures to justify the buffer reduction.</i></p> <p><i>Mitigation for the permanent loss of burrowing owl foraging habitat (all areas of suitable habitat within 250 feet of an active burrow) shall be preserved at a 3:1 ratio. The mitigation lands may require habitat enhancements including enhancement or expansion of burrows for breeding, shelter and dispersal opportunity, and removal or control of population stressors. In addition, the mitigation provided shall be consistent with recommendations in the CDFW Staff Report on Burrowing Owl Mitigation.</i></p>				
<p>IV-4. <i>If project construction commences during the non-nesting season (September 1 through January 31), a pre-construction survey for burrows or debris that represent suitable nesting habitat for burrowing owls shall be conducted within areas of proposed ground disturbance, as well as the areas directly adjacent. If burrowing owls are not found, then further mitigation measures are not necessary. If overwintering owls are located, the project applicant shall establish a minimum 160-foot (50-meter) buffer zone around active burrows. The buffer zone shall be flagged or otherwise clearly marked. CDFW-approved measures, such as visual screens, may be used to further reduce the buffer, provided a qualified biologist confirms that such measures would not cause agitated behavior.. A written summary of the survey results shall be submitted to the City of Sacramento Community Development Department before any construction permits are issued.</i></p> <p><i>Burrow exclusion shall only be conducted during the non-breeding season for active burrows located within the project site boundaries, and in limited instances within a buffer zone around the project site, as determined by the City in consultation with CDFW after all avoidance and minimization measures have been exhausted. The project applicant shall acquire an Incidental Take Permit (ITP) from CDFW prior to exclusion. Following the ITP, any exclusion and burrow collapse activities shall be conducted in accordance with the CDFW Staff Report on Burrowing Owl Mitigation. The foregoing guidance requires a Burrowing Owl Exclusion Plan to be developed and approved by a qualified biologist in consultation with CDFW for the City's review and approval prior to burrow exclusion and/or closure.</i></p>	<p>If project construction commences during the non-nesting season (September 1 through January 31)</p>	<p>City of Sacramento Community Development Department</p>		

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<p>IV-5. <i>Within three days prior to commencement of project construction activities, a pre-construction nesting bird survey shall be conducted by a qualified biologist within the project site and within a 500-foot radius of the site for migratory birds and 0.5-mile for raptors. If there is a break in construction activity of more than seven days, then subsequent surveys shall be conducted. In addition, a final pre-construction survey shall be conducted within seven calendar days prior to the start of vegetation clearing or other ground-disturbing activities. A written summary of all survey results shall be submitted to the City of Sacramento Community Development Department before any construction permits are issued.</i></p> <p><i>If nesting raptors and other migratory birds are not found, then further mitigation measures are not necessary. If active raptor nests are found, construction activities shall not occur within 500 feet of the nest (or an alternative distance as determined by a qualified biologist) until the young have fledged, as determined by a qualified biologist. If the raptor species are protected, further consultation with CDFW shall occur prior to the removal of any nests or nesting trees. Even outside of the nesting season, if known raptor nest trees are removed, replacement native trees shall be planted at a ratio of 3:1 at or near the project site. If active songbird nests are found, a 100-foot non-disturbance buffer shall be established or an alternative distance as determined by a qualified biologist. The foregoing disturbance buffers may be increased or reduced as determined by the qualified biologist and approved by the City, and must consider the natural history of the nesting bird species, the proposed activity level adjacent to the nest, habituation to existing or ongoing activity, and nest concealment. A qualified biologist shall visit the nest as needed to determine when the young have fledged the nest and are independent of the site, or the nest can be left undisturbed until the end of the nesting season.</i></p>	Within three days prior to commencement of project construction activities	City of Sacramento Community Development Department		
<p>IV-6. <i>Prior to commencement of project construction activities, a qualified biologist shall conduct a bat habitat assessment of all potential roosting trees within the project site. If suitable roosting habitat is not identified, further mitigation shall not be necessary.</i></p> <p><i>If potential roosting habitat is identified within the areas proposed for impact, the qualified biologist shall survey the potential roosting habitat during the active season (April through October or January through March on days with</i></p>	Prior to the commencement of project construction activities	City of Sacramento Community Development Department		

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<i>temperatures in excess of 50 degrees Fahrenheit) to determine presence of roosting bats. The surveys shall be conducted using methods condoned by CDFW and bat experts, which may include evening emergence surveys, acoustic surveys, inspecting potential roosting habitat with fiberoptic cameras, or a combination thereof. A written summary of the survey results shall be submitted to the City of Sacramento Community Development Department before any construction permits are issued. If roosting bats are identified within any of the trees proposed for removal, the trees shall be removed outside of breeding season (generally during the months of May through August) only on days with temperatures in excess of 50 degrees Fahrenheit. Two-step tree removal, which involves the removal of all tree branches that do not provide roosting habitat on the first day, and then cutting down the remaining portion of the tree the next day, shall be used under the supervision of a qualified biologist. All other tree removal and/or structure demolition shall be conducted from January through March on days with temperatures in excess of 50 degrees Fahrenheit.</i>				
IV-7. <i>Prior to commencement of project construction activities, the applicant shall request either a Preliminary or an Approved Jurisdictional Determination from USACE. If the USACE determines that the seasonal wetland swale within the Project Area is jurisdictional under Section 404 of the Clean Water Act, the Project Applicant shall apply for a Department of the Army permit for impacts to waters of the U.S. (waters). Waters that will be impacted shall be replaced or rehabilitated on a "no-net-loss" basis. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by methods acceptable to the USACE. Proof of compliance shall be submitted to the City of Sacramento Community Development Department.</i>	Prior to commencement of project construction activities	City of Sacramento Community Development Department		
IV-8. <i>Prior to commencement of project construction activities, the applicant shall apply for a Section 401 Water Quality Certification from the RWQCB, and adhere to the certification conditions. If the USACE does not assert jurisdiction over the seasonal wetland swale, the applicant shall prepare a Report of Waste Discharge Requirement, as aquatic resources present would be considered Waters of the State, and shall mitigate to ensure there is "no-net-loss" of wetlands as a result of the proposed project. Proof of compliance, either in the form of the Section 401 Water Quality Certification or the Report of Waste Discharge Requirement, shall be submitted to the City of Sacramento Community Development Department.</i>	Prior to commencement of project construction activities	City of Sacramento Community Development Department		
IV-9. <i>Prior to issuance of grading permits, the project applicant shall comply with</i>	Prior to issuance of	City of Sacramento		

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<i>Tree Permit requirements in effect at the time of project approval for removal, pruning, or soil disturbance within the canopy dripline of a private protected tree. The measures shall be reflected on the grading plans, subject to review and approval by the City's Community Development Department. All removal activities shall be subject to the guidelines set forth in Chapter 12.56, Tree Planting, Maintenance, and Conservation, of the City Code, which requires the acquisition of a Tree Permit prior to the removal of any tree.</i>	grading permits	Community Development Department		
Cultural Resources				
<p>V-1. Avoidance and Preservation Procedures in the Event of the Inadvertent Discovery of Cultural Resources.</p> <p><i>If cultural resources (such as structural features, unusual amounts of bone or shell, artifacts, or human remains) are encountered at the project site during construction, work shall be suspended within 100 feet of the find (based on the apparent distribution of cultural materials), and the construction contractor shall immediately notify the project's City representative. Avoidance and preservation in place is the preferred manner of mitigating impacts to cultural resources. This will be accomplished, if feasible, by several alternative means, including:</i></p> <ul style="list-style-type: none"> <i>Planning construction to avoid archaeological sites and/or other cultural resources; incorporating cultural resources within parks, green-space or other open space; covering archaeological resources; deeding a cultural resource to a permanent conservation easement; or other preservation and protection methods agreeable to consulting parties and regulatory authorities with jurisdiction over the activity.</i> <i>Recommendations for avoidance of cultural resources will be reviewed by the City representative and other appropriate agencies, in light of factors such as costs, logistics, feasibility, design, technology and social, cultural and environmental considerations, and the extent to which avoidance is consistent with project objectives. Avoidance and design alternatives may include realignment within the project site to avoid cultural resources, modification of the design to eliminate or reduce impacts to cultural resources or modification or realignment to avoid highly significant features within a cultural resource.</i> <i>If the discovered cultural resource can be avoided, the construction</i> 	If cultural resources are encountered at the project site during construction	City of Sacramento Community Development Department		

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<p><i>contractor(s), will install protective fencing outside the site boundary, including a 100-foot buffer area, before construction restarts. Use of temporary and permanent forms of protective fencing will be determined in consultation with Native American representatives from interested culturally affiliated Native American tribes.</i></p> <ul style="list-style-type: none"> <i>The construction contractor(s) will maintain the protective fencing throughout construction to avoid the site during all remaining phases of construction. The area will be demarcated as an “Environmentally Sensitive Area.”</i> <p><i>If a cultural resource cannot be avoided, the following performance standard shall be met prior to continuance of construction and associated activities that may result in damage to or destruction of cultural resources:</i></p> <ul style="list-style-type: none"> <i>Each resource will be evaluated for California Register of Historical Resources- (CRHR) eligibility through application of established eligibility criteria (California Code of Regulations 15064.636), in consultation with consulting Native American Tribes, as applicable.</i> <i>If a cultural resource is determined to be eligible for listing in the CRHR, the City will avoid damaging effects to the resource in accordance with California PRC Section 21084.3, if feasible. The City shall coordinate the investigation of the find with a qualified archaeologist (meeting the Secretary of the Interior’s Professional Qualifications Standards for Archeology) approved by the City. As part of the site investigation and resource assessment, the City and the archaeologist shall assess the significance of the find, make recommendations for further evaluation and treatment as necessary and provide proper management recommendations should potential impacts to the resources be determined by the City to be significant. A written report detailing the site assessment, coordination activities, and management recommendations shall be provided to the City representative by the qualified archaeologist. These recommendations will be documented in the project record.</i> 				
<p>V-2. Implement Procedures in the Event of the Inadvertent Discovery of Human Remains.</p> <p><i>If an inadvertent discovery of human remains is made at any time during</i></p>	<p>If an inadvertent discovery of human remains is made at any time during</p>	<p>City of Sacramento Community Development Department</p>		

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<p><i>project-related construction activities or project planning, the following performance standards shall be met prior to implementing or continuing actions such as construction, which may result in damage to or destruction of human remains. In accordance with the California Health and Safety Code (HSC), if human remains are encountered during ground-disturbing activities, the City shall immediately halt potentially damaging excavation in the area of the remains and notify the Sacramento County Coroner and a professional archaeologist to determine the nature of the remains. The Coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or State lands (HSC Section 7050.5[b]).</i></p> <p><i>If the human remains are of historic age and are determined to be not of Native American origin, the City will follow the provisions of the HSC Section 7000 (et seq.) regarding the disinterment and removal of non-Native American human remains.</i></p> <p><i>If the Coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (HSC Section 7050[c]). After the Coroner's findings have been made, the archaeologist and the NAHC-designated Most Likely Descendant (MLD), in consultation with the landowner, shall determine the ultimate treatment and disposition of the remains. The responsibilities of the City for acting upon notification of a discovery of Native American human remains are identified in California PRC Section 5097.9 et seq.</i></p>	project-related construction activities or project planning	Sacramento County Coroner Native American Heritage Commission (NAHC)		
Geology and Soils				
<p>VII-1. <i>Prior to approval of any grading permits, a design-level Geotechnical Analysis shall be conducted by a California Registered Civil Engineer or Geotechnical Engineer to characterize the subsurface conditions of the project site. The report shall address and make recommendations on the following:</i></p> <ul style="list-style-type: none"> <i>Road, pavement, and parking area design;</i> <i>Structural foundations, including retaining wall design (if applicable);</i> <i>Grading practices;</i> <i>Erosion/winterization;</i> 	Prior to approval of any grading permits	City of Sacramento Community Development Department		

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<ul style="list-style-type: none"> Special problems discovered on-site, (i.e., groundwater, expansive/unstable soils, etc.); Subsidence and settlement potential; and Slope stability. <p>All grading and foundation plans for the development shall be designed by a Civil and Structural Engineer and reviewed and approved by the Director of Public Works/City Engineer, Chief Building Official, and a qualified Geotechnical Engineer prior to issuance of grading and building permits to ensure that all geotechnical recommendations specified in the Geotechnical Analysis are properly incorporated and utilized in the project design. The design-level Geotechnical Analysis shall be submitted to the City of Sacramento Community Development Department.</p>				
VII-2. Implement Mitigation Measure VII-1.	See above.	See above.		
<p>VII-3. In the event that a paleontological resource is inadvertently discovered during project-related work, regardless of the depth of excavation or location, work shall be halted within 50 feet (15 meters) of the find and a qualified paleontologist (Society of Vertebrate Paleontology [SVP] 2010) and the City of Sacramento Community Development Department shall be notified. The resources shall be examined by the qualified paleontologist at the developer's expense, for the purpose of recording, protecting, or curating the discovery as appropriate. Construction activities could continue in other areas.</p> <p>If the find is determined to be significant under SVP criteria, the find shall be left in place without further disturbance, or if avoidance is not feasible, then additional work, such as fossil recovery excavation (salvage) and curation at a certified repository, such as the University of California Museum of Paleontology (UCMP), may be warranted and would be discussed in consultation with the City of Sacramento Community Development Department, and any other relevant regulatory agency, as appropriate. The qualified paleontologist shall submit to the City of Sacramento Community Development Department for review and approval a report of the findings and method of curation or protection of the resources.</p>	In the event that a paleontological resource is inadvertently discovered during project-related work	City of Sacramento Community Development Department		
Hydrology and Water Quality				
X-1. Prior to issuance of any grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the	Prior to issuance of any grading permits	The City Department of Utilities		

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<p><i>Central Valley RWQCB. The contractor shall file the Notice of Intent (NOI) and associated fee to the SWRCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of BMPs. The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. Construction (temporary) BMPs for the project may include, but are not limited to: fiber rolls, straw bale barrier, straw wattles, storm drain inlet protection, velocity dissipation devices, silt fences, wind erosion control, stabilized construction entrance, hydroseeding, revegetation techniques, and dust control measures. The SWPPP shall be submitted to both the City Department of Utilities, and the City Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.</i></p>		The City Engineer		
Noise				
<p>XIII-1. <i>Prior to approval of grading permits, the City shall establish the following as conditions of approval for any permit that results in the use of construction equipment:</i></p> <ul style="list-style-type: none"> <i>Construction shall be limited to 7:00 AM and 6:00 PM, on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday, and between 9:00 AM and 6:00 PM on Sundays;</i> <i>All construction equipment powered by internal combustion engines shall be properly muffled and maintained;</i> <i>Quiet construction equipment, particularly air compressors, shall be selected whenever possible;</i> <i>All stationary noise-generating construction equipment, such as generators or air compressors, shall be located as far as is practical from existing residences. In addition, the project contractor shall place such stationary construction equipment so that emitted noise is directed away from the sensitive receptors nearest to the project site;</i> <i>Unnecessary idling of internal combustion engines shall be prohibited; and</i> <i>The construction contractor shall, to the maximum extent practical, locate on-site equipment staging areas to maximize the distance</i> 	Prior to approval of grading permits	City of Sacramento Community Development Department		

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<p><i>between construction-related noise sources and noise-sensitive receptors nearest the project site during project construction.</i></p> <p><i>Proof of compliance with the above measures shall be submitted to the City of Sacramento Community Development Services Department for review.</i></p>				
<p>XIII-2. <i>Any compaction required within 26 feet of existing structures adjacent to the project site shall be accomplished by using static drum rollers, rather than vibratory compactors/rollers, which use weight instead of vibrations to achieve soil compaction. As an alternative, preconstruction crack documentation and construction vibration monitoring could be conducted to ensure that construction vibrations do not cause damage to any adjacent structures. The above requirements shall be included via notation on any future improvement plans approved for the proposed project to the satisfaction of the City's Community Development Department.</i></p>	Any compaction required within 26 feet of existing structures adjacent to the project site	City of Sacramento Community Development Department		
Tribal Cultural Resources				
<p>XVIII-1. <i>In the Event that Tribal Cultural Resources are Discovered During Construction, Implement Procedures to Evaluate Tribal Cultural Resources and Implement Avoidance and Minimization Measures to Avoid Significant Impact.</i></p> <p><i>If archaeological resources, or tribal cultural resources, are encountered in the project area during construction, the following performance standards shall be met prior to continuance of construction and associated activities that may result in damage to or destruction of tribal cultural resources:</i></p> <ul style="list-style-type: none"> <i>Each resource shall be evaluated for California Register of Historical Resources eligibility through application of established eligibility criteria (California Code of Regulations Section 15064.636), in consultation with consulting Native American tribes.</i> <p><i>If a tribal cultural resource is determined to be eligible for listing on the California Register of Historical Resources, the City shall avoid damaging effects to the resource in accordance with PRC Section 21084.3, if feasible. If the City determines that the project may cause a significant impact to a tribal cultural resource, and measures are not otherwise identified in the consultation process, the following are examples of mitigation capable of avoiding or substantially lessening potential significant impacts to a tribal</i></p>	If archaeological resources, or tribal cultural resources, are encountered in the project area during construction	City of Sacramento Community Development Department		

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<p><i>cultural resource or alternatives that would avoid significant impacts to the resource. These measures may be considered to avoid or minimize significant adverse impacts and constitute the standard by which an impact conclusion of less than significant may be reached:</i></p> <ul style="list-style-type: none"> • <i>Avoid and preserve resources in place, including, but not limited to, planning construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.</i> • <i>Treat the resource with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:</i> <ul style="list-style-type: none"> ○ <i>Protect the cultural character and integrity of the resource.</i> ○ <i>Protect the traditional use of the resource.</i> ○ <i>Protect the confidentiality of the resource.</i> ○ <i>Establish permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or using the resources or places.</i> ○ <i>Rebury the resource in place.</i> ○ <i>Protect the resource</i> ○ <i>Establish permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or using the resources or places.</i> ○ <i>Rebury the resource in place.</i> ○ <i>Protect the resource.</i> 				
<p>XVIII-2. Implement Procedures in the Event of the Inadvertent Discovery of Native American Human Remains.</p> <p><i>If an inadvertent discovery of human remains is made at any time during project-related construction activities or project planning, the following performance standards shall be met prior to implementing or continuing actions such as construction, which may result in damage to or destruction of human remains. In accordance with the California Health and Safety Code</i></p>	<p>If an inadvertent discovery of human remains is made at any time during project-related construction activities or project planning</p>	<p>City of Sacramento Community Development Department</p> <p>Sacramento County Coroner</p>		

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<p><i>(HSC), if human remains are encountered during ground-disturbing activities, the City shall immediately halt potentially damaging excavation in the area of the remains and notify the Sacramento County Coroner and a professional archaeologist to determine the nature of the remains. The Coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or State lands (HSC Section 7050.5[b]).</i></p> <p><i>If the human remains are of historic age and are determined to be not of Native American origin, the City will follow the provisions of the HSC Section 7000 (et seq.) regarding the disinterment and removal of non-Native American human remains.</i></p> <p><i>If the Coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (HSC Section 7050[c]). After the Coroner's findings have been made, the archaeologist and the NAHC-designated Most Likely Descendant (MLD), in consultation with the landowner, shall determine the ultimate treatment and disposition of the remains. The responsibilities of the City for acting upon notification of a discovery of Native American human remains are identified in California PRC Section 5097.9 et seq.</i></p>		Native American Heritage Commission (NAHC)		