

Appendix J

Mitigation Monitoring and Reporting Program

MITIGATION MONITORING AND REPORTING PROGRAM FOLSOM CORPORATE CENTER APARTMENTS

Purpose of Mitigation Monitoring and Reporting Program: The California Environmental Quality Act (CEQA), Public Resources Code Section 21081.6, requires that a Mitigation Monitoring and Reporting Program (MMRP) be established upon completing findings. CEQA stipulates that “the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.”

This MMRP has been prepared in compliance with Section 21081.6 of CEQA to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during the construction and operation of the project, as required. A table (attached) has been prepared to assist the responsible parties in implementing the MMRP. The table identifies individual mitigation measures, monitoring/mitigation timing, the responsible person/agency for implementing the measure, and space to confirm implementation of the mitigation measures. The numbering of mitigation measures follows the numbering sequence found in the Initial Study and Mitigated Negative Declaration.

The City of Folsom is the lead agency for the project under CEQA and shall administer and implement the MMRP. The City is responsible for review of all monitoring reports, enforcement actions, and document disposition. The City shall rely on information provided by the project site observers/monitors (e.g., construction manager, project manager, biologist, archaeologist, etc.) as accurate and up-to-date and shall provide personnel to field check mitigation measure status, as required.

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**MITIGATION MONITORING AND REPORTING PROGRAM
FOLSOM CORPORATE CENTER APARTMENTS**

Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
			Initials	Date
AIR QUALITY				
<p>AIR-1: Mechanical Ventilation System The building design shall include a mechanical ventilation system that meets the criteria of the International Building Code (Chapter 12, §1203.2 of the California Building Code) to ensure that windows would be able to remain closed while maintaining adequate ventilation and temperature control. The mechanical ventilation system shall be designed to accommodate, and equipped with, filters having a Minimum Efficiency Reporting Value (MERV) rating of 13 or higher.</p>	Prior to issuance of an occupancy permit.	City of Folsom; Project Applicant.		
BIOLOGICAL RESOURCES				
<p>BIO-1: Measures to Avoid Impacts to Burrowing Owl Prior to the commencement of construction activities (which includes clearing, grubbing, or grading) a survey for burrowing owl shall be conducted by a qualified biologist. The survey shall occur within 30 days of the start of construction activities. Surveys shall be conducted in accordance with the following:</p> <ul style="list-style-type: none"> • A survey for active burrows and burrowing owls shall be conducted by walking through suitable habitat over the entire project site and in areas within 150-meters (~500-feet) of the project impact zone where accessible. • Pedestrian survey transects shall be spaced to allow 100 percent visual coverage of the ground surface. The distance between transect center lines shall be no more than 30-meters (~100-feet) and shall be reduced to account for differences in terrain, vegetation density, and ground surface visibility. Surveyor(s) shall maintain a minimum distance of 50-meters (~160-feet) from any owls or occupied burrows. It is important to minimize disturbance near occupied burrows during all seasons. • If no occupied burrows or burrowing owls are found in the survey area, a letter report documenting survey methods and findings shall be prepared and no further mitigation is necessary. • If occupied burrows or burrowing owls are found, then a complete burrowing owl survey is required. This consists of a minimum of four site visits conducted on four 	Within 30 days of construction.	City of Folsom; Project Applicant; Qualified Biologist.		

<p>separate days, which must also be consistent with the Survey Method, Weather Conditions, and Time of Day sections of Appendix D of the California Fish and Wildlife “Staff Report on Burrowing Owl Mitigation” (March 2012). A survey report shall be prepared that is consistent with the Survey Report section of Appendix D of the California Fish and Wildlife “Staff Report on Burrowing Owl Mitigation” (March 2012).</p> <ul style="list-style-type: none"> If occupied burrows or burrowing owls are found, the applicant shall contact the City and consult with CDFW prior to construction and will be required to submit a Burrowing Owl Mitigation Plan (subject to the approval of the City and in consultation with California Fish and Wildlife). This plan must document all proposed measures, including avoidance, minimization, exclusion, relocation, or other measures, and include a plan to monitor mitigation success. The CDFW “Staff Report on Burrowing Owl Mitigation” (March 2012) shall be used in the development of the mitigation plan. 				
<p>BIO-2: Measures to Avoid Impacts to Nesting Birds</p> <ul style="list-style-type: none"> If project (construction) ground-disturbing or vegetation clearing and grubbing activities commence during the avian breeding season (February 1 through August 31), a qualified biologist shall conduct a pre-construction nesting bird survey no more than 14 days prior to initiation of project activities and again immediately prior to construction. The survey area shall include suitable raptor nesting habitat within 500-feet of the project boundary (inaccessible areas outside of the project site can be surveyed from the site or from public roads using binoculars or spotting scopes). Pre-construction surveys are not required in areas where project activities have been continuous since prior to February 1, as determined by a qualified biologist. Areas that have been inactive for more than 14 days during the avian breeding season must be re-surveyed prior to resumption of project activities. If no active nests are identified, no further mitigation is required. If active nests are identified, the following measure is required: <ul style="list-style-type: none"> A suitable buffer (e.g., typically 300-500-feet for raptors; and 50-100-feet for passerines) shall be established by a qualified biologist around active nests and no construction activities within the buffer shall be allowed until a qualified biologist has determined that the nest is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest, or the nest has failed). Encroachment into the buffer may occur at the discretion of a qualified biologist. Any encroachment into the buffer shall be monitored by a qualified biologist to determine whether nesting birds are being impacted. 	<p>Prior to project implementation; No more than 14 days prior to initiation of project activities and again immediately prior to construction.</p>	<p>City of Folsom; Qualified Biologist.</p>		

<ul style="list-style-type: none"> With implementation of the above mitigation measures, potential impacts to special-status species and nesting birds would be less than significant and no additional mitigation measures would be required. 				
<p>BIO-3: Tree Permit</p> <ul style="list-style-type: none"> A Tree Permit Application containing an application form, tree protection and mitigation plan, and arborist report shall be submitted to the City of Folsom by the owner/applicant for issuance of a Tree Work Permit and Tree Removal Permit prior to commencement of any grading or site improvement activities. The tree protection and mitigation plan shall be prepared in collaboration with a qualified arborist and shall be subject to review and approval by the City. The tree protection and mitigation plan shall contain the contact information of the project arborist and shall be included in all associated plan sets for the project. Removal of any protected tree shall be mitigated by planting replacement trees and/or payment of “In-Lieu” fees on a diameter inch basis in accordance with FMC 12.16.150. The proposed method of mitigation shall be subject to review and approval by the City. Prior to starting construction, oak trees to be preserved shall be fenced with high visibility fencing consistent with the city-approved tree protection and mitigation plan. Parking of vehicles, equipment, or storage of materials is prohibited within the Tree Protection Zone of Protected Trees at all times. Signs shall be posted on exclusion fencing stating that the enclosed trees are to be preserved. Signs shall state the penalty for damage to, or removal of, the protected tree. The owner/applicant shall retain the services of a project arborist for the duration of the development project to monitor the health of oak trees to be preserved and carry out the City-approved tree protection plan. All regulated activity conducted within the Critical Root Zone of protected trees, as that term is defined in Folsom Municipal Code (FMC) 12.16.020, shall be performed under the direct supervision of the project arborist. A copy of the executed contract for these arboricultural services shall be submitted to the City prior to the issuance of any tree or grading permits Certification letters by the project arborist attesting compliance with the tree 	<p>Prior to construction.</p>	<p>City of Folsom; Project Applicant; Qualified Arborist</p>		

<p>protection and mitigation plan and tree permit conditions shall be submitted to the City at the following stages of the project:</p> <ul style="list-style-type: none"> o Following completion of grading, prior to issuance of any building permits. o At the time of the final inspection, prior to the Certificate of Occupancy. 				
CULTURAL RESOURCES				
<p>CUL-1: Avoid and Minimize Impacts to Previously Unknown Archaeological Resources It is always possible that ground-disturbing activities during project development may uncover previously unknown archaeological resources. In the event that archaeological resources are discovered during construction, construction operations shall stop within a 100-foot radius of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The archaeologist shall make recommendations concerning appropriate measures that will be implemented to protect the resources, including but not limited to, excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Archaeological resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and evaluated for significance in terms of CEQA criteria.</p>	<p>Immediately upon discovery.</p>	<p>City of Folsom; Qualified Archaeologist.</p>		
<p>CUL-2: Avoid and Minimize Impacts Related to Accidental Discovery of Human Remains In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code § 5097.94 and § 5097.98 must be followed. If during the course of project development there is accidental discovery or recognition of any human remains, the following steps shall be taken:</p> <ol style="list-style-type: none"> 1. There shall be no further excavation or disturbance within a 100-foot radius of the potentially human remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the “most likely descendant” (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work 	<p>Immediately upon discovery.</p>	<p>City of Folsom; County Coroner.</p>		

<p>within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98.</p> <p>2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance:</p> <ul style="list-style-type: none"> o The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission. o The descendant identified fails to make a recommendation. o The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner. 				
GREENHOUSE GAS				
<p>GHG-1: Bicycle Parking</p> <p>In accordance with the City General Plan GHG Reduction Measure T-3, the project shall provide a minimum of five percent more bicycle parking than required in the City’s Municipal Code Section 17.57.090 (for a total of 54 bicycle parking spaces).</p>	<p>Prior to issuing any construction permits, the City shall verify that the project plans included sufficient bicycle parking (54 spaces) to meet this requirement.</p>	<p>City of Folsom.</p>		
<p>GHG-2: High-Performance Diesel</p> <p>In accordance with the City General Plan GHG Reduction Measure T-6, the project shall use high-performance diesel (also known as Diesel-HPR or Reg-9000/RHD) for all diesel-powered equipment utilized in construction of the project.</p>	<p>Prior to issuing any construction permits, the City shall verify that project plans and/or construction contracts include the high-performance diesel fuel requirement.</p>	<p>City of Folsom.</p>		
<p>GHG-3: Electric Vehicle Charging</p> <p>In accordance with the City General Plan GHG Reduction Measure T-8, the project shall provide electric vehicle charging stations in five percent of the total surface parking spaces on the project site (for a total of 16 EV charging stations).</p>	<p>Prior to issuing any construction permits, the City shall verify that project plans and</p>	<p>City of Folsom.</p>		

	include the required minimum electric vehicle charging stations.			
<p>GHG-4: Enhance Construction Waste Diversion</p> <p>In accordance with the City General Plan GHG Reduction Measure SW-1, the project shall divert to recycle or salvage a minimum 65 of nonhazardous construction and demolition waste generated at the project site in accordance with Appendix A4 (Residential) of the as outlined in the California Green Building Standards Code (2019 CALGreen).</p>	Prior to issuing any construction permits, the City shall verify that project construction contracts and/or plans include the construction waste diversion requirements.	City of Folsom.		
<p>GHG-5: Water Efficiency</p> <p>In accordance with the City General Plan GHG Reduction Measure W-1, the project shall comply with all applicable indoor and outdoor water efficiency and conservation measures required under 2019 CALGreen Tier 1, as outlined in the California Green Building Standards Code.</p>	Prior to issuing any construction permits, the City shall verify that project plans meet CALGreen Tier 1 indoor and outdoor water efficiency and conservation measures.	City of Folsom.		
NOISE				
<p>NOI-1: Construction Noise Reduction Measures</p> <p>Construction activities shall be required to comply with the following and be noted accordingly on construction contracts:</p> <p>1. Construction hours/Scheduling: The following are required to limit construction activities to the portion of the day when occupancy of the adjacent sensitive receptors are at the lowest:</p> <p>a. Construction activities for all phases of construction, including servicing of construction equipment shall only be permitted during the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and between 9:00 a.m. to 5:00 p.m. on Saturdays. Construction is prohibited on Sundays and on all holidays.</p> <p>b. Delivery of materials or equipment to the site and truck traffic coming to and from the site is restricted to the same construction hours specified above.</p>	Prior to and during project construction.	City of Folsom; Construction Contractor.		

<p>2. Construction Equipment Mufflers and Maintenance: All construction equipment powered by internal combustion engines shall be properly muffled and maintained.</p> <p>3. Idling Prohibitions: All equipment and vehicles shall be turned off when not in use. Unnecessary idling of internal combustion engines is prohibited.</p> <p>4. Equipment Location and Shielding: All stationary noise-generating construction equipment, such as air compressors, shall be located as far as practical from the adjacent homes. Acoustically shield such equipment when it must be located near adjacent residences.</p> <p>5. Quiet Equipment Selection: Select quiet equipment, particularly air compressors, whenever possible. Motorized equipment shall be outfitted with proper mufflers in good working order.</p> <p>6. Staging and Equipment Storage: The equipment storage location shall be sited as far as possible from nearby sensitive receptors.</p>				
<p>NOI-2: On-site Interior Noise Level Reduction For the project’s habitable areas (both living rooms and bedrooms) with a direct line-of-sight to US Highway 50 for Lot 1 and Iron Point Road for Lot 2, the following measures shall be incorporated in the design of the project to reduce interior noise levels to 45 CNEL or less:</p> <ul style="list-style-type: none"> • Lot1 (Buildings 1 and 2) and Lot 6 (Building 2) – minimum exterior wall requirement of STC 46. • Lot1 (Buildings 1 and 2) and Lot 6 (Building 2) – minimum window and glass sliding door requirement of STC 35. • Lot 1 (Building 7) and Lot 6 (Building 5) – minimum window and glass sliding door requirement of STC 28. • The building design shall include a mechanical ventilation system that meets the criteria of the International Building Code (Chapter 12, §1203.3 of the 2013 California Building Code) to ensure that windows would be able to remain permanently closed. 	<p>Prior to issuance of an occupancy permit by the City, the project applicant shall provide evidence of mitigation compliance on final project plans and specs.</p>	<p>City of Folsom; Project Applicant; Construction Contractor</p>		
TRANSPORTATION				
<p>TRA-1: Prairie Road/Iron Point Road Under Existing 2021 Conditions The applicant shall modify Prairie City Road/ Iron Point Road signal timing plan by shifting 1 second from the eastbound through movement to the westbound left turn movement, reduce the vehicle extension setting from adding five to six additional seconds to the green phase for through movements to adding four seconds to the</p>	<p>Prior to issuance of first building permit.</p>	<p>City of Folsom; Project Applicant.</p>		

<p>green phase for through movements for each vehicle passing the detector after the minimum green phase length has been exceeded. This mitigation measure shall be implemented by the City through the reimbursement agreement with the applicant to cover any City costs. The implementation of this mitigation measure shall occur prior to issuance of the first building permit.</p>				
<p>TRA-2: Prairie Road/ Iron Point Road under EPAP 2026 Conditions The applicant shall modify Prairie City Rd/Iron Point Rd signal timing plan by shifting 1 second from the eastbound through movement to the westbound left turn movement, reduce the vehicle extension setting from adding five to six additional seconds to the green phase for through movements to adding four seconds to the green phase for through movements for each vehicle passing the detector after the minimum green phase length has been exceeded. This mitigation measure shall be implemented by the City through the reimbursement agreement with the applicant to cover any City costs. The implementation of this mitigation measure shall occur prior to issuance of the first building permit.</p>	<p>Prior to issuance of first building permit.</p>	<p>City of Folsom; Project Applicant.</p>		
<p>TRIBAL CULTURAL RESOURCES</p>				
<p>TCR-1: Unanticipated Discovery of Tribal Cultural Resources If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100-feet of the find, or an agreed upon distance based on the Project Area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and culturally appropriate treatment as necessary. If deemed necessary by the City, a qualified cultural resources specialist meeting the Secretary of Interior’s Standards and Qualifications for Archaeology may also assess the significance of the find in joint consultation with Native American Representatives to ensure that Tribal values are considered. Work at the discovery location may not resume until the City, in consultation as appropriate and in good faith, determines that all necessary investigation and treatment of the discovery under the requirements of CEQA, including AB52, have been satisfied.</p>	<p>Immediately upon discovery.</p>	<p>City of Folsom; Qualified Archaeologist.</p>		