Davis CommuniCare Expansion Project
Mitigation Monitoring and Reporting Program

– November 2022

The California Environmental Quality Act (CEQA) and CEQA Guidelines require Lead Agencies to adopt a program for monitoring the mitigation measures required to avoid significant environmental impacts of a project. The Mitigation Monitoring and Reporting Program ensures that mitigation measures imposed by the City are completed at the appropriate time in the development process.

The mitigation measures identified in the Initial Study/Mitigated Negative Declaration for the Davis CommuniCare Expansion Project are listed below along with the party responsible for implementation of the mitigation measure, the party responsible for monitoring implementation of the mitigation measure, the milestones for implementation and monitoring, and a sign off that the mitigation measure has been implemented.

MITIGATION MONITORING AND REPORTING PROGRAM Davis CommuniCare Expansion Project					
Impact Number	**Impact**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
Biological Resources					
IV (b,c).	Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service; or have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	*IV-1* *The project applicant shall design the project to avoid the loss of riparian habitat to the maximum extent feasible. However, if avoidance is not feasible, the project applicant shall be required to implement the following measures:* • *<u>Notify USACE.</u> Prior to initiation of construction activities, the applicant shall obtain permit authorization to fill wetlands under Section 404 of the federal CWA (Section 404 Permit) from USACE. The Section 404 Permit application shall include an assessment of directly impacted, avoided, and preserved acreages to waters of the U.S. Mitigation measures shall be developed as part of the Section 404 Permit to ensure no net loss of wetland function and values. Mitigation for direct impacts to waters of the U.S. associated with the proposed project would occur at a minimum of 1:1 ratio for direct impacts; however, final mitigation requirements shall be developed in consultation with USACE. In addition, a Water Quality Certification or waiver pursuant to Section 401 of the CWA must be obtained for Section 404 permit actions.* • *<u>Notify Regional Water Quality Control Board.</u> Prior to initiation of construction activities, the project applicant shall submit to the Central Valley Regional Water Quality Control Board an application for Clean Water Act Section 401 Water Quality Certification and/or Waste Discharge Requirements for*	City of Davis Department of Community Development and Sustainability U.S. Army Corps. of Engineers Central Valley Regional Water Quality Control Board California Department of Fish and Wildlife	Prior to initiation of construction activities.	

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		Projects Involving Discharge of Dredged and/or Fill Material to Waters of the State. The project applicant shall be responsible for conducting all project activities in accordance with the permit provisions outlined in the applicable Central Valley Regional Water Quality Control Board permit. • *Notify CDFW. The CDFW maintains jurisdiction over the bed and bank of the bed, channel, and banks of any river, stream, or lake (Fish and Game Code Section 1602) and impacts to these areas may require a Lake or Streambed Alteration Agreement. Prior to initiating construction activities, the project applicant shall notify CDFW of the intentions of the project to determine if a Lake or Streambed Alteration Agreement is required.*			
Cultural Resources					
V (a-c).	Would the project cause a substantial adverse change in the significance of a historical resource or unique archaeological resource pursuant to Section 15064.5; or disturb any human remains, including those interred outside of dedicated cemeteries?	*V-1* *In the event that a cultural resource is encountered during subsurface earthwork activities, all construction activities within a 100-foot radius of the find shall cease. The contractor shall immediately notify the City of the discovery. In such case, the applicant shall retain the services of a qualified archaeologist for the purpose of evaluation the significance of the find, including its eligibility for the National Register, and recording, protecting, or curating the discovery as appropriate. The applicant shall notify the NAHC and all appropriate Native American Tribes, if the archaeologist finds the potential for the discovery to be associated with Native American culture, who will evaluate the discovery for religious and cultural significance.*	City of Davis Department of Community Development and Sustainability Qualified Archaeologist	Noted on improvement plans and implemented during construction, in the event that a cultural resource is encountered.	

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		Work shall remain suspended within 100 feet of the find until the resource is evaluated, which shall occur within one day, but no more than two days, of the find. Recommendations of the treatment of resources made by traditionally or culturally affiliated Native American Tribes shall be documented in the project record. For any recommendations made by traditionally and culturally affiliated Native American Tribes that are not implemented, a justification for why the recommendation was not followed shall be provided in the project record. The archaeologist shall be required to submit to the City for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the vicinity of the discovery, as identified by the qualified archaeologist, shall not be allowed until the preceding steps have been taken. *The foregoing requirements shall be noted on the project improvement plans, subject to review and approval by the City of Davis Department of Community Development and Sustainability.*			
		V-2 *During construction activities, if prehistoric human interments (human burials or skeletal remains) are encountered within the native soils of the project site, all work shall be halted in the immediate vicinity of the find. Tribes that are geographically and culturally affiliated with the area will also be contacted to assess if the find is a tribal cultural resource and provide appropriate treatment measures to the City. The County Coroner, project applicant, and the City shall be contacted immediately. The applicant shall retain the services of a qualified archaeologist for the*	City of Davis Department of Community Development and Sustainability Yolo County Coroner	Noted on improvement plans and implemented during construction, if prehistoric human interments (human burials or skeletal remains) are encountered.	

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		purpose of evaluating the significance of the find. If the archaeologist suspects that potentially significant cultural remains or human burials have been encountered, the piece of equipment that encounters the suspected deposit shall be stopped, and the excavation inspected by the archaeologist. If the archaeologist and Native American representative determine that the remains are non-significant or non-cultural in origin, or is not a tribal cultural resource, work can recommence immediately. However, if the suspected remains prove to be part of a significant deposit, all work shall be halted in that location until appropriate recordation and (possible) removal has been accomplished. *Pursuant to State Health and Safety Code §7050.5 (c) State Public Resources Code §5097.98, if human remains (burials) are found, the County Coroner shall be contacted to evaluate the discovery area and determine the context; not all discovered human remains reflect Native American origins. However, in all cases where prehistoric or historic era Native American resources are involved, the Native American Heritage Commission shall be contacted to designate appropriate representatives of the local Native American community, who also should be contacted about their concerns. During construction activities, if prehistoric human interments (human burials or skeletal remains) are encountered within the native soils of the project site, all work shall be halted in the immediate vicinity of the find. Tribes that are geographically and culturally affiliated with the area will also be contacted to assess if the find is a tribal cultural resource and provide appropriate*	Native American Heritage Commission		

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		treatment measures to the City. The County Coroner, project applicant, and the City shall be contacted immediately. The applicant shall retain the services of a qualified archaeologist for the purpose of evaluating the significance of the find. If the archaeologist suspects that potentially significant cultural remains or human burials have been encountered, the piece of equipment that encounters the suspected deposit shall be stopped, and the excavation inspected by the archaeologist. If the archaeologist and Native American representative determine that the remains are non-significant or non-cultural in origin, or is not a tribal cultural resource, work can recommence immediately. However, if the suspected remains prove to be part of a significant deposit, all work shall be halted in that location until appropriate recordation and (possible) removal has been accomplished. If human remains (burials) are found, the County Coroner shall be contacted to evaluate the discovery area and determine the context; not all discovered human remains reflect Native American origins. However, in all cases where prehistoric or historic era Native American resources are involved, the Native American Heritage Commission shall be contacted to designate appropriate representatives of the local Native American community, who also shall be contacted about their concerns. *The foregoing requirements shall be noted on the project improvement plans, subject to review and approval by the City of Davis Department of Community Development and Sustainability.*			

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Geology and Soils					
VII (f).	Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	*VII-1* *If any vertebrate bones or teeth are found by the construction crew, the City of Davis Department of Community Development and Sustainability shall be notified and the contractor shall cease all work within 100 feet of the discovery until an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, inspects the discovery. If deemed significant with respect to authenticity, completeness, preservation, and identification, the resource(s) shall then be salvaged and deposited in an accredited and permanent scientific institution (e.g., the University of California Museum of Paleontology), where it shall be properly curated and preserved for the benefit of current and future generations. The language of this mitigation measure shall be included on any future grading plans and utility plans approved for the proposed project site, where excavation work would be required.*	City of Davis Department of Community Development and Sustainability Qualified Archaeologist	Noted on any future grading and utility plans and implemented during construction, if any vertebrate bones or teeth are encountered.	
Hydrology and Water Quality					
IX (civ).	Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?	*XI-1* *Prior to building permit approval, the project applicant shall ensure that the conditions specified in the Federal Emergency Management Agency (FEMA) Conditional Letter of Map Revision have been met and a Final Letter of Map Revision issued by FEMA. Evidence thereof shall be submitted to the City's Community Development and Sustainability Department for review and approval.*	City of Davis Department of Community Development and Sustainability	Prior to building permit approval.	

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Tribal Cultural Resources					
XVIII (a,b).	Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred places, or object with cultural value to a California Native American Tribe, and that is: listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	*XVIII-1* *Prior to the initiation of any excavation activities, the developer shall consult with the Yocha Dehe Wintun Nation to schedule cultural sensitivity training for all construction personnel through the contact information provided below. Proof of compliance shall be submitted to the City of Davis Department of Community Development and Sustainability.* *CRD Administrative Staff* *Yocha Dehe Wintun Nation* *Office: (530) 796-3400* *Email: THPO@yochadehe-nsn.gov* *XVIII-2* *Implement Mitigation Measures V-1 and V-2.*	City of Davis Department of Community Development and Sustainability See Mitigation Measures V-1 and V-2.	Prior to the initiation of any excavation activities. See Mitigation Measures V-1 and V-2.	