

**Mitigation Monitoring and Reporting Program  
County File #CDLP22-02069**

**21 Learning Lane  
Brentwood, CA 94513**

**June 12, 2025**

**SECTION 4: BIOLOGICAL RESOURCES****Potentially Significant Impacts:**

**Potential Impact BIO-1:** *Development activities occurring during the nesting period for birds (approximately February 1 – August 31), including site grading, soil excavation, and/or tree removal and vegetation pruning/removal poses potential risk to nesting passerine and raptor bird species.*

**Potential Impact BIO-2:** *Development activities occurring during the blooming period special status plants species, including site grading, soil excavation, and/or tree removal and vegetation pruning/removal poses potential risk to nesting passerine and raptor bird species.*

**Mitigation Measures(s):**

**Mitigation Measure BIO-1:** *No more than seven (7) days prior to ground disturbing activities occurring during the nesting period for birds (approximately February 1 – August 31), a nesting bird survey shall be performed by a CDFW qualified biologist to ensure that the project avoids impacting any active nests. If active bird nests are detected, a suitable nest buffer should be installed (typically 100 feet for passerines, and up to 500 feet for raptors, depending on species). Preconstruction surveys are not necessary prior to project activities occurring outside of nesting bird season.*

**Mitigation Measure BIO-2:** *Prior to issuance of a grading permit, plant surveys shall be conducted to confirm the absence of special status plant species on the project site. The plant surveys shall be conducted during the March through June blooming period in which the species are most identifiable. These surveys shall be conducted in compliance with all survey guidelines published by the California Department of Fish and Wildlife (CDFW, 2018), U.S. Fish and Wildlife Service (USFWS, 2011), and California Native Plant Society (CNPS, 2001). If the survey finds any listed special-status plant species on the project site, the applicant shall consult with the USFWS and/or CDFW, as appropriate, to develop an approved mitigation plan to ensure that potential impacts to the identified species are less than significant. The applicant shall fully implement the mitigation plan prior to initiation of any project construction activity.*

Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp approval of grading permit, and prior to any ground disturbance.
Party Responsible for Verification:	CDD staff, Consulting Biologist.
Compliance Verification:	CDD Review of Biologist's report

Abbreviations:

Condition of Approval (COA)

Community Development Division (CDD)

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<b>SECTION 5: CULTURAL RESOURCES</b>	
<p><b>Potentially Significant Impacts:</b></p> <p><i><b><u>Potential Impact CUL-1:</u></b> Subsurface construction activities could potentially damage or destroy previously undiscovered historic and prehistoric resources.</i></p> <p><i><b><u>Potential Impact CUL-1:</u></b> Surface construction activities could potentially damage or destroy previously undiscovered archeological resource.</i></p> <p><b><u>Potential Impact CUL-1 – CUL-4:</u></b> Construction activities requiring excavation or earth movement could uncover previously unrecorded significant cultural resources and/or human remains. The following mitigation measures will ensure that, in the event cultural resources are discovered, the proper actions are taken to reduce the adverse environmental impacts to cultural resources to a less than significant level.</p>	
<p><b>Mitigation Measure(s):</b></p>	
<p><i><b><u>Mitigation Measure CUL-1:</u></b> Should archaeological materials be uncovered during grading, trenching, or other on-site excavation(s), all earthwork within 30 yards of the materials shall be stopped until a professional archeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA) and any Native American tribe(s) that have requested consultation and/or demonstrated interest in the project site has had an opportunity to evaluate the significance of the find, and, if deemed necessary, suggest appropriate mitigation(s).</i></p> <p><i><b><u>Mitigation Measure CUL-2:</u></b> If any significant cultural materials such as artifacts, human burials, or the like are encountered during construction operations, such operations shall cease within 100 feet of the find, the Community Development Division (CDD) shall be notified within 24 hours, and a qualified archaeologist contacted and retained for further recommendations. Significant cultural materials include, but are not limited to, aboriginal human remains, chipped stone, groundstone, shell and bone artifacts, concentrations of fire cracked rock, ash, charcoal, and historic features such as privies or walls and other structural remains.</i></p>	

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***Mitigation Measure CUL-3:*** *Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may be those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the land owner for treatment and disposition of the ancestor's remains. The land owner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.*

***Mitigation Measure CUL-4:*** *Appropriate mitigation of any discovered cultural resources may include monitoring of further construction and/or systematic excavation of the resources. Any artifacts or samples collected as part of the initial discovery, monitoring, or mitigation phases shall be properly conserved, catalogued, evaluated, and curated, and a report shall be prepared documenting the methods, results, and recommendations. The report shall be submitted to the Northwest Information Center and appropriate Contra Costa County agencies.*

Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp approval of plans for the issuance of building/grading permits.
Party Responsible for Verification:	CDD staff
Compliance Verification:	Review of construction plans verifying that measures <b>CUL-1-CUL4</b> are included on plan notes printed thereon.

**SECTION 18: TRIBAL CULTURAL RESOURCES**

**Potentially Significant Impacts:**

***Potential Impact:*** *Construction and grading could cause ground disturbance which may impact heretofore undocumented tribal cultural resources.*

***Potential Impact:*** *The project could 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 place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and*

<p><i>supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. The expected construction and grading could cause ground disturbance which may impact heretofore undocumented cultural resources.</i></p>	
<p><b><u>Mitigation Measure:</u></b> <i>Implementation of mitigations measures <b>CUL-1-CUL4</b> would reduce the impact on previously undiscovered tribal cultural resources to a less than significant level.</i></p>	
Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp approval of plans for the issuance of building/grading permits.
Party Responsible for Verification:	CDD staff
Compliance Verification:	Review of construction plans verifying that <b>CUL-1 - CUL4</b> measures are included on plan notes printed thereon.

Abbreviations:

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