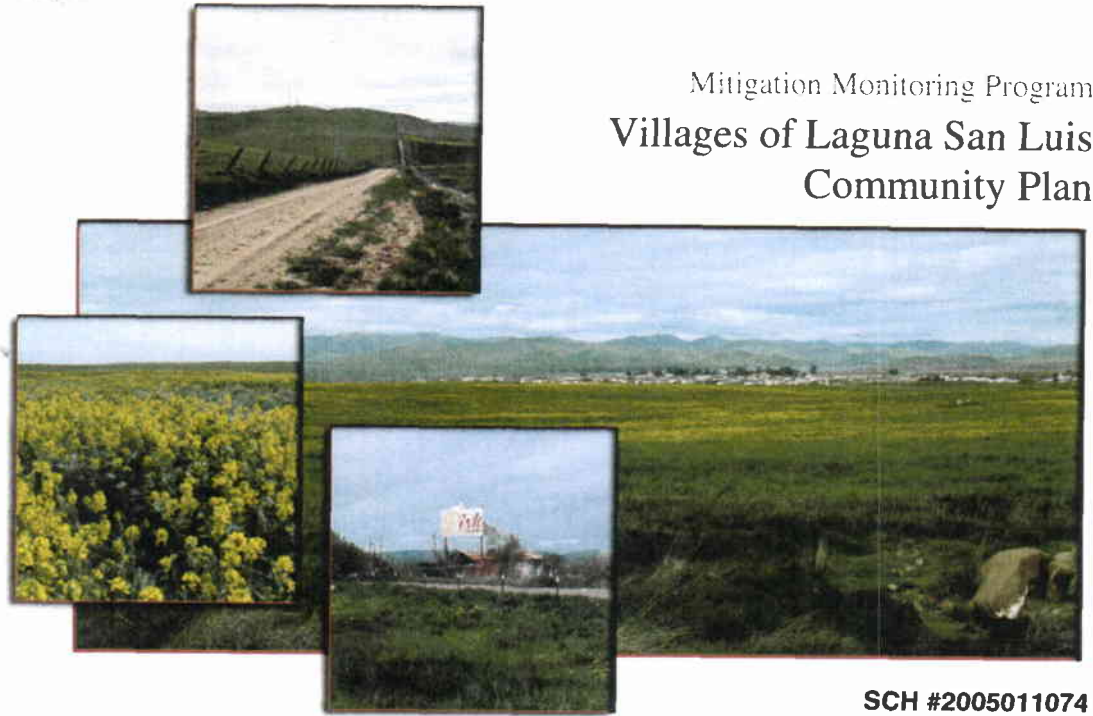


Mitigation Monitoring Program  
**Villages of Laguna San Luis  
Community Plan**



**SCH #2005011074**

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# MITIGATION MONITORING AND REPORTING PROGRAM

## INTRODUCTION

This section provides the Mitigation Monitoring Program (MMRP) for the Villages of Laguna San Luis Community Plan, pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to “adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” An MMRP is required for the proposed project because the Environmental Impact Report (EIR) identified significant adverse impacts, and mitigation measures have been identified to reduce those impacts to less-than-significant levels, where feasible.

The proposed Community Plan would amend the County General Plan and provide policies to ensure that the Community Plan is implemented as envisioned by Merced County. The proposed Community Plan provides for substantial increases in residential and commercial development, accompanied by services needed to serve this growth. The proposed Community Plan is projected to develop approximately 15,895 housing units, which corresponds to an estimated population of 44,773 persons. Approximately 4.3 million square feet commercial, office, and business park land uses would also be developed. The proposed Community Plan provides for twelve schools, including eight elementary schools, three middle schools and one high school. There would also be a total of 21 parks (i.e., 17 neighborhood parks, two community parks, two village center parks).

The numbering of the individual mitigation measures follows the numbering sequence found in the Initial Study. All revisions to mitigation measures that were identified in responses to comments have been incorporated into this MMRP.

Adoption of the MMRP shall occur prior to, or concurrently with, adoption of the proposed project for which the program has been developed.

## PURPOSE OF THE MITIGATION MONITORING PROGRAM

The purpose of the MMRP is to:

- ▶ ensure that mitigation measures are implemented;
- ▶ provide feedback to agency staff and decision makers about the effectiveness of mitigation measures;
- ▶ provide learning opportunities for improving mitigation measures on future projects; and
- ▶ identify the need for enforcement action before irreversible environmental damage occurs.

The components of the MMRP are addressed briefly below.

**Mitigation Measures:** The mitigation measures are taken verbatim from the Draft EIR (Chapters 4 and 5), in the same order that they appear in the Draft EIR, as revised in Chapter 2, *Changes to the DEIR*, in the Final EIR.

**Monitoring and Enforcement Actions:** For every mitigation measure, one or more actions are described. These are the heart of the MMRP, as they delineate the means for implementing the mitigation measures and, in many cases, the criteria for determining whether the measure has been implemented.

**Responsible Entity:** This column identifies the entity that will undertake the required action. Generally, the contractor is named for actions occurring during grading or construction. On-site inspections will be done by County staff.

**Timing/Milestone:** Each action must take place during or prior to some part of project development or approval. The timing of actions generally falls into one of the categories shown in the table below.

**Monitoring and Enforcement Responsibility:** Merced County will have ultimate and legal responsibility for implementation of all mitigation measures. This column indicates which department within the County will conduct the actual monitoring and reporting, as well as take corrective actions when a measure has not been properly implemented. Abbreviations are shown below.

ABBREVIATIONS	
Responsible Entities	Timing/Milestone
PCDD = Planning and Community Development Department	Prior to approval of Community Plan
DPW=Department of Public Works	Prior to approval of building permit
Project contractor	Prior to approval of Implementation Plans
Developer	Prior to grading
	During grading
	Prior to construction
	During construction
	Prior to approval of tentative map
	Prior to occupancy
	Prior to approval of final map

**Mitigation Monitoring and Reporting Program**

Mitigation Measure	Monitoring and Enforcement Actions	Responsible Entity	Timing/ Milestone	Monitoring and Enforcement Responsibility
<p><b>Land Use</b></p> <p><b>5.1-2a (Billy Wright Landfill):</b> Implementation Plans shall include the preparation of a detailed plan that identifies the specific design elements and/or actions that would be implemented to minimize potential land use conflicts between the Billy Wright Landfill and proposed residential land uses. The plan shall be submitted to Merced County for review and approval. At a minimum the plan shall demonstrate to the County's satisfaction that potential land use conflicts between the landfill and proposed sensitive land uses (e.g., residences, schools) are minimized to the maximum extent practicable and consistent with County and State policies and shall include:</p> <ol style="list-style-type: none"> <li>a. Establishment of appropriate minimum buffers between the edge of the landfill disposal area and proposed residences. The Community Plan provides for a minimum of a 300-foot buffer between the landfill disposal area and proposed sensitive land uses. The appropriateness of this buffer distance shall be determined in consultation with the County Planning Department and Public Works Department and shall take into consideration the final adopted plans for the operational footprint of Billy Wright Landfill. Additional buffer distance may be required to provide sufficient distance between landfill operations and adjacent residences such that odor and noise impacts would sufficiently attenuate to levels that would not conflict with county noise level standards;</li> <li>b. Identify landscaping features (e.g., berm, trees, shrubs) that would be implemented along the edges of the landfill property but within project boundaries that would visually screen direct views of the landfill from proposed residences; and,</li> <li>c. Title notification to residential buyers within 1,000 feet of the active landfill disposal area that a landfill currently operates within the area and that residents/occupants could, at times, be subject to nuisance effects associated with landfill operations including intermittent noise, odors, and vectors.</li> </ol>	<p>Prepare detailed plan identifying specific design elements and/or actions that would be implemented to minimize land use conflicts</p> <ol style="list-style-type: none"> <li>a. Establish appropriate minimum buffers between edge of landfill disposal area and proposed residences as part of detailed plans</li> <li>b. Identify landscaping features implemented along edges of landfill property as part of detailed plans</li> <li>c. Provide title notifications to residential buyers</li> </ol>	<p>Developer</p> <ol style="list-style-type: none"> <li>a. Developer</li> <li>b. Developer</li> <li>c. Developer</li> </ol>	<p>Prior to approval of Implementation Plans</p> <ol style="list-style-type: none"> <li>a. Prior to approval of Implementation Plans</li> <li>b. Prior to approval of Implementation Plans</li> <li>c. Prior to occupancy</li> </ol>	<p>PCDD</p> <ol style="list-style-type: none"> <li>a. PCDD</li> <li>b. PCDD</li> <li>c. PCDD</li> </ol>



Mitigation Monitoring and Reporting Program				
Mitigation Measure	Monitoring and Enforcement Actions	Responsible Entity	Timing/ Milestone	Monitoring and Enforcement Responsibility
<p><b>5.1-2b (Agricultural and Open Space Areas):</b>            For all proposed residential and other sensitive land use areas (e.g., churches, hospitals, schools) located south of SR 152 at the eastern and southern edge of the Community Plan area, one or more of the following options may be used to create a minimum 100-foot buffer between the intensive agricultural operations parcel property line (e.g., row crops, vineyards) and habitable structures within the Plan expansion area:</p> <p>a. Dwellings shall be placed at the maximum practical distance from adjoining agricultural lands under intensive agricultural production; and either:</p> <p>b. The project applicant shall enter into an agreement with surrounding agricultural operators that states that no intensive agricultural operations would occur within 100 feet of the Community Plan property edge. This buffer shall be maintained in perpetuity or until such time that adjacent land uses are proposed for urban development. The agreements with adjacent land owners shall be reached prior to approval of any Implementation Plans or tentative subdivision maps for these areas; or,</p> <p>c. Public or private road right-of-ways, landscaped islands and planting areas, and recreational trail corridors shall be placed adjacent to intensive agricultural operations.</p> <p>Other, less intensive agricultural operations (e.g., livestock grazing) would be allowed as activities that would not result in land use conflicts (i.e., discing, pesticide application) would not occur.</p>	<p>Create minimum 100-foot buffer between intensive agricultural operations and habitable structures for proposed residential and sensitive land uses south of SR 152 at the eastern and southern edge of the Community Plan area.</p>	<p>Developer</p>	<p>Prior to approval of Implementation Plans</p>	<p>PCDD</p>
<p><b>Geology, Minerals, Soils, and Paleontological Resources</b></p>				
<p><b>5.3-1:</b>            a. Before submittal of a tentative map application, the applicant(s) shall obtain the services of a qualified, licensed geotechnical engineer to perform a seismic study for areas of the project site not previously studied. The study shall include calculation of seismic shaking hazards using the appropriate computer modeling software, and shall include specific structural design recommendations designed to minimize potential damage to</p>	<p>a. Hire qualified, licensed geotechnical engineer to perform a seismic study for areas of project site not previously studied, submit the study to the County, and include appropriate seismic measures recommended in the study in detailed plans</p>	<p>a. Developer</p>	<p>a. Prior to approval of tentative maps</p>	<p>a. PCDD</p>

Mitigation Monitoring and Reporting Program				
Mitigation Measure	Monitoring and Enforcement Actions	Responsible Entity	Timing/ Milestone	Monitoring and Enforcement Responsibility
<p>buildings and pipelines from seismic events. The study shall also include an examination of the traces of the O'Neill Fault System at the project site, including surface reconnaissance, and shall make recommendations for building foundation and pipeline design accordingly. All appropriate design recommendations included in the site-specific seismic study shall be implemented during the project design and construction phases.</p> <p>b. The project applicant(s) shall modify the Villages of Laguna San Luis land use plan such that structures intended for human occupancy shall not be constructed within a 100-foot-wide no building zone over the O'Neill Fault traces, as shown in Exhibit 5.3-3. This mitigation measure is based on the available information in the geologic literature and on the surface investigation performed by Hydro-Geo Consultants (1990). However, following completion of the seismic study required in (a) above, the no building zone may be modified if recommended by the geotechnical engineer.</p> <p>c. To minimize potential damage from unstable soil (landslides) at the project site, the project applicant(s) shall hire a qualified, licensed geotechnical engineer to map areas with clay-rich, weak soil, and high groundwater conditions prior to submittal of tentative subdivision map applications. These areas either be engineered to mitigate the impacts of such conditions or shall not be developed and shall be retained as natural open space.</p> <p>d. Prior to submittal of implementation plans, the project applicant shall obtain the services of a qualified, licensed geotechnical engineer to prepare a comprehensive final geotechnical report for the entire project site with specific design recommendations sufficient to ensure the safety of soil conditions, project structures, and site occupants. Prior to approval of final maps, the project applicant shall obtain the services of a qualified licensed geotechnical engineer to prepare a final geotechnical report for the area included in such final map. The report shall include project design and construction recommendations to address:</p>	<p>b. Modify land use plan such that structures for human occupancy are not constructed within 100-foot wide no building zone over the O'Neill Fault traces.</p> <p>c. Hire a qualified, licensed geotechnical engineer to map areas with clay-rich, weak soil, and high groundwater conditions and remove development from these areas.</p> <p>d. Hire a qualified, licensed geotechnical engineer to prepare a comprehensive final geotechnical report for entire project site and include specific design recommendations to ensure safety of soil conditions, project structures, and site occupants. Proposed tentative maps and improvement plans shall include the recommended design feature identified in the final geotechnical report.</p>	<p>b. Developer</p> <p>c. Developer</p> <p>d. Developer</p>	<p>b. Prior to approval of tentative maps</p> <p>c. Prior to approval of tentative maps</p> <p>d. Prior to approval of tentative maps and prior to approval of final maps</p>	<p>b. PCDD</p> <p>c. PCDD</p> <p>d. PCDD</p>



Mitigation Monitoring and Reporting Program				
Mitigation Measure	Monitoring and Enforcement Actions	Responsible Entity	Timing/ Milestone	Monitoring and Enforcement Responsibility
<ul style="list-style-type: none"> <li>▶ site preparation and grading, including surface and subsurface prep work, engineered fill materials, fill placement and compaction, trench backfill, and surface drainage;</li> <li>▶ foundation requirements specific to the location of each component of the proposed project;</li> <li>▶ concrete slabs-on-grade, both interior and exterior;</li> <li>▶ retaining and below grade walls; and</li> <li>▶ pavements.</li> </ul> <p>It is the responsibility of the developer to provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the report. Prior to earthmoving activities, the approved project design plans and specifications, including grading and foundation plans, shall be reviewed by a qualified geotechnical engineer approved by the County. This review shall be completed to assess the extent to which the recommendations in the final geotechnical report are appropriate and sufficient for construction of the buildings described in the final project design plans.</p>				
<p><b>5.3-3:</b></p> <p>To minimize potential damage from seismically-induced landslides at the project site, the applicant(s) shall implement mitigation measure 5.3-1, above. Any unstable or hazardous slopes identified during the geotechnical investigation required under Mitigation Measure 5.3-1 shall be either engineered to mitigate the impacts of such conditions or shall be designated as permanent Open Space.</p>	see Mitigation Measure 5.3-1	see Mitigation Measure 5.3-1	see Mitigation Measure 5.3-1	see Mitigation Measure 5.3-1
<p><b>5.3-4:</b></p> <p>a. Prior to any earthmoving activities, a grading and erosion control plan shall be prepared by a California Registered Civil Engineer retained by the applicant(s) and submitted to the Merced County Department of Public Works for all new development. The plan shall be consistent with the California Building Standards Code grading requirements and shall include the site-specific grading proposed for the new development. The plan shall include the location, implementation schedule, and maintenance schedule of all</p>	<p>a. Prepare grading and erosion control plan including site-specific grading proposed for the new development, location, implementation schedule, and maintenance schedule of all erosion and sediment control measures, a description of measures designed to control dust and stabilize the</p>	a. Developer	a. Prior to grading	a. PCDD