

# Mitigation Monitoring and Reporting Program

---

This document is the Mitigation Monitoring and Reporting Program (MMRP) for the Amáre Apartment Homes Project proposed in the City of Martinez. The California Environmental Quality Act (CEQA) requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). This MMRP is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Final Environmental Impact Report (EIR), specifications are made herein that identify the action required and the monitoring that must occur.

In addition to ensuring implementation of mitigation measures, the MMRP provides feedback to agency staff and decision-makers during project implementation and identifies the need for enforcement action before irreversible environmental damage occurs. This MMRP will be used by City staff or the City's consultant to determine compliance with permit conditions.

The following table identifies each mitigation measure included in the EIR, the action required for the measure to be implemented, the time at which the monitoring is to occur, the monitoring frequency, and the agency or party responsible for ensuring that the monitoring is performed. In addition, the table includes columns for compliance verification. These columns will be filled out by the monitoring agency or party and would document monitoring compliance. Where an impact was identified to be less than significant, no mitigation measures were required.

Mitigation Measure/ Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Parties	Compliance Verification		
					Initial	Date	Comments
<b>Biological Resources</b>							
<b>BIO-1a: Worker Environmental Awareness Program</b>							
<p>Prior to initiation of construction activities (including staging and mobilization), the applicant shall submit evidence to the City that all personnel associated with project construction have attended a Worker Environmental Awareness Program (WEAP) training, conducted by a qualified biologist, to aid workers in recognizing special-status resources that may occur in the construction area. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. A qualified biologist shall prepare a fact sheet conveying this information for distribution to all contractors, their employers, and other personnel involved with construction. All employees shall sign a form provided by the trainer indicating they have attended the WEAP and understand the information presented to them. The form shall be submitted to the City to document compliance following each training.</p>	<ul style="list-style-type: none"> <li>▪ Verify that all personnel associated with project construction have attended a Worker Environmental Awareness Program (WEAP) to aid in recognizing special-status resources that may occur in the construction area</li> <li>▪ Retain a qualified biologist to prepare a WEAP fact sheet and distribute it to all contractors, employers and other personnel involved in construction.</li> <li>▪ Submit documentation to City of compliance following each WEAP training</li> </ul>	<p>Prior to initiation of construction activities (including staging and mobilization)</p>	Once	<p>City of Martinez Community Development Department – Planning Division, Developer, and On-site Construction Manager</p>			
		<p>Prior to initiation of construction activities (including staging and mobilization)</p>	Once				
		<p>Ongoing throughout construction as necessary</p>	As needed				
<b>BIO-1b: Nesting Bird Survey</b>							
<p>Prior to construction that requires any vegetation trimming or tree removals scheduled to occur during the nesting bird season (February 1 through September 15), the project applicant shall submit evidence to the City that a qualified biologist conducted pre-construction surveys no more than 14 days prior to the start of construction to determine the presence/absence of nesting birds and special-status raptors within</p>	<ul style="list-style-type: none"> <li>▪ Determine the presence/absence of nesting birds and special-status raptors within the project site.</li> </ul>	<p>No more than 14 days prior to the start of construction that requires any vegetation trimming or tree removals scheduled to occur during the</p>	Once	<p>City of Martinez Community Development Department – Planning Division, Developer, and On-site Construction Manager</p>			

Mitigation Measure/ Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Parties	Compliance Verification		
					Initial	Date	Comments
the project site. If active nests are found, the qualified biologist shall establish an appropriate buffer, considering the species sensitivity and physical location of the nest (line of site to the work area), to comply with CFGC 3503 and 3503.5. In no cases shall the buffer be smaller than 50 feet for non-raptor bird species and 250 feet for raptor species. To prevent encroachment, the established buffer(s) shall be clearly marked by high visibility material installed by the contractor. The established buffer(s) shall remain in effect until the young have fledged or the nest has been abandoned as confirmed by the qualified biologist. The City shall review and approve the biologists' findings and buffer during construction as appropriate.	<ul style="list-style-type: none"> <li>If active nests are found, establish an appropriate buffer, considering the species sensitivity and physical location of the nest to comply with CFGC 3503 and 3503.5.</li> <li>Review and approve the biologists' findings and buffer during construction as appropriate.</li> </ul>	<p>nesting bird season (February 1 through September 15)</p> <p>Until the young have fledged or the nest has been abandoned as confirmed by the qualified biologist.</p> <p>Ongoing throughout construction as necessary</p>	<p>As needed</p> <p>As needed</p>				
<b>BIO-2: Sensitive Community Mitigation</b>							
Prior to grading and/or building permit issuance and prior to vegetation removal, the project applicant shall provide evidence to the City that offset impacts to riparian habitat (i.e., willow riparian woodlands) have been provided through purchase of credits at a RWQCB- and CDFW approved mitigation bank for creation or enhancement of sensitive natural communities at a 2:1 ratio. Impacts to the seasonal drainage ditch shall be offset through purchase of credits at a RWQCB- and CDFW-approved mitigation bank at a ratio of 1:1. If the project falls outside of RWQCB and CDFW-approved mitigation bank service areas, impacts to sensitive natural communities shall be offset through habitat restoration and/or enhancement at an off-site location at a ratio of 2:1 (habitat restored and/or enhanced to habitat impacted) for riparian woodlands and ratio of 1:1 for seasonal drainage ditch. The location of restoration and/or enhancement shall be determined by a qualified	<ul style="list-style-type: none"> <li>Verify that impacts have been offset through purchase of credits at a RWQCB- and CDFW approved mitigation bank at a 2:1 ratio for impacts to riparian habitat and a 1:1 ratio for impacts to seasonal drainage ditch.</li> <li>Retain a qualified biologist to develop an Off-Site Habitat Restoration/Enhancement Plan.</li> <li>Determine the final impacts to sensitive communities and the subsequent amount of acreage needed for restoration and/or enhancement for the project.</li> <li>Implement restoration and/or enhancement for a period of not less than 5 years, or until restoration and/or enhancement has been</li> </ul>	<p>Prior to grading and/or building permit issuance and prior to vegetation removal</p> <p>Upon final project design</p> <p>Upon final project design</p> <p>For not less than 5 years, or until restoration and/or enhancement has</p>	<p>Once</p> <p>Once</p> <p>Once</p> <p>Continuously</p>	City of Martinez Community Development Department – Planning Division, Developer, and On-site Construction Manager			

City of Martinez  
**Amáre Apartment Homes Project**

Mitigation Measure/ Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Parties	Compliance Verification		
					Initial	Date	Comments
<p>biologist. The restoration and/or enhancement shall include locally native species approved by the City. The restoration and/or enhancement shall be incorporated into an Off-Site Habitat Restoration/Enhancement Plan to be developed by a qualified biologist pursuant to the requirements listed below.</p> <p>Upon final project design, a qualified biologist shall determine the final impacts to sensitive communities and the subsequent amount of acreage needed for restoration and/or enhancement for the project. The project applicant shall implement restoration and/or enhancement for a period of not less than 5 years, or until restoration and/or enhancement has been completed successfully as determined by a qualified biologist in coordination with City Planning. The Off-Site Habitat Restoration/Enhancement Plan shall include, at a minimum, the following components:</p> <ol style="list-style-type: none"> <li>a. Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type)</li> <li>b. Goal(s) of the compensatory mitigation project (i.e., the type/types and area/areas of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type/types to be established, restored, enhanced, and/or preserved)</li> <li>c. Description of the proposed compensatory mitigation-site (i.e., location and size, ownership status, existing functions and values of the compensatory mitigation-site)</li> <li>d. Implementation plan for the compensatory mitigation-site (the plan will include rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan, including plant</li> </ol>	<p>completed successfully as determined by a qualified biologist in coordination with City Planning.</p>	<p>been completed successfully.</p>					

Mitigation Measure/ Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Parties	Compliance Verification		
					Initial	Date	Comments
	species to be used, container sizes, and seeding rates)						
e.	Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (the plan will include activities, responsible parties, and schedule)						
f.	Monitoring plan for the compensatory mitigation-site, including no less than quarterly monitoring for the first year and performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports						
g.	Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type						
h.	An adaptive management program and remedial measures to address negative impacts to restoration efforts						
i.	Notification of completion of compensatory mitigation and agency confirmation						
j.	Contingency measures (e.g., initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism)						

City of Martinez  
**Amáre Apartment Homes Project**

Mitigation Measure/ Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Parties	Compliance Verification		
					Initial	Date	Comments
<b>BIO-3a: Aquatic Resources Delineation</b>							
Prior to issuance of a grading permit, the project applicant shall retain a qualified biologist to complete an aquatic resources delineation to identify areas where the project will result in fill to wetlands, drainages, riparian habitats, or other areas that may fall under the jurisdiction of the USACE, CDFW, and/or RWQCB. The delineation shall determine the extent of the jurisdiction for each of these agencies and shall be conducted in accordance with the requirement set forth by each agency. The results shall be a delineation report that shall be submitted to the appropriate implementing agency (USACE, CDFW, and/or RWQCB). The City shall review the delineation prior to submittal to regulatory agencies.	<ul style="list-style-type: none"> <li>Retain a qualified biologist to complete an aquatic resources delineation to identify areas where the project will result in fill to wetlands, drainages, riparian habitats, or other areas that may fall under the jurisdiction of the USACE, CDFW, and/or RWQCB</li> </ul>	Prior to issuance of a grading permit	Once	City of Martinez Community Development Department – Planning Division, Developer, and On-site Construction Manager			
<b>BIO-3b Compensatory Mitigation</b>							
Prior to issuance of a grading permit, impacts to the seasonal drainage ditch shall be offset through purchase of wetland/waters mitigation credits at a USACE, CDFW and RWQCB-approved mitigation bank for creation or enhancement of wetlands/waters at a minimum 1:1 ratio. Additional mitigation may be required under specific agency permits.	<ul style="list-style-type: none"> <li>Offset impacts to seasonal drainage ditch through purchase of wetland/waters mitigation credits at a USACE, CDFW and RWQCB-approved mitigation bank for creation or enhancement of wetlands/waters at a minimum 1:1 ratio.</li> </ul>	Prior to issuance of a grading permit	Once	City of Martinez Community Development Department – Planning Division, Developer, and On-site Construction Manager			

Mitigation Measure/ Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Parties	Compliance Verification		
					Initial	Date	Comments
<b>Cultural Resources</b>							
<b>CR-1: Unanticipated Discoveries</b>							
<p>Prior to the issuance of a grading permit, the developer shall note on the plans for review and approval by the City Engineer that if historic and/or cultural resources are encountered during site grading or other site work, all such work shall be halted immediately within 50 feet of discovery and the developer shall immediately notify the Planning Division of the discovery. In such case, the developer shall be required, at its own expense, to retain the services of a qualified archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The archaeologist shall be required to submit to the Planning Division, for review and approval, a report of the findings and method of curation or protection of the resources. Further grading or site work within 50 feet of discovery shall not be allowed until the preceding work has occurred</p>	<ul style="list-style-type: none"> <li>▪ Note on the plans that if historic and/or cultural resources are encountered during site grading or other site work, all such work shall be halted immediately within 50 feet of discovery and the developer shall immediately notify the Planning Division of the discovery.</li> <li>▪ If historic/cultural resources are found, report findings and method of curation or protection of the resources and halt grading or site work within 50 feet of discovery report has been submitted to the Planning Division</li> </ul>	Prior to the issuance of a grading permit	Once	City of Martinez Community Development Department – Planning Division, Developer, and On-site Construction Manager			
		If historic/cultural resources are found	As needed				
<b>Geology and Soils</b>							
<b>GEO-1: Design-Level Geotechnical Investigation</b>							
<p>Prior to grading and/or building permit issuance, the applicant must submit to the City a design-level geotechnical investigation which includes additional subsurface exploration, laboratory testing and engineering analysis that further evaluates the potential for post-construction settlement in the vicinity of buildings 4, 5, 6, and the podium garage, shallow slope creep or erosion, and shallow groundwater. This evaluation shall be used to confirm the preliminary recommendations found in the Preliminary Geotechnical Investigation conducted by Cornerstone Earth Group in December 2009 and updated in May 2022 and develop detailed</p>	<ul style="list-style-type: none"> <li>▪ Submit a design-level geotechnical investigation that evaluates the potential for post-construction settlement and construction plans to the City</li> <li>▪ Implement all geotechnical recommendations during construction</li> <li>▪ Retain a qualified geologist to check that site is properly prepared, and that all grading or fill activity on the site</li> </ul>	Prior to grading and/or building permit issuance	Once	City of Martinez Community Development Department – Planning Division, Developer, and On-site Construction Manager			
		Continuously during construction	Continuously				
		Continuously during earthwork operations	Continuously				

Mitigation Measure/ Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Parties	Compliance Verification		
					Initial	Date	Comments
mitigation techniques. The applicant must demonstrate to the City that a qualified geologist oversees earthwork operations to check that the site is properly prepared, and that all grading or fill activity on the site accounts for postconstruction settlement and has been performed in accordance with geotechnical recommendations and project specifications. The applicant must submit the geotechnical investigation and construction plans for City review and approval prior to issuing grading and/or building permits, and the applicant must demonstrate to the City that all geotechnical recommendations are implemented during construction.	accounts for postconstruction settlement and has been performed in accordance with geotechnical recommendations and project specifications.						
<b>GEO-2: Paleontological Resources Monitoring</b>							
<p>Prior to grading and/or building permit issuance and/or before the start of construction, the project applicant must provide evidence to the City that it has retained a qualified paleontological monitor (i.e., a paleontologist who meets the SVP [2010] standards as a Paleontological Resource Monitor) to conduct paleontological monitoring during excavation to estimated depths of 10 feet or more below the existing ground surface of intact (i.e., previously undisturbed) Qoa, Tkm, Tkn, and Tds geologic units.</p> <p>Full-time monitoring shall be conducted for all ground-disturbing activities exceeding 10 feet below ground surface, excluding pile driving and drilling with an auger diameter of less than 3 feet, that impact native previously undisturbed geologic units mapped at the surface as early Holocene to late Pleistocene alluvium [Qoa], Kreyenhagen Formation [Tkm, Tkn], Domengene Sandstone [Tds]), which have a high-paleontological sensitivity. Ground-disturbing</p>	<ul style="list-style-type: none"> <li>Retain a qualified paleontological monitor to conduct full-time paleontological monitoring during excavation</li> </ul>	Prior to grading and/or building permit issuance and/or before the start of construction	Continuously	City of Martinez Community Development Department – Planning Division, Developer, and On-site Construction Manager			
	<ul style="list-style-type: none"> <li>Monitor ground-disturbing activities for paleontological resources</li> </ul>	Duration and timing determined by qualified paleontologist	Continuously				
	<ul style="list-style-type: none"> <li>Prepare a final report describing the results of the paleontological monitoring efforts associated with the project.</li> </ul>	Once, after monitoring has been completed	Once				
	<ul style="list-style-type: none"> <li>Require that if a paleontological resource is found, construction equipment within 50 feet the find be diverted until the resource is assessed for scientific significance and collected.</li> </ul>	Ongoing, as needed	Continuously				

Mitigation Measure/ Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Parties	Compliance Verification		
					Initial	Date	Comments
<p>activities that impact previously disturbed sediments only do not require paleontological monitoring.</p> <p>The Qualified Paleontologist shall determine the duration and timing of the monitoring. If the Qualified Paleontologist determines that full-time monitoring is no longer warranted, he or she may recommend reducing monitoring to periodic spot-checking or may recommend that monitoring cease entirely. Monitoring shall be reinstated if any new ground disturbances are required, and the Qualified Paleontologist shall reconsider reduction or suspension at that time.</p> <p>If a paleontological resource is discovered, the monitor shall have the authority to temporarily divert construction equipment within 50 feet of the find, until it is assessed for scientific significance and collected. Once salvaged, significant fossils shall be prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection (such as the UCMP). Curation fees are the responsibility of the project owner.</p> <p>A final report shall be prepared describing the results of the paleontological monitoring efforts associated with the project. The report shall include a summary of the field and laboratory methods, an overview of the project geology and paleontology, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations. The report shall be submitted to the City. If the monitoring efforts produced fossils, then a copy of the report shall also be submitted to the designated museum repository.</p>	<ul style="list-style-type: none"> <li>▪ Prepare significant fossils to a curation-ready condition and curate in a scientific institution with a permanent paleontological collection</li> </ul>	Ongoing, as needed	Continuously				

City of Martinez  
**Amáre Apartment Homes Project**

Mitigation Measure/ Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Parties	Compliance Verification		
					Initial	Date	Comments
<b>Transportation</b>							
<b>TRA-1: TDM Program</b>							
<p>Prior to issuance of a building permit, the applicant shall submit a TDM program for the project for City review and approval. Strategies that could be incorporated into a TDM program could include, but are not limited to:</p> <ul style="list-style-type: none"> <li>▪ Improving or increasing access to transit</li> <li>▪ Increasing access to common goods and services, such as groceries, schools, and daycare facilities</li> <li>▪ Incorporating electric vehicle facilities</li> <li>▪ Providing traffic calming measures</li> <li>▪ Providing bicycle parking facilities</li> <li>▪ Providing car sharing, bike sharing, and ride sharing programs</li> <li>▪ Providing transit passes</li> <li>▪ Shifting single occupancy vehicle trips to carpooling or vanpooling</li> <li>▪ Providing incentives or subsidies that increase the use of modes other than single-occupancy vehicles</li> <li>▪ Implementing a commute trip reduction program</li> <li>▪ Provide pedestrian network improvements</li> </ul>	<ul style="list-style-type: none"> <li>▪ Submit a TDM program for City review and approval</li> </ul>	Prior to issuance of a building permit	Once	City of Martinez Community Development Department – Planning Division, Developer, and On- site Construction Manager			

Mitigation Measure/ Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Parties	Compliance Verification		
					Initial	Date	Comments
<b>TRA-2: Pedestrian Safety</b>							
<p>In order to ensure pedestrian safety at the project site, the applicant shall work with the City of Martinez to narrow the travel lanes on Arnold Drive. Final plans for shoulders or bike lanes shall be approved by the City prior to the issuance of an occupancy permit. The narrowing on lanes has been proven to reduce motorist speeds, which would enhance pedestrian safety. The applicant shall work with the City and pay a fair-share fee, as determined by the City, to implement potential measures to improve safety for pedestrian crossings. Such measures could include but are not limited to the provision of minimum 5' wide shoulders on both the project frontage and on the north side of the street across from the project frontage by removing and restriping the travel lanes. These shoulders could be signed as bike lanes in the future as the remainder of the street is restriped to provide continuity with the existing bike lanes to the west.</p>	<ul style="list-style-type: none"> <li>Submit final plans for narrowed travel lanes</li> </ul>	Prior to the issuance of a occupancy permit	Once	City of Martinez Community Development Department – Planning Division, Developer, and On- site Construction Manager			
	<ul style="list-style-type: none"> <li>Pay a fair-share fee to implement potential measures to improve safety for pedestrian crossings</li> </ul>	As determined by the City	Once				

City of Martinez  
**Amáre Apartment Homes Project**

Mitigation Measure/ Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Parties	Compliance Verification		
					Initial	Date	Comments
<b>Tribal Cultural Resources</b>							
<b>TCR-1: Unanticipated Discovery of Tribal Cultural Resources</b>							
<p>If cultural resources of Native American origin are identified during project construction, earth-disturbing work within 50 feet of the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find and an appropriate Native American representative, based on the nature of the find, is consulted. If the City determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with State guidelines and in consultation with Native American groups. The plan would include avoidance of the resource or, if avoidance of the resource is infeasible, the plan would outline the appropriate treatment of the resource in coordination with the archeologist and the appropriate Native American tribal representative. At minimum, the treatment plan may include, but would not be limited to, steps to protect the cultural character and integrity of the resource, steps to protect traditional use of the resource, or excavation and reburial of the resource in a location not subject to further disturbance. The plan must be reviewed and approved by the City prior to implementation.</p>	<p>If cultural resources of Native American origin are identified during project construction, temporarily suspend or redirect earth-disturbing work within 50 feet of the vicinity of the find and prepare and implement a mitigation plan.</p>	<p>Ongoing throughout project construction</p>	<p>Continuously</p>	<p>City of Martinez Community Development Department – Planning Division, Developer, and On-site Construction Manager</p>			

*This page intentionally left blank.*