

Contra Costa County, Department of Conservation and  
Development,  
Current Planning Division

**Mitigation Monitoring and Reporting Program  
for the  
Scannell Properties Project  
Draft Environmental Impact Report  
County File #CDDP17-03045  
Contra Costa County, California**

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Report Date: June 28, 2021

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## **PREFACE**

Pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097, Contra Costa County (lead agency) hereby finds that the mitigation measures set forth in the Mitigation Monitoring and Reporting Program (MMRP) will reduce or avoid the potentially significant impacts of the proposed project to the extent feasible for the reasons described in the Draft Environmental Impact Report (Draft EIR) and administrative record. The lead agency intends for each of the mitigation measures to be adopted as recommended in the Draft EIR. In the event of any inconsistencies between the mitigation measures set forth in the Draft EIR and the MMRP, the MMRP shall control.

This MMRP does not discuss those subjects that the environmental analysis demonstrates would result in less than significant impacts and for which no mitigation was proposed or necessary.

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**Table 1: Scannell Properties Project Mitigation Monitoring and Reporting Program**

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<b>3.1 Aesthetics</b>					
<b>MM AES-1: Prepare Final Lighting Plan</b> At least 30 days prior to applying for a building permit, the applicant shall submit for review and approval by the Contra Costa County Department of Conservation and Development staff a Final Lighting Plan. Light standards shall be low-lying and exterior lights on the buildings shall be deflected so that lights shine onto the applicant’s property.	Submit Final Lighting Plan	At least 30 days prior to applying for building permit.	Contra Costa County Department of Conservation and Development; project applicant		
	On-site inspection	During construction			
<b>3.2 Air Quality</b>					
<b>MM AIR-2a: Use Low-VOC Volatile Organic Compound Architectural Coating</b> Prior to the issuance of building or grading permits, the Project Applicant shall provide the County with documentation demonstrating that project construction will use low-volatile organic compound (VOC) Architectural Coatings with a project-wide average VOC content of 28 grams per liter (g/l) or less.	Incorporation into project construction documents	Prior to issuance of building or grading permits	Contra Costa County Department of Conservation and Development; project applicant; construction contractor		
	On-site inspection	During construction			
	Submittal of proof of implementation during construction	During construction			
<b>MM AIR-2b: Use Tier 4 Construction Equipment.</b> During the demolition, site preparation, and grading phases of project construction, all diesel-powered equipment used shall comply with Tier 4 Final emission standards, except for specialized equipment in which engines that comply with Tier 4 standards are not available. In place of Tier 4 engines, off-road construction equipment can incorporate retrofits such that nitrogen oxides (NO <sub>x</sub> ) emission reductions achieved equal or exceed reductions from engines that comply with Tier 4 standards.	Incorporation into project construction documents	Prior to issuance of grading permit	Contra Costa County Department of Conservation and Development; project applicant; construction contractor		
	On-site inspection	During construction			
	Submittal of proof of implementation during construction	During construction			

<p><b>MM AIR-2c: Apply Construction Period Best Management Practices</b></p> <p>During construction, the following mitigation measures shall be implemented:</p> <ul style="list-style-type: none"> <li>• All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.</li> <li>• All haul trucks transporting soil, sand, or other loose material off-site shall be covered.</li> <li>• All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</li> <li>• All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).</li> <li>• All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</li> <li>• Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</li> <li>• All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified visible emissions evaluator.</li> <li>• Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Bay Area Air Quality Management District (BAAQMD) phone number shall also be visible to ensure compliance with applicable regulations.</li> </ul>	<p>Incorporation into project construction documents</p> <p>On-site inspection</p> <p>Submittal of proof of implementation during construction</p>	<p>Prior to construction</p> <p>During construction</p> <p>During construction</p>	<p>Contra Costa County Department of Conservation and Development; project applicant; construction contractor</p>		
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<p><b>MM AIR-4a: Odor Management Plan</b>                      Prior to issuance of the certificate of occupancy, Contra Costa County shall require future tenants proposing operations that have potential to emit nuisance odors to prepare an odor management plan that identifies project design features, measures, and control technologies to ensure compliance with Bay Area Air Quality Management District (BAAQMD) Regulation 7, Odorous Substances, which requires abatement of any nuisance generating an odor complaint. Facilities that have the potential to generate nuisance odors include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Composting, green waste, or recycling facilities</li> <li>• Fiberglass manufacturing facilities</li> <li>• Painting/coating operations</li> <li>• Large-capacity coffee roasters</li> <li>• Food-processing facilities</li> </ul> <p>The odor management plan for the proposed facility shall be submitted to the County prior to the issuance of the certificate of occupancy. During operation of the proposed facility, the County shall conduct periodic evaluation of on-site odors per the schedule and reporting requirements outlined in the odor management plan.</p>	<p>Submittal of odor management plan</p> <p>On-site inspection</p>	<p>Prior to issuance of certificate of occupancy</p> <p>Periodically throughout operation of proposed facility</p>	<p>Contra Costa County Department of Conservation and Development; project applicant; tenants</p>		
<p><b>3.3 Biological Resources</b></p>					
<p><b>MM BIO-1a: Nesting Bird Surveys</b>                      If feasible, construction work shall take place outside of the February 1 to August 31 breeding window for nesting birds. If construction is to be conducted during the breeding season, a qualified Biologist shall conduct a pre-construction breeding bird survey in areas of suitable habitat within 5 days prior to the commencement of construction activity. If bird nests are found, appropriate buffer zones shall be established around all active nests to protect nesting adults and their young from construction disturbance. In general, the California</p>	<p>Qualified Biologist’s pre-construction survey and submittal of survey documents; on-site monitoring by the qualified Biologist if survey finds passerine birds or raptor species</p>	<p>Prior to ground disturbance during nesting season (February 1 through August 31)</p>	<p>Contra Costa County Department of Conservation and Development; Qualified Biologist</p>		

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Department of Fish and Wildlife (CDFW) recommends a 250-foot construction exclusion zone around the nests of active passerine birds during the breeding season, and a 500-foot buffer for nesting raptors. Buffer zones shall be maintained until it can be documented that either the nest has failed, or the young have fledged.					
<p><b>MM BIO-1b: Roosting Bat Surveys</b></p> <p>Prior to tree removal, a daytime bat habitat assessment shall be conducted by a qualified Bat Biologist in the vicinity of trees proposed for removal. If no evidence of bats is found, the tree can be removed. If the tree contains past or present evidence of roosting bats (fecal pellet accumulations, urine or fur staining at entrances, insect prey remains, live or dead bats, characteristic odor, etc.), and there are portions of the tree that cannot be completely surveyed, it will be assumed that roosting bats are present. The removal of trees containing roosting bats or signs of past or present use by bats would be delayed until (1) the period between March 1 (weather permitting) and April 15 to avoid take of torpid overwintering bats, and between September 1 and October 15 to prevent take of young that are not yet self-sufficiently volant, or (2) until the trees containing or suspected of containing active bat roosts can be removed under the supervision of the qualified Biologist in the evening and after bats have emerged from the roost to forage, and where partial removal can change roost conditions and cause bats to abandon and not return to the roost.</p>	Qualified Biologist’s pre-construction bat survey and submittal of survey documents; on-site monitoring by the qualified Biologist if survey finds bat species	Prior to tree removal	Contra Costa County Department of Conservation and Development; Qualified Biologist		
<p><b>MM BIO-1c: Salt Marsh Harvest Mouse Avoidance and Minimization Measures</b></p> <p><i>Vegetation Removal:</i></p> <p>1. If any areas with pickleweed vegetation or other marsh vegetation within 50 feet of the edge of pickleweed vegetation need to be cleared for proposed project activities, vegetation will be removed.</p>	<p>Incorporation into project construction documents</p> <p>On-site inspection by USFWS-approved Biologist</p>	<p>Prior to construction</p> <p>During construction</p>	<p>Contra Costa County Department of Conservation and Development; project applicant; construction contractor; USFWS-approved Biologist</p>		



Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
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<p>2. Vegetation will be removed by hand and will be trimmed to no higher than one inch above ground. Root crowns shall be preserved in areas of temporary impact. Where possible, trimming will begin farthest away from remaining marsh or pickleweed habitat and proceed toward the remaining habitat.</p> <p>3. All clearing of vegetation will be done under the direct supervision of a United States Fish and Wildlife Service (USFWS)-approved Biologist. If more than one crew of vegetation clearers is working at a given time, then a USFWS-approved Biologist will be with each crew.</p> <p>4. Only hand operated tools will be used with a preference for non-mechanical tools such as machete, trowel, hoe, rake, or shovel. However, use of weed whackers for herbaceous vegetation is allowed, but only if the USFWS-approved Biologist walks in front of the operator of the weed whacker, clearing the area of salt marsh harvest mice. Use of hand operated chain saws is allowed for larger woody vegetation (e.g., coyote brush), but only if the USFWS-approved Biologist precedes the operator clearing the area of salt marsh harvest mice.</p> <p>5. As directed by the USFWS-approved Biological Monitor, cut native vegetation will be stored on-site and re-spread as mulch at the completion of the proposed project in areas where the impact is temporary. Cut non-native vegetation listed as moderately to highly invasive by the California Invasive Plant Council (<a href="http://www.calipc.org/ip/inventory/">http://www.calipc.org/ip/inventory/</a>), will be bagged and removed off-site to a suitable disposal site. Areas of vegetation removal are part of permanent impact areas and will not be restored as part of the proposed project. Cut vegetation will therefore be removed and disposed of off-site.</p>	<p>Submittal of proof of implementation during construction</p>	<p>During construction</p>			

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<p><i>Contingency if a salt marsh harvest mouse is on-site:</i></p> <ol style="list-style-type: none"> <li>1. If a salt marsh harvest mouse is observed within the areas being removed of vegetation or elsewhere within the work site, the Biological Monitor will stop work in the immediate area until the salt marsh harvest mouse leaves the work area on its own volition.</li> <li>2. If the salt marsh harvest mouse does not leave the work area, work in the immediate area will not be reinitiated until the USFWS is consulted regarding appropriate avoidance measures, and permission is granted by the USFWS to commence work.</li> <li>3. No salt marsh harvest mouse may be handled or captured at any time during site preparation or proposed project activities.</li> </ol>					
<p><b>MM BIO-1d: General Minimization Measures (for Proposed Project Site and the Mitigation Areas)</b></p> <ol style="list-style-type: none"> <li>1. At least 15 days prior to any ground disturbing activities, the applicant will submit to the United States Fish and Wildlife Service (USFWS) for review and approval the qualifications of the proposed Biological Monitor(s). A qualified Biological Monitor means any person who has completed at least 4 years of university training in wildlife biology or a related science and/or has demonstrated field experience in the identification and life history of the listed species.</li> <li>2. A USFWS-approved Biological Monitor will remain on-site during all construction activities in or adjacent to habitat for listed species. The Biological Monitor(s) will be given the authority to stop any work that may result in the take of listed species. If the Biological Monitor(s) exercises this authority, the USFWS will be notified by telephone and electronic mail within one working day. The Biological Monitor will be the contact for any employee or contractor who might inadvertently kill or injure a listed species or anyone who</li> </ol>	<p>Incorporation into project construction documents</p> <p>Applicant will submit qualifications of proposed Biological Monitor(s) to USFWS</p> <p>Conduct employee education program regarding potential listed species on-site</p> <p>USFWS-approved qualified Biological Monitor(s) pre-construction survey and submittal of documents</p>	<p>Prior to construction</p> <p>At least 15 days prior to any ground disturbing activities</p> <p>Prior to ground disturbing activities</p> <p>Prior to ground disturbing activities</p>	<p>Contra Costa County Department of Conservation and Development; USFWS; project applicant; construction contractor; USFWS-approved qualified Biological Monitor(s)</p>		

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<p>finds a dead, injured, or entrapped individual. The Biological Monitor will possess a working wireless/mobile phone whose number will be provided to the USFWS.</p> <p>3. Prior to construction, a construction employee education program will be conducted in reference to potential listed species on-site. At minimum, the program will consist of a brief presentation by persons knowledgeable in endangered species biology and legislative protection (approved Biologist) to explain concerns to contractors, their employees, and agency personnel involved in the proposed project. The program will include: a description of the species and their habitat needs; any reports of occurrences in the project site; an explanation of the status of each listed species and their protection under the Endangered Species Act; and a list of measures being taken to reduce effects to the species during construction and implementation. Fact sheets conveying this information and an educational brochure containing color photographs of all listed species in the work area(s) will be prepared for distribution to the above-mentioned people and anyone else who may enter the project site. A list of employees who attend the training sessions will be maintained by the applicant to be made available for review by the USFWS upon request. Contractor training will be incorporated into construction contracts and will be a component of weekly project meetings.</p> <p>4. Preconstruction surveys for listed species will be performed immediately prior to groundbreaking activities. Surveys will be conducted by the Biological Monitor. If at any point, construction activities cease for more than 5 consecutive days, additional preconstruction surveys will be conducted prior to the resumption of these actions.</p> <p>5. To prevent the accidental entrapment of listed species during construction, all excavated holes or trenches deeper than 6 inches will be covered at the end of each workday with plywood or similar materials. Foundation trenches or larger</p>	<p>On-site inspection by USFWS-approved qualified Biological Monitor</p> <p>Submittal of proof of implementation during construction</p>	<p>During construction</p> <p>During construction</p>			

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<p>excavations that cannot easily be covered will be ramped at the end of the workday to allow trapped animals an escape method. Prior to the filling of such holes, these areas will be thoroughly inspected for listed species by the Biological Monitor. In the event of a trapped animal is observed, construction will cease until the individual has been relocated to an appropriate location.</p> <p>6. Only approved Biological Monitors will conduct surveys.</p> <p>7. All trash and debris within the work area will be placed in containers with secure lids before the end of each workday in order to reduce the likelihood of predators being attracted to the site by discarded food wrappers and other rubbish that may be left on-site. Containers will be emptied as necessary to prevent trash overflow onto the site and all rubbish will be disposed of at an appropriate off-site location.</p> <p>8. All vegetation that obscures the observation of wildlife movement within the affected areas containing or immediately adjacent aquatic habitats will be completely removed by hand just prior to the initiation of grading to remove cover that might be used by listed species. The approved Biologist will survey these areas immediately prior to vegetation removal to find, capture and relocate any observed listed species, as approved by the USFWS.</p> <p>9. All construction activities must cease 30 minutes before sunset and should not begin prior to 30 minutes after sunrise. There will be no nighttime construction.</p> <p>10. Grading and construction in jurisdictional wetlands/waters will be limited to the dry season, May 15th - October 15th.</p> <p>11. Best Management Practices (BMPs) will be used to minimize erosion and impacts to water quality and effects to aquatic habitat. A Storm Water Pollution Prevention Plan (SWPPP) will be prepared.</p>					

<p>12. The applicant will ensure a readily available copy of the Section 7 consultation is maintained by the construction foreman/manager on the project site whenever earthmoving and/or construction is taking place. The name and telephone number of the construction foreman/manager will be provided to the USFWS prior to groundbreaking.</p> <p>13. The construction area shall be delineated with high visibility temporary fencing at least 4 feet in height, flagging, or other barrier to prevent encroachment of construction personnel and equipment outside of the construction area. Such fencing shall be inspected and maintained daily until completion of the project. The fencing will be removed only when all construction equipment is removed from the site.</p> <p>14. Silt fencing or wildlife exclusion fencing will be used to prevent listed species from entering the project site. Exclusion fencing will be at least 3 feet high and the lower 6 inches of the fence will be buried in the ground to prevent animals from crawling under the fencing. The remaining 2.5 feet will be left above ground to serve as a barrier for animals moving on the ground surface. The fence will be pulled taut at each support to prevent folds or snags. Fencing shall be installed and maintained in good condition during all construction activities. Such fencing shall be inspected and maintained daily until completion of the project. The fencing will be removed only when all construction equipment is removed from the site.</p> <p>15. The approved Biological Monitor shall ensure that the spread or introduction of invasive exotic plant species shall be avoided to the maximum extent possible. When practicable, invasive exotic plants on the project site shall be removed.</p> <p>16. The project site shall be revegetated with an appropriate assemblage of native species.</p> <p>17. If on-site mitigation is approved, revegetation of the riparian corridor will be accomplished with an appropriate assemblage of native wetland vegetation suitable for the area. A restoration and monitoring plan shall be prepared for review and approval by the USFWS, and the United States Army Corp of Engineers (USACE). Such a plan must include,</p>				
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but not be limited to, location of the restoration, species to be used, restoration techniques, time of year the work will be done, identifiable success criteria for completion, and remedial actions if the success criteria are not achieved.					
<p><b>MM BIO-3: Waters of the United States and State</b> To ensure that impacts to waters of the United States and State offset, the following mitigation measures shall be implemented:</p> <p>a. Obtain a Section 404 permit from the United States Corp of Engineers (USACE) and a Section 401 permit from the Regional Water Quality Control Board (RWQCB) prior to project construction and implementing any additional mitigation measures identified by the USACE or RWQCB as part of these permits.</p> <p>b. The applicant/permittee has prepared a Conceptual Wetland Mitigation and Monitoring Program (CWMMP) and a revised Wetland Mitigation Monitoring Plan (MMP) for the proposed project. This plan proposes to provide compensatory mitigation for wetland habitats; thus, the goal of the establishment of the mitigation sites will be to create/establish at least 0.939 acre and 1,913 linear feet of jurisdictional seasonal wetlands/water within the two mitigation sites on the property. The applicant/permittee shall implement the MMP in coordination with the USACE and RWQCB.</p>	<p>Obtain Section 404 permit from the USACE and Section 401 permit from the RWQCB</p> <p>Implement Conceptual Wetland Mitigation and Monitoring Program</p> <p>On-site inspection</p>	<p>Prior to construction</p> <p>During construction</p> <p>During construction</p>	<p>Contra Costa County Department of Conservation and Development; USFWS; USACE; RWQCB; project applicant; construction contractor</p>		
<b>3.4 Cultural Resources and Tribal Cultural Resources</b>					
<p><b>MM CUL-1: Archaeological Spot-Monitoring and Halt of Construction Upon Encountering Historical or Archeological Materials</b> An Archaeologist who meets the Secretary of the Interior’s Professional Qualification Standards for archaeology shall inspect the site once grubbing and clearing are complete, and prior to any grading or trenching into previously undisturbed</p>	<p>Inclusion of discovery clause in all construction contracts</p> <p>Qualified Archaeologist’s on-site inspection(s) and submittal of documents</p>	<p>Before construction</p> <p>After grubbing and clearing, but prior to grading or trenching</p>	<p>Contra Costa County Department of Conservation and Development; Qualified Archaeologist; project applicant; construction contractor</p>		

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<p>soils. This will be followed by regular periodic or “spot-check” archaeological monitoring as determined by the Archaeologist. If the Archaeologist believes that a reduction in monitoring activities is prudent, then a letter report detailing the rationale for making such a reduction and summarizing the monitoring results shall be provided to the Contra Costa County Department of Conservation and Development for concurrence. In the event a potentially significant cultural resource is encountered during subsurface earthwork activities, all construction activities within a 100-foot radius of the find shall cease and workers should avoid altering the materials until an Archaeologist has evaluated the situation. The applicant for the proposed project (Scannell Properties) shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Potentially significant cultural resources consist of but are not limited to stone, bone, glass, ceramics, fossils, wood, or shell artifacts, or features including hearths, structural remains, or historic dumpsites. The Archaeologist shall make recommendations concerning appropriate measures that will be implemented to protect the resource, including but not limited to excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Any previously undiscovered resources found during construction within the project site shall be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and will be submitted to the Contra Costa County Department of Conservation and Development, the Northwest Information Center (NWIC), and the California Office of Historic Preservation (OHP), as required.</p>	<p>Qualified Archaeologist’s “spot-check” monitoring</p> <p>County notification if historical or archeological materials encountered</p> <p>Provision of Section 15064.5 permit(s) and copy of DPR 523 forms; Qualified Archaeologist’s submittal of findings and documentation</p>	<p>Regularly during ground disturbance as needed During construction</p> <p>During construction</p> <p>During construction</p>			

<p><b>MM CUL-3: Stop Construction upon Encountering Human Remains</b></p> <p>In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and Section 5097.98 shall be followed. If during the course of project construction, there is accidental discovery or recognition of any human remains, the following steps shall be taken:</p> <p>1. There shall be no further excavation or disturbance within 100 feet of the 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 within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.</p> <p>2. Where the following conditions occur, the landowner or his or her authorized representative shall work with the Coroner to rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the MLD if available or on the project site or off-site where the reburial would not be subject to further subsurface disturbance:</p> <ul style="list-style-type: none"> <li>• The NAHC is unable to identify an MLD or the MLD failed to make a recommendation within 48 hours after being notified by the NAHC.</li> <li>• The descendant identified fails to make a recommendation.</li> <li>• 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.</li> </ul>	<p>Inclusion of discovery clause in all construction contracts</p> <p>County notification if human remains encountered</p> <p>County Coroner contacts NAHC and submits NAHC correspondence to County</p>	<p>Prior to construction</p> <p>During construction</p> <p>During construction</p>	<p>Contra Costa County Department of Conservation and Development; project applicant; construction contractor; Contra Costa County Office of the Sheriff: Coroner’s Division; NAHC</p>		
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<p><b>MM CUL-4a: Native American Construction Monitoring</b>                      To minimize the potential for destruction of or damage to existing or previously undiscovered burials, archaeological and tribal cultural resources and to identify any such resources at the earliest possible time during project-related earthmoving activities, the project applicant and its construction contractor(s) shall implement the following measures:</p> <ul style="list-style-type: none"> <li>• Native American Monitors from culturally affiliated Native American Tribes will be invited to monitor the vegetation grubbing, stripping, grading or other ground-disturbing activities in the project area to determine the presence or absence of any cultural resources. Native American representatives from cultural affiliated Native American Tribes act as a representative of their Tribal government and shall be consulted before any cultural studies or ground-disturbing activities begin.</li> <li>• Native American representatives and Native American Monitors have the authority to identify sites or objects of significance to Native Americans and to request that work be stopped, diverted or slowed if such sites or objects are identified within the direct impact area. Only a Native American representative can recommend appropriate treatment of such sites or objects.</li> <li>• If buried cultural resources, such as chipped or ground stone, historic debris, building foundations, or bone, are discovered during ground-disturbing activities, work will stop in that area and within 100 feet of the find until an archaeologist who meets the Secretary of the Interior's qualification standards can assess the significance of the find and, if necessary, develop appropriate treatment measures in consultation with the County, the California Office of Historic Preservation (OHP), and other appropriate agencies. Appropriate treatment measures may include development of avoidance or protection</li> </ul>	<p>Incorporation into project construction documents</p> <p>Native American Monitor from culturally affiliated Native American Tribes invited to monitor ground disturbing activities</p> <p>On-site inspection by Native American Monitor</p> <p>County notification if buried cultural resources encountered</p> <p>Develop appropriate treatment measures</p>	<p>Prior to construction</p> <p>Prior to vegetation grubbing, stripping, grading, or other ground-disturbing activities</p> <p>During construction</p> <p>During construction</p> <p>During construction</p>	<p>Contra Costa County Department of Conservation and Development; project applicant; construction contractor; Native American Monitor; Native American Representative; Qualified Archaeologist; California Office of Historic Preservation (OHP)</p>		

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methods, archaeological excavations to recover important information about the resource, research, or other actions determined during consultation.					
<p><b>MM CUL-4b: Avoidance and Preservation in place of Tribal Cultural Resources</b></p> <p>Should Tribal Cultural Resources be discovered during project construction, avoidance and preservation in place is the preferred manner of mitigating impacts to tribal cultural resources and will be accomplished by several means, including:</p> <ul style="list-style-type: none"> <li>• Planning construction to avoid tribal cultural resources, archaeological sites and/ or other resources; incorporating sites within parks, green-space or other open space; covering archaeological sites; deeding a site to a permanent conservation easement; or other preservation and protection methods agreeable to consulting parties and regulatory authorities with jurisdiction over the activity. As noted in MM CUL-4a, appropriate treatment measures may include archeological excavations to recover information about the resource. Recommendations for avoidance of cultural resources will be reviewed by the CEQA lead agency representative (County), interested Native American Tribes and the appropriate agencies, in light of factors such as costs, logistics, feasibility, design, technology and social, cultural and environmental considerations, and the extent to which avoidance is consistent with project objectives. If feasible, avoidance and design alternatives may include realignment within the project area to avoid cultural resources, modification of the design to eliminate or reduce impacts to cultural resources or modification or realignment to avoid highly significant features within a cultural resource. Native American Representatives from interested Native American Tribes will be allowed to review and comment on these analyses</li> </ul>	Develop appropriate avoidance and treatment measures should tribal cultural resources be discovered	During construction	Contra Costa County Department of Conservation and Development; project applicant; construction contractor; Native American Monitor; Native American Representative		

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<p>and shall have the opportunity to meet with the CEQA lead agency (County) representative and its representatives who have technical expertise to identify and recommend feasible avoidance and design alternatives, so that appropriate and feasible avoidance and design alternatives can be identified.</p> <ul style="list-style-type: none"> <li>• If the resource can be avoided, the construction contractor(s), with Native American Monitors from culturally affiliated Native American Tribes present, will install protective fencing outside the site boundary, including a buffer area, before construction restarts. The construction contractor(s) will maintain the protective fencing throughout construction to avoid the site during all remaining phases of construction. The area will be demarcated as an "Environmentally Sensitive Area." Native American representatives from interested Native American Tribes and the CEQA lead agency (County) representative will also consult to develop measures for long term management of the resource and routine operation and maintenance within culturally sensitive areas that retain resource integrity, including tribal cultural integrity, and including archaeological material, Traditional Cultural Properties and cultural landscapes, in accordance with state and federal guidance including National Register Bulletin 30 (Guidelines for Evaluating and Documenting Rural Historic Landscapes), Bulletin 36 (Guidelines for Evaluating and Registering Archaeological Properties), and Bulletin 38 (Guidelines for Evaluating and Documenting Traditional Cultural Properties); National Park Service Preservation Brief 36 (Protecting Cultural Landscapes: Planning, Treatment and Management of Historic Landscapes) and using the Advisory Council on Historic Preservation (ACHP) Native American Traditional Cultural Landscapes Action Plan for further guidance. Use of temporary and permanent form of protective fencing will</li> </ul>					

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be determined in consultation with the Native American representatives from interested Native American Tribes.					
<b>3.6 Geology and Soils</b>					
<p><b>MM GEO-1a: Prepare Grading and Construction Plans that Incorporate Preliminary Geotechnical Investigation Recommendations</b></p> <p>Prior to issuance of the grading permits for the proposed project, development of the final grading, foundation, and construction plans shall incorporate the site-specific earthwork, foundation, floor slab, finished grades, underground utilities, and pavement design recommendations, as detailed in the Preliminary Geotechnical Investigation prepared by Miller Pacific Engineering Group dated April 17, 2018. The applicant shall coordinate with the Contra Costa County Department of Conservation and Development and County Geologist to tailor the grading and foundation plans, as needed, to reduce risk related to known soil and geologic hazards. The final grading, foundation, and construction plans for the proposed project shall be reviewed by the Contra Costa County Department of Conservation and Development and County Geologist. Grading operations shall meet the requirements of the recommendations included in the Preliminary Geotechnical Investigation prepared by Miller Pacific Engineering Group. During construction, the Contra Costa County Department of Conservation and Development shall monitor construction of the proposed project to ensure the earthwork operations are properly performed.</p>	<p>Incorporation into project construction documents</p> <p>On-site inspection</p>	<p>Prior to issuance of grading permit</p> <p>During construction</p>	<p>Contra Costa County Department of Conservation and Development; County Geologist; project applicant; construction contractor</p>		
<p><b>MM GEO-1b: Prepare Final Construction Report</b></p> <p>The Project Geotechnical Engineer shall prepare a final report that documents the field observations and testing services provided during construction as well as provide a professional opinion on the compliance of construction with the</p>	<p>Prepare final report that documents field observation and testing services provided during construction</p>	<p>Prior to final building inspections</p>	<p>Contra Costa County Department of Conservation and Development; County Geologist;</p>		

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<p>recommendations in the Preliminary Geotechnical Investigation. The final report can be segmented into an as-graded report that is issued at the end of rough grading, but prior to the installation of the foundations, and a second letter commenting on the inspections made during installation of foundations/parking lot/drainage facilities. Contra Costa County Department of Conservation and Development will place a hard hold on the final inspection, to ensure that the Geotechnical Engineer’s grading-foundation inspection letter-report is provided prior to requesting the final building inspection for each building.</p>			<p>project applicant; Project Geotechnical Engineer</p>		
<p><b>3.7 Greenhouse Gas Emissions</b></p>					
<p><b>MM GHG-1a:</b> Prior to the issuance of building permits, the project applicant/developer shall demonstrate (e.g., provide building plans) to the satisfaction of the Contra Costa County Department of Conservation and Development, that the proposed buildings are designed and will be built to, at minimum, meet the Tier 2 advanced energy efficiency requirements of the Nonresidential Voluntary Measures of the California Green Building Standards Code, Division A5.2, Energy Efficiency, as outlined under Section A5.203.1.2.2.</p>	<p>Submittal of building plans that meet or exceed Tier 2 advanced energy efficiency requirements</p>	<p>Prior to issuance of building permits</p>	<p>Contra Costa County Department of Conservation and Development; project applicant</p>		
<p><b>MM GHG-1b:</b> Prior to issuance of occupancy permits, the project applicant/developer shall demonstrate to the satisfaction of the Contra Costa County Department of Conservation and Development, that the proposed parking areas for passenger automobiles are designed and will be built to accommodate electric vehicle (EV) charging stations. At minimum, the parking shall be designed to accommodate a number of EV charging stations equal the Tier 2 Nonresidential Voluntary Measures of the California Green Building Standards Code, Section A5.106.5.3.2.</p>	<p>Submittal of proof that proposed parking areas for passenger automobiles will be built to accommodate EV charging stations</p>	<p>Prior to issuance of occupancy permits</p>	<p>Contra Costa County Department of Conservation and Development; project applicant</p>		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
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<p><b>MM GHG-1c:</b> Prior to issuance of occupancy permits, the project applicant/developer shall demonstrate to the satisfaction of the Contra Costa County Department of Conservation and Development, that the proposed parking areas for passenger automobiles are designed and will be built to provide parking for low-emitting, fuel-efficient, and carpool/van vehicles. At minimum, the number of preferential parking spaces for passenger automobiles shall equal the Tier 2 Nonresidential Voluntary Measures of the California Green Building Standards Code, Section A5.106.5.1.2. At minimum, the number of preferential parking spaces shall equal the Tier 2 Nonresidential Voluntary Measures of the California Green Building Standards Code, Section A5.106.5.1.2.</p>	<p>Submittal of proof that proposed parking areas for passenger automobiles will be built to provide parking for low-emitting, fuel-efficient, and carpool/van vehicles</p>	<p>Prior to issuance of occupancy permits</p>	<p>Contra Costa County Department of Conservation and Development; project applicant</p>		
<p><b>MM GHG-1d:</b> To reduce idling emissions from transport trucks, which places restrictions on idling, the project applicant/developer shall have signage placed at truck access gates, loading docks, and truck parking areas that clearly notes idling is strictly prohibited on the subject property. In coordination with Contra Costa County, the project applicant/developer shall also place similar signs in the adjacent streets in the Richmond/San Pablo area. At minimum, each sign placed outside the interior premises of the subject property shall note the idling prohibition on the adjacent streets and include telephone numbers of the building facilities manager and the California Air Resources Board to report violations. All signage shall be made of weather-proof materials. All site and architectural plans submitted to the Contra Costa County Department of Conservation and Development shall note the locations of these signs. Prior to issuance of occupancy permits, the Contra Costa County Department of Conservation and Development shall verify compliance with these requirements herein</p>	<p>Install signage that restricts idling on the subject property and in the adjacent streets</p>	<p>Prior to issuance of occupancy permits</p>	<p>Contra Costa County Department of Conservation and Development; project applicant</p>		

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<p><b>MM GHG-1e:</b> All landscaping equipment (e.g., leaf blower) used for property management shall be electric-powered only. The property manager/facility owner shall provide documentation (e.g., purchase, rental, and/or services agreement) to the Contra Costa County Department of Conservation and Development to verify, to the County’s satisfaction, that all landscaping equipment utilized will be electric-powered.</p>	<p>Submittal of proof that all landscaping equipment used for property management is electric powered</p>	<p>Prior to issuance of occupancy permits</p>	<p>Contra Costa County Department of Conservation and Development; project applicant</p>		
<p><b>MM GHG-1f: Renewable Electricity</b>                      Prior to the issuance of grading and building permits for the proposed project, the project applicant shall provide Contra Costa County with documentation demonstrating that the rooftop photovoltaic system will satisfy 100 percent of operational electricity consumed by the project, including the electricity demand resulting from the electric vehicle fleet.</p> <p>If the rooftop photovoltaic system will not be able to supply the additional electricity demand resulting from the electric vehicle fleet charging requirements, the project applicant shall, prior to the issuance of the certificate of occupancy for the proposed project, provide Contra Costa County with documentation demonstrating that the additional electricity demand will be supplied with 100 percent carbon-free electricity sources. These sources may include, but are not limited to, Pacific Gas and Electric’s 100 Percent Solar Choice electricity service option or Marin Clean Energy’s MCE Deep Green 100 percent renewable electricity service option. This documentation shall also demonstrate that 100 percent carbon-free electricity sources will be utilized for the first 30 years of operation.</p> <p>To monitor and ensure that 100 percent of electricity demand generated by the proposed project is supplied with 100 percent carbon-free electricity sources, the project applicant shall maintain records of all electricity consumption and supply</p>	<p>Submittal of proof that the rooftop photovoltaic system will satisfy 100 percent of operational electricity consumed by the project, including the electricity demand resulting from the electric vehicle fleet</p> <p>Submittal of proof that additional electricity demand generated by the proposed project is supplied with 100 percent carbon-free electricity sources</p> <p>Submit documentation regarding all electricity consumption and supply associated with the proposed project’s operation</p>	<p>Prior to the issuance of grading and building permits</p> <p>Prior to issuance of occupancy permits</p> <p>Periodically during operation</p>	<p>Contra Costa County Department of Conservation and Development; project applicant</p>		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
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<p>associated with the proposed project’s operation and make these records available to the County upon request. Alternatively, the County may require periodic reporting and provision of written records and conduct regular inspections of the records to the maximum extent feasible and practicable.</p>					
<p><b>MM GHG-1g: Purchase Carbon Credits</b>                      Prior to the issuance of the certificate of occupancy for the proposed project, the project applicant shall provide the County with documentation demonstrating the purchase of voluntary carbon credits pursuant to the following performance standards and requirements: the carbon offsets shall achieve real, permanent, quantifiable, verifiable, and enforceable reductions as set forth in California Health and Safety Code Section 38562(d)(1); and ii. one carbon offset credit shall mean the past reduction or sequestration of one metric ton of carbon dioxide equivalent that is “not otherwise required” (CEQA Guidelines § 15126.4(c)(3)). The purchase shall be through a verified greenhouse gas (GHG) emissions credit broker in an amount sufficient to offset operational GHG emissions of no less than 4,848 metric ton (MT) carbon dioxide equivalent (CO2e) per year starting in 2021, 4,097 MT CO2e per year starting in 2023, 2,123 MT CO2e per year starting in 2025, and 1,700 MT CO2e per year starting in 2027 for the first 30 years of project operations, based on current estimates of the project-related GHG emissions. Alternatively, the project applicant may purchase the total amount estimated over the lifetime of the proposed project (30 years), which is estimated to be 62,900 MT CO2e. The purchase shall be verified as occurring prior to approval of occupancy permits. Copies of emission estimates and offset purchase contract(s) shall be provided to the County for review and approval prior to the issuance of the certificate of occupancy for the proposed project.</p>	<p>Submit documentation demonstrating the purchase of voluntary carbon credits</p>	<p>Prior to issuance of certificate of occupancy</p>	<p>Contra Costa County Department of Conservation and Development; project applicant</p>		
<p>See MM TRANS-1.</p>					



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<b>3.8 Hazards and Hazardous Materials</b>					
<p><b>MM HAZ-1a: Proper Disposal of Solid Waste</b>                      Prior to the issuance of a grading permit, the applicant shall remove and dispose of all materials observed during the site reconnaissance for the Phase I Environmental Site Assessment (Phase I ESA) that are currently on the project site in accordance with applicable local, State, and federal regulations. The materials include, but are not limited to, metal vault-like structures, one pad-mounted electrical transformer with metal cabinet, and pile of creosote-treated telephone poles.</p>	<p>Qualified licensed professional to remove and dispose of materials</p> <p>On-site inspection</p>	<p>Prior to issuance of grading permit</p> <p>Prior to grading activities</p>	<p>Contra Costa County Department of Conservation and Development; project applicant; qualified licensed professional; Contra Costa Environmental Health</p>		
<p><b>MM HAZ-1b: Closure of On-site Groundwater Monitoring Wells</b>                      If the four on-site groundwater monitoring wells located at 155 Parr Boulevard (identified in the Phase I Environmental Site Assessment [Phase I ESA] as MW-1 through MW-4) are encountered during grading activities, they (it) shall be properly closed under permit in accordance with applicable local, State, and federal regulations.</p>	<p>Closure of groundwater monitoring wells by qualified licensed professional</p> <p>On-site inspection</p>	<p>Prior to issuance of grading permit</p> <p>Prior to grading activities</p>	<p>Contra Costa County Department of Conservation and Development; project applicant; qualified licensed professional; Contra Costa Environmental Health</p>		
<p><b>MM HAZ-1c: Prepare a Soil Management Plan</b>                      Prior to the issuance of a grading permit, the applicant shall prepare and submit a Soil Management Plan for review and approval by Contra Costa Environmental Health. The Soil Management Plan shall identify potential hazards that could be encountered during site grading activities and utility trench excavation, such as previously unidentified subgrade structures of environmental concern (e.g., underground storage tanks [USTs], sumps, septic tanks, oil-water separators, etc.) and/or soils exhibiting evidence of contamination from past industrial and agricultural uses on the site requiring special handling. The Soil Management Plan shall identify the procedures to properly identify and manage the discovery of previously unidentified subgrade structures of environmental concern and/or soils exhibiting evidence of</p>	<p>Prepare and submit Soil Management Plan</p> <p>Incorporation into project construction documents</p> <p>On-site inspection</p>	<p>Prior to issuance of grading permit</p> <p>Prior to construction</p> <p>During construction</p>	<p>Contra Costa County Department of Conservation and Development; project applicant; qualified licensed professional; Contra Costa Environmental Health</p>		

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contamination requiring special handling should they be encountered. The Soil Management Plan shall address testing, handling, containment, and disposal of subgrade structures of environmental concern, contaminated soil, and/or contaminated groundwater, notification requirements, and the implementation of worker safety measures.					
<b>3.9 Hydrology and Water Quality</b>					
<p><b>MM HYD-3: Prepare Final Drainage Plan Prior to Grading</b></p> <ul style="list-style-type: none"> <li>In accordance with Division 914 of the Contra Costa County Ordinance Code, the project applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to a natural watercourse having definable bed and banks, or to an existing adequate public storm drainage system that conveys the stormwater to a natural watercourse. Any proposed diversions of the watershed shall be subject to hearing body approval. Prior to issuance of a grading permit, the applicant shall submit improvement plans for proposed drainage improvements, and a drainage report with hydrology and hydraulic calculations to the Engineering Services Division of the Public Works Department for review and approval that demonstrates the adequacy of the on-site drainage system and the downstream drainage system. The applicant shall verify the adequacy at any downstream drainage facility accepting stormwater from this project prior to discharging runoff. If the downstream system(s) is not adequate to handle the Existing Plus Project condition for the required design storm, improvements shall be constructed to make the system adequate. The applicant shall obtain access rights to make any necessary improvements to off-site facilities.</li> </ul>	<p>Obtain Flood Control Permit</p> <p>Prepare and submit Final Stormwater Control Plan and a Stormwater Control Operation and Maintenance Plan</p> <p>On-site inspection to ensure compliance with rules, regulations and procedures of the NPDES for municipal, construction and industrial activities</p>	<p>Prior to issuance of grading permit</p> <p>Prior to issuance of grading permit</p> <p>During construction</p>	<p>Contra Costa County Department of Conservation and Development; project applicant; Engineering Services Division of the Public Works Department; RWQCB</p>		

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<ul style="list-style-type: none"> <li>In accordance with Division 1014 of the Contra Costa County Ordinance Code, the applicant shall comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards (San Francisco Bay—Region 2); and</li> <li>Submit a Final Stormwater Control Plan and a Stormwater Control Operation and Maintenance Plan (O&amp;M Plan) to the Public Works Department, which shall be reviewed for compliance with the County’s National Pollutant Discharge Elimination System (NPDES) Permit and shall be deemed consistent with the County’s Stormwater Management and Discharge Control Ordinance (Division 1014) prior to issuance of a building permit. Improvement Plans shall be reviewed to verify consistency with the Final Stormwater Control Plan and compliance with the Contra Costa Stormwater C.3 Guidebook of the County’s NPDES Permit and the County’s Stormwater Management and Discharge Control Ordinance (Division 1014) and be designed to discourage prolonged standing/ponding of water on-site.</li> </ul>					
<b>3.13 Transportation</b>					
<p><b>MM TRANS-1:</b> Prior to issuance of the certificate of occupancy, the applicant shall retain a qualified transportation consultant to prepare a project-specific Transportation Demand Management (TDM) Program that incorporates the following measures, where feasible. The TDM Program shall be reviewed and approved by the County, and the applicant shall implement all approved TDM measures.</p> <ul style="list-style-type: none"> <li>Commuter Trip Reduction Program</li> <li>Ride-sharing Program</li> <li>End of Trip Facilities</li> </ul>	Prepare and submit Transportation Demand Management (TDM) Program	Prior to issuance of certificate of occupancy	Contra Costa County Department of Conservation and Development; project applicant; qualified transportation consultant; Contra Costa County Public Works Department		

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<ul style="list-style-type: none"> <li>• New Employee Commute Orientation</li> <li>• Preferential Parking Program</li> <li>• Employer-Sponsored Vanpool/Shuttle</li> <li>• Transportation Network Company (TNC) Partnership</li> </ul>					
<p><b>MM TRANS-2a:</b> Prior to issuance of the certificate of occupancy for the proposed project, the applicant shall install a median and bulb outs on Parr Boulevard along the project frontage and stop signs at the project driveways and signage prohibiting vehicles from turning left out of the project driveways. Signage prohibiting the left turn movement out of the driveway shall also be provided.</p>	On-site inspection for traffic improvements	Prior to issuance of certificate of occupancy	Contra Costa County Department of Conservation and Development; project applicant; Contra Costa County Public Works Department		
<p><b>MM TRANS-2b:</b> Prior to issuance of the building permit, the applicant shall (1) pay the North Richmond Area Of Benefit fee and (2) commit to installing one of the following improvements on Fred Jackson Way, Market Avenue, or Chesley Avenue prior to project occupancy:</p> <ul style="list-style-type: none"> <li>• Bulb outs</li> <li>• Elevated crosswalks</li> <li>• Speed tables</li> <li>• Chicanes</li> </ul>	<p>Payment of North Richmond Area of Benefit fee</p> <p>On-site inspection for traffic improvement</p>	<p>Prior to issuance of building permit</p> <p>Prior to issuance of building permit</p>	Contra Costa County Department of Conservation and Development; project applicant; Contra Costa County Public Works Department		
<p><b>MM TRANS-4a:</b> Prior to the issuance of the certificate of occupancy, the applicant shall install curb ramps where required at all pedestrian walkways, a pedestrian connection between the two buildings, install a striped crosswalk across the north leg of the Richmond Parkway/Parr Boulevard intersection, and install pedestrian countdown signal heads to serve movements at the Parkway/Parr Boulevard intersection.</p>	On-site inspection	Prior to issuance of certificate of occupancy	Contra Costa County Department of Conservation and Development; project applicant; Contra Costa County Public Works Department		

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<b>MM TRANS-4b:</b> Prior to the issuance of the certificate of occupancy, the applicant shall install short and long-term bicycle parking consistent with County Code Section 82-16.412 in a convenient location.	On-site inspection	Prior to issuance of certificate of occupancy	Contra Costa County Department of Conservation and Development; project applicant; Contra Costa County Public Works Department		
<b>3.14 Utilities and Service Systems</b>					
See MM HYD-3.					

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