

MITIGATION MONITORING AND REPORTING PROGRAM

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a “mitigated negative declaration” or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Pittsburg Technology Park Specific Plan (proposed Specific Plan, or proposed project). The intent of the MMRP is to ensure implementation of the mitigation measures identified within the Final Program Environmental Impact Report (PEIR) for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the applicant.

COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the PEIR for the Pittsburg Technology Park Specific Plan prepared by the City of Pittsburg. This MMRP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the EIR that was prepared for the proposed project.

The PEIR presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA Guidelines, Section 15370, as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments

The intent of the MMRP is to ensure the implementation of adopted mitigation measures by applicants during the design, permitting and construction phases of future development within the Plan Area. The MMRP provides for design measures that will be implemented during final engineering and confirmed during plan check for each phase of development within the Plan Area. The MMRP also will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Pittsburg. The table attached to this report identifies the mitigation measure, the monitoring action for the mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP. The City will be responsible for monitoring compliance.

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During construction of future development within the Plan Area, the City will assign an inspector(s) who will be responsible for field monitoring of mitigation measure compliance. The inspector(s) will report to the City Planning Department and will be thoroughly familiar with permit conditions and the MMRP.

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The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.

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Mitigation Monitoring and Reporting Program - Pittsburg Technology Park Specific Plan

<i>IMPACT NUMBER</i>	<i>IMPACT</i>	<i>MITIGATION MEASURE</i>	<i>MONITORING AGENCY</i>	<i>IMPLEMENTATION SCHEDULE</i>	<i>SIGN-OFF</i>
SECTION 3.2, AIR QUALITY					
3.2-2	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard	<p>MM 3.2-1 Prior to approval of subsequent development applications by the Zoning Administrator, applicants shall provide a project-level construction air quality analysis to determine the significance of air quality impacts. Specific construction activities shall be compared to BAAQMD screening criteria to determine if a more detailed emissions analysis is required to determine significance. If a quantitative analysis of emissions during project construction is required, the estimated emissions shall be compared to BAAQMD significance thresholds. Mitigation measures necessary to reduce any significant impacts shall be developed in coordination with the BAAQMD and shall include BAAQMD's basic best management practices for construction-related fugitive dust emissions as follows:</p> <ul style="list-style-type: none"> • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt trackout 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. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • 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. 	City of Pittsburg Community Development Department	Prior to approval of subsequent development applications	

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		<ul style="list-style-type: none"> • All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph. • All trucks and equipment, including their tires, shall be washed off prior to leaving the site. • Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel. • Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations. 			
		<p>MM 3.2-2 Prior to issuance of a grading permit, the project applicant shall show on the grading plans via notation that the contractor shall ensure that all offroad heavy-duty diesel-powered equipment larger than 100 horsepower (e.g., rubber tired dozers, excavators, graders, scrapers, pavers, paving equipment, and cranes) to be used for each phase of construction of the project (i.e., owned, leased, and subcontractor vehicles) shall meet USEPA emissions standards for Tier 4 engines or equivalent. The grading plans shall be submitted for review and approval by the City Engineer.</p>	City Engineer	Prior to issuance of a grading permit	
		<p>MM 3.2-3 To minimize emissions of fugitive dust, future development shall be required to implement the following enhanced best management practices, which shall be notated on grading plans prior to approval:</p>	City of Pittsburg Community Development Department	Prior to approval of subsequent development applications	

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		<ol style="list-style-type: none"> 1. Limit the simultaneous occurrence of excavation, grading, and ground-disturbing construction activities. 2. Install wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity. 3. Plant vegetative ground cover (e.g., fast-germinating native grass seed) in disturbed areas as soon as possible and watered appropriately until vegetation is established. 4. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent. 5. Minimize the amount of excavated material or waste materials stored at the site. 6. Hydroseed or apply non-toxic soil stabilizers to construction areas, including previously graded areas, that are inactive for at least 10 calendar days. <p>Due to the potential for full project buildout to include land use types that generate diesel truck trips beyond what was estimated in the CalEEMod modeling analysis, the following conditional mitigation measure may be required.</p>			
		<p>MM 3.2-4 If a future development application includes a land use type that would generate diesel truck trips during project operation (such as logistics and warehousing), then prior to approval by the zoning administrator, a project-level air quality analysis shall be performed in conformance with General Plan Actions 2-A-4.b. and c. The analysis shall include, but not be limited to, quantification of operational criteria air pollutant emissions, a determination of operational air quality impacts, and identification of mitigation measures necessary to reduce any significant impacts.</p>	City of Pittsburg Community Development Department	Prior to approval of subsequent development applications	

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3.2-3	Expose sensitive receptors to substantial pollutant concentrations	MM 3.2-5 If a future development application includes a land use type that would generate diesel truck trips during project operation (such as logistics and warehousing), then prior to approval by the Zoning Administrator, then a Health Risk Assessment (HRA) shall be performed in conformance with 2040 General Plan Action 2-A-4.c . The analysis shall evaluate potential impacts from directly emitted TAC and PM2.5, as specified in Chapter 5 of BAAQMD’s 2022 CEQA Guidelines. The guidelines recommend a tiered approach where at each successive step, the project’s impacts (i.e., annual PM2.5 concentrations, cancer risks, and hazards), and the combined cumulative impacts from surrounding sources and the project, are compared to the appropriate thresholds of significance. Projects shall not be approved until it can be demonstrated that the project would not result in exceedance of the established thresholds of significance for public health risks at nearby sensitive receptors.	City of Pittsburg Community Development Department	Prior to approval of subsequent development applications	
3.3 BIOLOGICAL RESOURCES					
3.3-1	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service	MM 3.3-1 Each applicant will be required to obtain coverage for the project under the East Contra Costa HCP/NCCP. This shall include submittal of all required application materials per HCP/NCCP Section 6.2.1 and payment of a Development Fee and applicable fees for wetland impacts and/or stream corridor encroachments consistent with current HCP/NCCP requirements. Alternatively, the applicant may, in accordance with the terms of PMC Section 15.108, offer to dedicate land in lieu of some or all of the HCP/NCCP Development Fee. All applicable fees shall be paid, and/or an “in-lieu-of-fee” agreement fully executed, prior to the issuance of a grading permit for the project. If a grading permit is not required, fee payment and/or an “in-lieu-of-fee” agreement shall be fully executed prior to issuance of the project’s building permit. Proof of applicable fees and/or “in-lieu-of-fee” agreement shall be provided to the City of Pittsburg Community Development	City of Pittsburg Community Development Department East Contra Costa County Habitat Conservancy	Prior to issuance of a grading permit	

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		Director as a condition of approval for future projects under the Specific Plan.			
		<p>MM 3.3-2 Each applicant will be required to provide Worker Environmental Awareness training to all construction personnel. The WEAP shall include the following information.</p> <ul style="list-style-type: none"> • The sensitive habitats on the study area. • Special-status species known or potentially present on the site, including their: <ul style="list-style-type: none"> ○ Listing status and causes of decline, ○ Habitat preferences, and ○ Distinguishing physical characteristics. • The measures (AMMs and East Contra Costa HCP/NCCP measures) required to protect sensitive habitats and special-status species, including next steps and notifications in the event of a special-status species sighting. <p>The WEAP shall include a hard copy handout that summarizes information presented in the training and includes photographs of habitat resources and species to facilitate identification in the field by construction personnel.</p> <p>Each applicant shall ensure that all construction personnel undergo WEAP training before they begin work. Training shall be delivered by a qualified biologist approved by the City of Pittsburg Community Development Director and shall be provided bilingually in English and Spanish if appropriate.</p>	City of Pittsburg Community Development Department	Prior to issuance of a grading permit	
		<p>MM 3.3-3 Each applicant shall ensure that the project adheres to all applicable East Contra Costa HCP/NCCP requirements.</p> <p><u>Pre-Construction Surveys</u></p>	City of Pittsburg Community Development Department	Prior to issuance of a grading permit	

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		<p>Planning surveys per HCP/NCCP Section 6.3.1 were completed in 2018 – 2023. Based on the outcomes of the planning surveys, preconstruction surveys by USFWS- and CDFW-approved biologists shall be conducted for the following species per HCP/NCCP Sections 6.3.2:</p> <ul style="list-style-type: none"> • Golden Eagle • Burrowing Owl • Swainson’s Hawk • San Joaquin kit fox <p>If preconstruction surveys determine that any of the above species is present on the site (or, for the bird species, within a distance where they could be disturbed by construction activity), the biologist may recommend construction monitoring; if so, then each applicant shall ensure that monitoring is conducted per HCP/NCCP Section 6.3.3. This will include submittal of a Construction Monitoring Plan (CMP) to the East Contra Costa County Habitat Conservancy for approval; the CMP must be submitted and approved prior to issuance of the grading permit (or, if no grading permit is required, the building permit) for the proposed project.</p> <p>Based on results of the planning surveys, which indicate that no suitable habitat is available on the study area, preconstruction surveys and construction monitoring are not required for the following species:</p> <ul style="list-style-type: none"> • Covered shrimp species • Giant garter snake • Townsend’s big-eared bat <p><u>Jurisdiction Delineations</u></p> <p>A delineation of jurisdictional wetlands and other waters shall be conducted on the project site per HCP Sections 6.2.1 and 6.3.1.</p>	East Contra Costa County Habitat Conservancy		

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		<p>Each applicant shall also comply with all applicable provisions of East Contra Costa HCP/NCCP Section 6.4, Specific Conditions on Covered Activities, as follows:</p> <ul style="list-style-type: none"> • Section 6.4.1: Landscape-Level Measures <ul style="list-style-type: none"> ○ Conservation Measure 1.10 – Maintain Hydrologic Conditions and Minimize Erosion ○ Conservation Measure 1.11 – Avoid Direct Impacts on Extremely Rare Plants, Fully Protected Wildlife Species [and] Covered Migratory Birds ○ Conservation Measure 1.7 – Establish Stream Setbacks ○ Conservation Measure 1.14 – Design Requirements for Covered Roads outside the UDA • Section 6.4.2: Natural Community–Level Measures <ul style="list-style-type: none"> ○ Conservation Measure 2.12 – Wetland, Pond, and Stream Avoidance and Minimization • Section 6.4.3: Species-Level Measures for the following species <ul style="list-style-type: none"> ○ California tiger salamander ○ Burrowing Owl ○ Golden Eagle ○ Swainson’s Hawk ○ San Joaquin kit fox ○ California Red-legged Frog 			
		MM 3.3-4 Rare Plant Survey & Protection	City of Pittsburg Community Development	If project construction begins in 2025 or later;	

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		<p>MM 3.3-4a If project construction begins in 2025 or later, an updated protocol-level rare plant survey shall be conducted by a qualified biologist/botanist who is familiar with the rare plants of the project region and has been approved by the City of Pittsburg Community Development Director. Surveys shall be conducted prior to construction, with enough lead time to allow for the follow-up actions described below, if they are warranted. Surveys shall be conducted during the peak blooming periods of the target species and shall cover all potentially suitable habitats within the study area and surrounding 250-foot-wide buffer. Target species and blooming periods are listed in the table below; the table is highlighted to group species with similar blooming periods. If no special-status plants are documented within the area to be disturbed for project construction (including staging and access), no further action is required.</p> <p>MM 3.3-4b. If special-status plants covered by the East Contra Costa HCP/NCCP, or plants designated as “no take” by the East Contra Costa HCP/NCCP, are present on the site, the relevant survey report(s) shall be submitted to the East Contra Costa Habitat Conservancy per HCP/NCCP Section 6.3.1.</p> <p>If any of the following species covered by the East Contra Costa HCP/NCCP is found to be present, each applicant shall promptly notify the East Contra Costa County Habitat Conservancy of the species’ presence and the planned construction schedule, to enable the East Contra Costa County Habitat Conservancy to salvage the occurrence(s) in accordance with HCP/NCCP Conservation Measure 3.10 (Plant Salvage when Impacts Are Unavoidable). Each applicant shall confirm with the East Contra Costa County Habitat Conservancy that the take limits established by the HCP/NCCP for the species in question have not been breached:</p> <ul style="list-style-type: none"> • Big tarplant • Mount Diablo fairy lantern • Diablo helianthella 	<p>CDFW</p> <p>East Contra Costa County Habitat Conservancy</p>	<p>Prior to construction</p>	

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		<ul style="list-style-type: none"> • Showy golden madia • Adobe navarretia <p>Under no circumstance shall any of the following HCP/NCCP “no-take” plants be harmed:</p> <ul style="list-style-type: none"> • Large-flowered fiddleneck • Alkali milkvetch • Mt. Diablo buckwheat • Diamond-petaled poppy • Contra Costa goldfields • Caper-fruited tropidocarpum <p>Due to their extreme rarity, none of these species are expected to be present within the Plan Area, but if any of them are found, each applicant shall notify the East Contra Costa County Habitat Conservancy immediately and shall work with the Conservancy to determine and execute the appropriate course of action.</p> <p>MM 3.3-4c If any special-status plant not covered by the East Contra Costa HCP/NCCP is found to be present, the occurrence(s) shall be avoided and protected in place to the extent feasible. If the occurrence(s) cannot be entirely avoided, then a Plant Salvage and Mitigation Plan shall be prepared and implemented. The Plan shall be prepared by a qualified biologist/botanist who is familiar with the rare plants of the project region and has experience conducting rare plant salvage operations. Plant salvage techniques shall be consistent with those outlined in HCP/NCCP Conservation Measure 3.10. The plan shall, at a minimum, include the following.</p> <ul style="list-style-type: none"> • Quantity and species of plants to be planted or transplanted • Location of the mitigation/transplant site(s) 			

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		<ul style="list-style-type: none"> • Salvage methods, such as relocation/transplantation, seed collection, etc., including storage locations and methods to preserve the plants • Procedures for propagating collected seed, including storage methods • Planting procedures, including the use of soil preparation and irrigation • Schedule and action plan to maintain and monitor the mitigation/transplant site for a minimum 3-year period • Interim and final success criteria and corrective action thresholds (e.g., growth, plant cover, survivorship) • Potential corrective actions/contingency measures in the event interim success criteria are not being met (e.g., weed removal, supplemental irrigation, supplemental plantings, etc.). • Reporting requirements and procedures, including the contents of annual progress reports, report submittals, review/approval responsibilities, etc. <p>Each applicant shall be responsible for ensuring that the Plant Salvage and Mitigation Plan is implemented. The Plan shall be implemented under the oversight of the biologist/botanist who prepared it or another individual with equivalent qualifications. The biologist shall be approved by the City of Pittsburg Community Development Director.</p>			
		<p>MM 3.3-5 No more than one year prior to the initiation of vegetation removal and grading in the project area, each applicant shall retain an appropriately qualified biologist (see next</p>	City of Pittsburg Community Development	No more than one year prior to the initiation of	

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		<p>paragraph) who has been approved by the City of Pittsburg Community Development Director to conduct surveys for Crotch bumble bee, obscure bumble bee, and American bumble bee. Biologist qualifications for bumble bee surveys will conform to current CDFW guidance prevailing at the time surveys are performed.</p> <p>Surveys shall be performed by a qualified entomologist familiar with the species' behavior. If surveys are performed prior to CESA (and if applicable, ESA) listing for any species, they shall comprise the following activities, consistent with CDFW's Survey Considerations for CESA Candidate Bumble Bee Species. In the event any bumble bee species is listed at the time of survey, surveys will instead adhere to the protocol(s) adopted by the listing agency/agencies (CDFW and/or USFWS).</p> <ul style="list-style-type: none"> • Surveys shall be conducted during each species' peak worker activity period. Surveys shall cover all areas of onsite habitat determined by the biologist to be suitable for any of the three target bumble bee species, based on habitat mapping conducted for the project to date. A minimum of three to four surveys shall be conducted, spaced two weeks apart; the total number, timing, and duration of surveys performed shall depend on the biologist's judgment, in consideration of weather, site conditions, and protocol requirements. Surveys shall be designed to identify all foraging bumble bee species; a single survey may be used to detect all species with peak activity periods including the survey date. • If Crotch bumble bee, obscure bumble bee, or American bumble bee is observed onsite during the surveys, an additional survey or surveys shall be conducted to determine whether a nest or colony is present, unless the biologist is satisfied that the initial survey(s) were sufficient to rule out the presence of nests/colonies. • If a nest or colony is present onsite, the biologist shall establish an appropriate avoidance buffer determined 	<p>CDFW</p> <p>USFWS</p>	<p>vegetation removal and grading</p>	

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		<p>in consideration of site conditions, the species involved, and the construction activities planned prior to the close of the nesting season. No entry into the buffer shall be permitted. The buffer shall be delineated in the field using orange construction fencing or another appropriate medium, under the biologist's oversight, and shall remain in place until the end of the nesting species' gyne flying season, or until the qualified biologist determines that the nest has been abandoned.</p> <ul style="list-style-type: none"> • If no nest/colony is present onsite, no further action will be taken. However, all workers shall be required to avoid injury and mortality to bumble bees they may encounter; this requirement shall be discussed during the WEAP training and shall be reiterated to all workers if special-status bumble bees are confirmed onsite. • To support improved understanding and conservation of all three bumble bee species, survey results, including negative findings, shall be submitted to CDFW prior to implementing project-related ground-disturbing activities. At a minimum, the survey report shall include the following information. <ol style="list-style-type: none"> 1. A description and map of the survey area, focusing on areas that could provide suitable habitat for Crotch bumble bee, obscure bumble bee, or American bumble bee 2. Field survey conditions, including name(s) of qualified entomologist(s) and brief qualifications; date(s) and time(s) of survey; survey duration; general weather conditions; survey goals; and species searched 3. Map(s) showing the location of nests/colonies, if any <p>A description of physical (e.g., soil, moisture, slope) and biological (e.g., plant composition) conditions where each nest/colony is</p>			

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		found, including native plant composition (e.g., density, cover, and abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, and abundance of each species) 5. The measures that will be implemented to avoid adverse effects on the bumble bee species present 6. An assessment of potential project effects on special-status bumble bees during project construction and project operation/maintenance, with avoidance and minimization measures in place.			
		<p>MM 3.3-6 The following measures will be required to protect monarch butterflies prior to ESA (and, if applicable, CESA) listing. In the event monarch butterfly is ESA- and/or CESA-listed at the time of project construction, monarch butterfly protection requirements will instead adhere to the protocol(s) adopted by the listing agency/agencies (CDFW and/or USFWS).</p> <ul style="list-style-type: none"> • No more than two days prior to the initiation of vegetation trimming or removal for construction, each applicant shall ensure that a qualified biologist approved by the City of Pittsburgh Community Development Director surveys all areas of potentially suitable habitat for monarch butterfly larval host plants. • If host plants are found, the biologist shall survey all host plants for monarch eggs, larvae, and pupae. If no eggs, larvae, or pupae are found, plants may be removed within two days. <p>If eggs, larvae, or pupae are present, host plants shall be protected in place until the biologist has determined that no more eggs, larvae, or pupae are present.</p>	<p>City of Pittsburgh Community Development</p> <p>CDFW</p> <p>USFWS</p>	Prior to construction	
		<p>MM 3.3-7 The following measures will be required to protect western pond turtles prior to ESA (and, if applicable, CESA) listing. In the event western pond turtle is ESA- and/or CESA-listed at the time of project construction, western pond turtle protections will</p>	<p>City of Pittsburgh Community Development</p> <p>CDFW</p>	Prior to construction	

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		<p>instead adhere to the protocol(s) adopted by the listing agency/agencies (CDFW and/or USFWS).</p> <ul style="list-style-type: none"> • Prior to the start of construction activities, each applicant shall ensure that a qualified biologist approved by the City of Pittsburg Community Development Director conducts a pedestrian preconstruction survey of the study area and adjacent suitable habitat for western pond turtle. • The survey shall be conducted no more than 24 hours prior to start of work and shall include walking the work area limits and interior and investigating all areas that could be used by the species. • If western pond turtle individuals are found, the biologist shall relocate them to suitable habitat outside the disturbance area and far enough away that they would not be expected to return. • If the biologist determines that it is warranted, exclusion measures shall be implemented to prevent individuals returning to the active work site. <p>The same requirements will apply for operations and maintenance activities with the potential to affect western pond turtle habitat.</p>	USFWS		
		<p>MM 3.3-8 If project-related disturbance (e.g., vegetation removal or trimming, clearing/grubbing, grading) commences any time during the nesting/breeding season of native bird species potentially nesting in or near the Plan Area (February 1 – August 31 for most species; January 1 through August 31 for Golden Eagle; March 15 – September 15 for Swainson’s Hawk), a preconstruction survey for nesting birds shall be conducted by a qualified biologist approved by the City of Pittsburg Community Development Director, using binoculars. The survey shall take place no more than two weeks prior to the initiation of work.</p>	City of Pittsburg Community Development CDFW East Contra Costa County Habitat Conservancy	During construction if it is during nesting/breeding season of native bird species	

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		<p>If active nests are found in areas that could be directly affected or are within 300 feet of disturbance activities and would be subject to prolonged noise, a no-disturbance buffer zone shall be created around active nests for the remainder of the breeding season or until the biologist determines that all young have fledged or that the nest has been abandoned. No entry into the no-activity buffer shall be permitted. The no-activity buffer shall be delineated in the field by or under the supervision of the biologist, using temporary construction fencing or another suitable low-impact medium. The size of the buffer zone(s) shall be determined by the biologist based on the species involved, the amount of vegetative and other screening between the nest and areas where construction activity shall take place, and, if appropriate, other site-specific factors. The minimum buffer width shall be 50 feet for species other than raptors, and a minimum of 500 feet for raptor species other than Golden Eagle and Swainson’s Hawk, and may be enlarged by taking into account factors such as the following:</p> <ul style="list-style-type: none"> • Noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity. • Sensitivity of nesting species and behaviors of the individual nesting birds. <p>If nesting Swainson’s Hawk or Golden Eagle are observed, buffers and other avoidance measures shall conform to Species-Level Measures for these species as laid out in East Contra Costa HCP/NCCP Section 6.4.3. or current CDFW requirements, whichever is greater.</p>			
		<p>MM 3.3-9 The following requirements apply to construction and to operations and maintenance that involves disturbance that could affect nesting activity, such as vegetation removal or trimming, clearing/grubbing, and grading.</p> <p>Bald Eagle nests may be built throughout the year. Consequently, each applicant shall retain a qualified biologist approved by the</p>	<p>City of Pittsburg Community Development</p> <p>East Contra Costa County Habitat Conservancy</p>	<p>Prior to initial or subsequent construction activities</p>	

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		<p>City of Pittsburg Community Development Director to conduct a preconstruction survey for nesting Bald Eagles prior to the initiation of work at the site (including vegetation removal or trimming, clearing/grubbing, grading, etc.). The survey shall be conducted using binoculars and shall take place no more than two weeks prior to the initiation of work.</p> <p>If an occupied or active nest is present, construction-related activity shall be prohibited within 0.5 mile of the nest unless site-specific conditions or the nature of the construction activity (e.g., dense vegetation, limited noise generation, limited activities) indicate that a smaller buffer could be appropriate or that a larger buffer should be implemented. The biologist shall coordinate with the East Contra Costa County Habitat Conservancy, CDFW, and USFWS to determine the appropriate buffer size.</p> <p>The nest buffer shall be delineated in the field using temporary construction fencing or another suitable low-impact medium. Buffer fencing shall be placed only on the Plan Area; the buffer shall not be put in place on neighboring properties not involved in project construction and staging.</p> <p>Construction shall be monitored by a qualified biologist to ensure that the buffer remains in place and that no construction activities occur within the buffer zone until the biologist has determined that the young have fledged or that the nest has been abandoned.</p>	<p>CDFW</p> <p>USFWS</p>		
		<p>MM 3.3-10 Prior to the initiation of any activity that could disturb roosting bats (including vegetation trimming/removal, surveys involving the use of lasers that produce high-frequency sounds, drilling, or other activity producing high-frequency sounds, a qualified biologist (as stipulated in Section 5 of H.T. Harvey & Associates 2019, and subject to approval by the City of Pittsburg Community Development Director) shall conduct a habitat evaluation for special-status bats, focusing on the needs of pallid bat, western red bat, and hoary bat, the species identified by planning surveys as having potential to be present on the site. For purposes of this AMM, high frequency sound is defined as sound</p>	<p>City of Pittsburg Community Development Department</p> <p>CDFW</p>	<p>Prior to the initiation of any activity that could disturb roosting bats</p>	

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		<p>in the 20 kHz – 50 kHz frequency range, based on bat disturbance information in California Department of Transportation (Caltrans) bat mitigation guidelines (ibid). If Caltrans guidance is updated, or if frequency sensitivity information relevant to the bat species with potential to occur becomes available prior to project construction, this definition shall be updated accordingly.</p> <p>Surveys shall include the entirety of the study area plus a 400-foot-wide buffer. If no roosting habitat suitable for these species is present on the study area, no further action is required. If roosting habitat is present, the following additional requirements shall apply. Any potential roost trees/other potential roosting habitat shall also be considered potential bat maternity roosts.</p> <ul style="list-style-type: none"> • Before any activities with the potential to disturb roosting bats begin, the approved biologist(s) shall conduct focused surveys for roost occupancy. These shall be conducted at least two weeks prior to the start of work and shall include: <ul style="list-style-type: none"> ○ Daytime visual surveys for bats and evidence of bat presence such as guano or urine staining ○ Evening emergence and acoustic surveys <p>If bat presence is confirmed, the species, number of individuals, and roost type (maternity/non-maternity) shall be documented and reported to the CNDDDB. Bats shall not be disturbed or relocated during the surveys.</p> <ul style="list-style-type: none"> • Confirmed non-maternity roosts shall be protected by buffers. Buffers shall be delineated in the field with temporary construction fencing or another suitable measure, installed under biologist oversight. Note that buffer distances vary depending on the species and the type of noise/disturbance involved. (If bat species other than those addressed here are encountered, buffer distances shall be consistent with H.T. Harvey & Associates 2019). The biologist shall coordinate with 			

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		<p>construction staff to determine the appropriate buffer width; if there is uncertainty, the more conservative buffer width shall prevail.</p> <p>If a confirmed roost must be removed or trimmed for construction, or if work must occur within the buffers laid out above, work shall be restricted to daylight hours when the CDFW approved biologist has confirmed that it the roost is not occupied and shall be overseen by the biologist to prevent injury or mortality. The biologist shall have authority to divert or stop work in the event of excessive risk to bats.</p> <ul style="list-style-type: none"> Confirmed maternity roosts shall be protected by the same buffers identified above. Maternity roosts shall not be removed unless removal cannot be avoided, and in no case shall a confirmed maternity roost be removed during the breeding/non-volant season (April – August). If removal of a maternity roost is necessary, each applicant shall consult with CDFW to determine appropriate compensatory mitigation such as the provision of bat boxes and shall submit a Bat Habitat Mitigation Plan for DFW approval. Consultation and submittal of the Mitigation Plan shall occur prior to the removal, and the removal shall not take place until CDFW has approved the Plan. Each applicant shall then be responsible for implementing CDFW-approved mitigation for removal of bat maternity roost habitat. 			
		<p>MM 3.3-11 Vegetation removal, clearing/grubbing, and grading activities shall be conducted in a uniform direction to allow mobile animals such as San Joaquin pocket mouse the ability to escape the disturbance area into adjacent undisturbed habitat. Project construction shall also avoid the creation of fragmented islands of habitat where individuals may become trapped, isolated from resources, and at risk from eventual clearing/grading operations.</p>	City of Pittsburg Community Development Department	During construction	

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		<p>MM 3.3-12 Each applicant shall ensure that a qualified biologist approved by the City of Pittsburg Community Development Director conduct a preconstruction survey for American badger den sites. The survey shall be conducted no more than four weeks before the commencement of ground disturbance.</p> <p>If an occupied den is found, and young are not present, then any badgers present shall be removed from the den either by the use of appropriate exclusionary devices or by trapping and relocation. The removal method shall be approved by CDFW prior to implementation; if trapping and relocation are used, it shall be carried out by biologist(s) with all required permits for badger handling. Any trapped badgers shall be relocated to other suitable habitat at least 500 feet outside the study area boundary. Once any badgers are excluded or trapped and relocated, den(s) shall be excavated by hand and backfilled to prevent reoccupation. Exclusion shall continue until the badgers are successfully removed from the site, as determined by the biologist.</p> <p>Badgers shall not be excluded or relocated if it is determined by the biologist that young are or may be present. Any occupied dens shall be protected with a 50-foot-wide no-activity buffer. The buffer shall be delineated in the field by a qualified biologist, using temporary construction fencing or another appropriate low-impact medium, and shall remain in place until the biologist has determined that the young are no longer dependent on their mother and the den site. No entry into the buffer area shall be permitted.</p>	City of Pittsburg Community Development Department	No more than four weeks before commencement of ground disturbance	
3.3-2	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of	Implement MM 3.3-1 through MM 3.3-3 , as described above.	See MM 3.3-1 through MM 3.3-3 .	See MM 3.3-1 through MM 3.3-3 .	

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	Fish and Wildlife or U.S. Fish and Wildlife Service				
3.3-3	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means	Implement MM 3.3-1 through MM 3.3-3 , as described above.	See MM 3.3-1 through MM 3.3-3 .	See MM 3.3-1 through MM 3.3-3 .	
3.3-4	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites	Implement MM 3.3-1 through MM 3.3-3 , as described above.	See MM 3.3-1 through MM 3.3-3 .	See MM 3.3-1 through MM 3.3-3 .	
3.3-6	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan	Implement MM 3.3-1 through MM 3.3-3 , as described above.	See MM 3.3-1 through MM 3.3-3 .	See MM 3.3-1 through MM 3.3-3 .	
3.4 CULTURAL AND TRIBAL RESOURCES					
3.4-2	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5	MM 3.4-1 Prior to construction, all workers regardless of location, shall receive cultural resource awareness training. The training program should be developed by a Qualified Professional Archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards for archaeology and shall include relevant information regarding sensitive cultural resources and tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of	City of Pittsburg Community Development Department	Prior to construction	

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		violating state laws and regulations. It should also describe appropriate avoidance and impact minimization measures for cultural resources and tribal cultural resources that may be located within the Plan Area and provide guidance on procedures to follow if any cultural resources or TCRs are encountered.			
		<p>MM 3.4-2 All ground-disturbing activities proposed within the Plan Area shall be monitored by a Qualified Professional Archaeologist who meets or works under the direct supervision of someone who meets the Secretary of the Interior’s Professional Qualifications Standards for prehistoric and historic archaeology. All ground-disturbing activities proposed within the Plan Area shall also be monitored by Qualified Native American Monitor. In the event that cultural resources are observed, all work must stop within the immediate vicinity of the find, and the Qualified Professional Archaeologist shall prepare and implement a resource mitigation plan and monitoring program.</p>	City of Pittsburg Community Development Department	During ground- disturbing activities	
		<p>MM 3.4-3 If an inadvertent discovery of tribal cultural resources, archaeological artifacts, other cultural resources, or human remains are discovered during construction within the Plan Area, all work must halt within a 100-foot radius of the discovery. The Qualified Professional Archaeologist, meeting the Secretary of the Interior’s Professional Qualification Standards for prehistoric and historic archaeology, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications and procedures shall apply:</p> <ul style="list-style-type: none"> • If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately, and no agency notifications are required. • If the Qualified Professional Archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, the Qualified 	City of Pittsburg Community Development Department	During construction	

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		<p>Professional Archaeologist shall immediately evaluate the find pursuant to Public Resources Code Section 21083.2. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for determining California Register of Historical Resources eligibility. If the discovery proves to be significant under CEQA and cannot be avoided by the project, additional work may be warranted, such as data recovery excavation, to mitigate any significant impacts to significant resources. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Historical Resource under CEQA or a Historic Property under Section 106; or 2) that the treatment measures have been completed to their satisfaction. Any reports required to document and/or evaluate unanticipated discoveries shall be submitted to the City of Pittsburg for review and approval and submitted to the Northwest Information Center in Sonoma State after completion. Recommendations contained within prepared reports shall be implemented throughout the remainder of ground disturbance activities.</p> <ul style="list-style-type: none"> • If the find represents a Native American or potentially Native American resource that does not include human remains, then the Qualified Professional Archaeologist shall notify the City of Pittsburg, a Native American Representative from the Wilton Rancheria tribe, and the NAHC shall be contacted to ensure that the Most Likely Descendant (MLD) can assess the find. The City of Pittsburg shall consult with the tribes on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines. If the deposit is eligible, the project shall attempt to feasibly avoid damage to the 			

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		<p>deposit (e.g., redesign or capping). If avoidance is not feasible, the archaeologist shall, in consultation with the MLD and City, develop and implement a plan to recover the scientifically consequential data represented by the deposit in a manner respectful of tribal concerns. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to the agencies satisfaction. A report of the finds or any resource evaluation and/or data recovery efforts shall be submitted to City of Pittsburg for review and approval and submitted to the Northwest Information Center in Sonoma State as a condition for access to its archives.</p> <ul style="list-style-type: none"> • If the find includes human remains, or remains that are potentially human, the Qualified Professional Archaeologist shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The Qualified Professional Archaeologist shall notify the City of Pittsburg Development Services Director, a Native American Representative from the Wilton Rancheria tribe, and the Contra Costa County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the coroner determines the remains are Native American origin and not the result of a crime scene, the coroner will notify the Native American Heritage Commission (NAHC), which then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the 			

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		remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the agencies, through consultation as appropriate, determine that the treatment measures have been completed and are approved by the Development Services Director.			
3.4-3	Lead to the disturbance of any human remains	Implement MM 3.4-3 , as described above.	See MM 3.4-3 .	See MM 3.4-3 .	
3.4-4	Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or a resource determined by the lead agency	Implement MM 3.4-1 through 3.4-3 , as described above.	See MM 3.4-1 through 3.4-3 .	See MM 3.4-1 through 3.4-3 .	
3.5 GEOLOGY AND SOILS					
3.5-6	Directly or indirectly destroy a unique paleontological resource	MM 3.5-1 At the time of application for site specific development within the Plan Area, the Applicant shall retain a Project Paleontologist to develop a Paleontological Resources Mitigation	City of Pittsburg Community Development	Prior to issuance of a grading permit	

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	or site or unique geologic feature	and Monitoring Plan. The Plan shall outline preconstruction coordination, monitoring procedures, emergency discovery procedures, sampling and data recovery, museum storage coordination with an accredited institution or facility for any specimen and data recovered, and final reporting.	Department		
		MM 3.5-2 Prior to the start of construction, the Project Paleontologist or a qualified paleontological monitor shall provide all construction personnel involved with earthmoving activities an environmental awareness training that will provide information on the possibility of encountering fossils during construction, how to identify fossils, and the protocols to follow in the case of any fossil discoveries including proper notification procedures.	City of Pittsburg Community Development Department	Prior to construction	
		MM 3.5-3 Prior to construction, the Project Paleontologist shall review excavation plans to determine where paleontologically sensitive stratigraphic units will be disturbed by Project-related earth movement. Earthmoving construction activities will be monitored by a qualified paleontological monitor in those areas and/or where disturbance will take place to previously undisturbed sediment. Monitoring will not take place in areas where the ground has been previously disturbed, in areas underlain by artificial fill, or in areas where exposed sediment will be buried but not disturbed. Monitoring procedures will include measures to suspend monitoring should construction activities be restricted to previously disturbed fill and to adjust monitoring protocols based on updated evaluations of sensitivity subsequent to initial excavations.	City of Pittsburg Community Development Department	Prior to construction	
3.10 NOISE					
3.10-1	Generate a substantial temporary or permanent increase in ambient noise levels in excess of local	MM 3.10-1 If at the time of development review, an Applicant cannot provide evidence of project level conformance with Table 3-1, the Applicant shall submit a detailed construction mitigation plan accompanied by a construction noise analysis that	City Engineer	Prior to approval of subsequent development applications	

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	general plan standards or noise ordinance	incorporates specific mitigation techniques for site-specific noise reduction and attenuation. Examples include limiting hours of construction, locating stationary noise sources (e.g., generators, compressors) away from sensitive receptors, using shrouds or temporary barriers for louder equipment (e.g., pile drivers), and using newer machinery.			
		MM 3.10-2 If at the time of development review, an Applicant cannot provide evidence of project level conformance with Table 3.10-8, the Applicant shall submit a detailed operational mitigation plan accompanied by an operational noise analysis that incorporates specific mitigation techniques for site-specific noise reduction and attenuation. Examples of operational noise mitigation include changes to a site layout to place noise sources further from sensitive receptors, using manufacturer-supplied or third-party noise mitigation (e.g., low-sound fan options, silencers, acoustical louvers), and installing sound barriers.	City Engineer	Prior to approval of subsequent development applications	
		MM 3.10-3 If future development anticipates greater use of truck trips beyond what was analyzed in this PEIR (15 trips per day), then the Applicant shall prepare a subsequent noise analysis to provide evidence that they conform to the noise level thresholds identified in Table 3.10-8. If the Applicant cannot demonstrate conformance with Table 3.10-8, then the Applicant shall submit a detailed operational mitigation plan accompanied by an operational noise analysis that incorporates specific mitigation techniques for site-specific noise reduction and attenuation.	City Engineer	Prior to approval of subsequent development applications	
3.13 TRANSPORTATION AND CIRCULATION					
3.13-1	Specific Plan implementation would result in VMT per employee that is greater	MM 3.13-1 Travel Demand Management Plan(s) shall be prepared and implemented for future phases of Specific Plan implementation. The TDM Plan comply with the City's TIA Guidelines in effect at the time of application and should identify trip reduction strategies as well as mechanisms for funding and	City Engineer	Prior to approval of subsequent development applications	

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	than 85 percent of Baseline conditions	overseeing the delivery of trip reduction programs and strategies. Trip reduction strategies applicable to the proposed project may include, but are not limited to, the following: <ol style="list-style-type: none"> a. Implement Alternative Work Schedules b. Provide New Hire Packets on Transportation Options c. Implement Subsidized or Discounted Transit Program d. Provide Carpooling Programs e. Implement Car-Sharing Program f. Provide a Transit Riders Guide g. Provide an Online TDM Information Center h. Implement Commute Trip Reduction Marketing i. Increase Bicycle and Pedestrian Facilities/Amenities j. Free Trial Rides on Transit Services 			
3.13-2	Specific Plan implementation would conflict with a program, plan, policy, or ordinance addressing the circulation system, including transit, bicycle, and pedestrian facilities	MM 3.13-2 As future specific land-uses are proposed for development on the site, a level of service analysis shall be performed in accordance with the City of Pittsburg's TIA Guidelines in effect at the time of application. If violations of the City's General Plan LOS policies are identified, improvement measures shall be developed and proposed to eliminate those violations.	City Engineer City of Pittsburg Community Development Department	Prior to approval of subsequent development applications	
		MM 3.13-3 As future specific land-uses are developed on the site, appropriate local and regional traffic impact fees shall be calculated and paid in accordance with the anticipated level of traffic generation. The two currently applicable traffic impact fees are the Pittsburg Transportation Impact Mitigation Fee (TIMF) and the Pittsburg Regional Transportation Development Impact Fee (PRTDIM), as described in Chapters 15.90 and 15.103 PMC, respectively.	City Engineer City of Pittsburg Community Development Department	Prior to approval of subsequent development applications	
3.15 WILDFIRES					
3.15-4	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope	MM 3.15-1 Prior to approval of building permit, the applicant shall demonstrate that debris flow potential has been studied for post-fire conditions. Alternatives for mitigating potential debris flow impacts shall be considered and refined as each phase of future development is designed. Preliminary mitigation measures may include restricting the use of portions of the site until the potential for debris flow is quantified, using best modeling methods. If it is	City Engineer	Prior to approval of building permit	

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	instability, or drainage changes	determined that there is high potential for debris flow impacts, additional infrastructure or interventions may be required, including constructing debris collection basins, routine removal of debris-generating materials, and sizing up stormwater runoff conveyance facilities for bulked debris flows.			