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**PENBROOK  
TENTATIVE SUBDIVISION MAP PROJECT  
MITIGATION MONITORING PROGRAM**

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Prepared for:

**CITY OF ORLAND  
815 Fourth Street  
Orland, CA 95963**

Prepared by:



**JANUARY 2005**

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**MITIGATION MONITORING PROGRAM**  
FOR THE  
**PENBROOK**  
**TENTATIVE SUBDIVISION MAP PROJECT**

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City of Orland

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*Prepared by:*

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## **MITIGATION MONITORING PROGRAM CONTENTS**

This document is the Mitigation Monitoring Program (MMP) for the Penbrook Tentative Subdivision Project. The MMP includes a brief discussion of the legal basis for and the purpose of the program, discussion and direction regarding complaints about noncompliance, a key to understanding the monitoring matrix, and the monitoring matrix itself.

## **LEGAL BASIS OF AND PURPOSE FOR THE MITIGATION MONITORING PROGRAM**

California Public Resources Code Section 21081.6 requires public agencies to adopt mitigation monitoring or reporting programs whenever certifying an environmental impact report (EIR) or a mitigated negative declaration. This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

The MMP contained herein is intended to satisfy the requirements of CEQA as they relate to the Penbrook Tentative Subdivision Project. It is intended to be used by the City of Orland (City) staff, participating agencies, project contractors and mitigation monitoring personnel during implementation of the project.

The Penbrook Tentative Subdivision Project Mitigated Negative Declaration 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 measures that do any of the following:

- Avoid impacts 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 impacts by repairing, rehabilitating or restoring the impacted environment.
- Reduces or eliminates impacts over time by preservation and maintenance operations during the life of the project.
- Compensates for impacts by replacing or providing substitute resources or environments.

The intent of the MMP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMP will provide for monitoring of construction activities as necessary, on-site identification and resolution of environmental problems, and proper reporting to City staff.

## **DEVELOPMENT AND APPROVAL PROCESS**

The timing elements of mitigation measures and definition of the development process has been provided in detail throughout this MMP to assist existing and future City staff, by providing the most usable monitoring document possible.

## **MITIGATION MONITORING PROGRAM**

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### **RESPONSIBILITIES AND AUTHORITY**

The City of Orland will have primary responsibility for the operation and implementation of the MMP. The City will be responsible for the following activities:

- Coordination of monitoring activities.
- Direction of the preparation and filing of compliance reports.
- Maintenance of records concerning the status of all mitigation measures.

### **MONITORING MATRIX**

The tables on the back pages of the MMP identify the mitigation measures proposed for the Penbrook Tentative Subdivision Project. These mitigation measures are reproduced from the Mitigated Negative Declaration for the project. The tables have the following columns:

**Mitigation Measure:** Lists the mitigation measures identified within the Penbrook Tentative Subdivision Project Mitigated Negative Declaration for a specific impact, along with the number for each measure as enumerated in the Mitigated Negative Declaration.

**Timing:** Identifies at what point in time, review process or phase the mitigation measure will be completed.

**Agency/Department Consultation:** References the City department or any other public agency with which coordination is required to satisfy the identified mitigation measure.

**Verification:** Spaces to be initialed and dated by the individual designated to verify adherence to a specific mitigation measure.

### **NONCOMPLIANCE COMPLAINTS**

Any person or agency may file a complaint asserting noncompliance with the mitigation measures associated with the project. The complaint shall be directed to the City in written form providing specific information on the asserted violation. The City shall conduct an investigation and determine the validity of the complaint. If noncompliance with a mitigation measure has occurred, the City shall take appropriate action to remedy any violation. The complainant shall receive written confirmation indicating the results of the investigation or the final action corresponding to the particular noncompliance issue.

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**MONITORING MATRIX FOR  
PENBROOK TENTATIVE SUBDIVISION MAP PROJECT MMP**

Mitigation Measure	Timing	Agency/Department Consultation	Verification (Date and Initials)
<p><b>MM 3.3.1</b> The following mitigation measures shall be implemented during the construction phase of the project:</p> <ul style="list-style-type: none"> <li>▪ Water all active construction sites at least twice daily. Frequency should be based upon the type of operation, soil, and wind exposure.</li> <li>▪ Land clearing, grading, earth moving or excavation activities suspended when winds exceed 15 miles per hour, as determined by an anemometer on site or at the direction of GCAPCD.</li> <li>▪ Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operation and hydroseed area.</li> <li>▪ Plant vegetative cover in disturbed areas as soon as possible.</li> <li>▪ Cover inactive storage piles.</li> <li>▪ Paved roadway should be swept or washed at the end of each day as necessary to remove excessive accumulations of silt and/or mud which may have accumulated as the result of construction activities.</li> <li>▪ Use alternatives to open burning of vegetative material on the project site, such as chipping, mulching or conversion to biomass fuel, unless otherwise deemed infeasible by the GCAPCD.</li> <li>▪ Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.</li> </ul>	<p>Upon commencement of grading and construction activities.</p>	<p>City of Orland Planning Department, Glenn County Air Pollution Control District.</p>	

**MITIGATION MONITORING PROGRAM**

Mitigation Measure	Timing	Agency/Department Consultation	Verification (Date and Initials)
<p><b>MM 3.3.2</b> To mitigate impacts of diesel equipment emissions during construction, the following mitigation measures shall be implemented:</p> <ul style="list-style-type: none"> <li>▪ The primary contractor shall be responsible for ensuring that all construction equipment is properly tuned and maintained.</li> <li>▪ Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators when feasible.</li> <li>▪ Minimize idling time to 10 minutes.</li> </ul>	<p>Upon commencement of grading and construction activities.</p>	<p>City of Orland Planning Department, Glenn County Air Pollution Control District.</p>	
<p><b>MM 3.3.3</b> The following Standard Mitigation Measures shall be implemented as part of the project:</p> <ul style="list-style-type: none"> <li>▪ Use of energy-efficient lighting (including controls) and process systems such as water heaters, furnaces and boiler units. Use of energy-efficient and automated controls for air conditioning.</li> <li>▪ Use of EPA Phase II certified wood burning devices, if any such devices are installed as part of the project.</li> <li>▪ Temporary traffic controls shall be established during all phases of construction to improve traffic flow, as deemed appropriate by the City Department of Public Works.</li> <li>▪ Schedule construction activities that direct traffic flow to off-peak hours as much as practicable.</li> </ul>	<p>Upon commencement of project construction.</p>	<p>City of Orland Planning Department, City of Orland Building Department, Glenn County Air Pollution Control District.</p>	
<p><b>MM 3.3.4</b> The following Best Available Mitigation Measures shall be implemented as part of the project:</p> <ul style="list-style-type: none"> <li>▪ The project shall orient building structures to maximize the potential for natural cooling and passive solar design principles (which may include</li> </ul>	<p>Upon commencement of project construction.</p>	<p>City of Orland Planning Department, City of Orland Building Department, Glenn</p>	

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Mitigation Measure	Timing	Agency/Department Consultation	Verification (Date and Initials)
the use of appropriate landscaping).		County Air Pollution Control District.	
<b>MM 3.7.1</b> All storage drums, unknown contents, and soils stained from the unknown contents should be removed from the project site in conformance with, and as required by, current laws and regulations.	Prior to recordation of the final map or any ground disturbing activities	City of Orland Planning Department, City Engineer.	
<b>MM 3.8.1</b> Prior to final site plan approval, the project applicant shall submit a comprehensive storm drainage plan for the project for review and approval by the City Engineer. In accordance with Orland General Plan Program 3.2.A.2, the storm drainage plan shall demonstrate how the drainage system will achieve no net increase in peak storm runoff levels.	Prior to recordation of the final map.	City of Orland Planning Department, City Engineer.	
<b>MM 3.8.2</b> The project proponent shall be required to abandon the existing wells on the site, per the standards established by the Glenn County Department of Health.	Prior to commencement of project construction activities, including the issuance of grading permits or recordation of the final map.	City of Orland Planning Department.	
<b>MM 3.11.1</b> Prior to the issuance of the first building permit final clearance approval, the project applicant shall construct a seven-foot (7') sound wall of eight-inch (8") thick masonry block wall along the South Street frontage of Lots 11, 12, and 13 that would reduce noise in accordance with the requirements set forth in Table 5-2 of the Noise Element of the City's General Plan, unless the project applicant submits an	Prior to the issuance of the first building permit final clearance approval.	City of Orland Planning Department.	

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Mitigation Measure	Timing	Agency/Department Consultation	Verification (Date and Initials)
<p>acoustical analysis demonstrating that a sound wall would not be necessary to comply with these requirements. Seven-foot (7') sound wall of eight-inch (8") thick masonry block "wing" walls shall be provided along the thirty-foot (30') sight triangles at the northeast corners of Lots 11 and 13, and the northwest sight triangle of Lot 12. A similar wing wall shall extend from the northwest corner of Lot 11 along thirty feet (30') of the west property line of that lot. A masonry capstone shall be installed on all walls that extends a minimum of one and one-half inches (1 ½"). The walls shall have a rough exterior (example: split-face CMU) and be planted with vines supplied with automatic irrigation system on the exterior sides to reduce aesthetic impacts and potential graffiti. Anti-graffiti paint is recommended when walls are first constructed.</p>			
<p><b>MM 3.11.2</b> Improvement to all residential construction shall include: 3-coat stucco exterior walls for homes on all lots within this development, central air conditioning to allow occupants to close doors and windows as desired, STC 32 windows on all bedrooms which will have north, east or west facing exposure.</p>	<p>During building permit plan check and construction inspections.</p>	<p>City of Orland Planning Department and City of Orland Building Department</p>	