

Planned Development Amendment Ordinance Appendix B  
Mitigation Measures

**1. Disturbance to Burrowing Owl Nesting**

1. A preconstruction survey for burrowing owls shall be conducted no sooner than two weeks prior to soil disturbing work.
  - a. If owls are confirmed using the property during the non-breeding season (September 1 through January 31), then the owls may be passively excluded by a qualified biologist as described in the California Department of Fish and Wildlife's (CDFW) 2012 Burrowing Owl Mitigation Guidelines with an approved owl Exclusion Plan.
  - b. If the site is occupied by owls during the breeding season (Feb 1 through August 31), then no soil disturbance or construction activity may occur until the owls' reproductive cycle has finished (as verified by a qualified biologist) and the owls have been excluded in accordance to CDFW 2012 guidelines with an approved Exclusion Plan passively relocated.

**2. Disturbance to Swainson's Hawk Nesting**

1. Construction should be timed to begin outside of the hawk's breeding season (February 1 thru August 31, annually).
2. If construction must be scheduled to begin during the nesting season, a Swainson's hawk nest survey shall be conducted within ¼ mile of the site, no sooner than two weeks prior the start of construction activity or any work affecting the trees on the greenbelt. The ¼ mile distance shall reflect the area to be affected by the tree pruning, storm drain extension, and bike path replacement in addition to the subject property.
3. Construction may be delayed or require formal Department of Fish and Wildlife consultation should active nests be present within ¼ mile during the pre-construction surveys.

**3. Impact on Greenbelt Trees**

- a. Revise parking lot detail to utilize drain rock rather than AB in between concrete strips.
- b. Specify on plans to excavate for curb installation with water or air under ISA Certified Arborist supervision. If roots greater than or equal to 2 inches in diameter are encountered, bridge curb over roots allowing space for roots to expand in girth.
- c. Conduct a meeting to discuss tree preservation guidelines with the Consulting Arborist and all contractors, subcontractors and project managers prior to the initiation of demolition and construction.
- d. Prior to any demolition activity on site, identify (tagged) trees to be preserved and install tree protection fencing in a circle centered at the tree trunk with a radius equal to the defined tree protection zone (see table) unless otherwise indicated in construction plans. Tree protection fences shall be made of chain link with posts sunk into the ground. These fences shall not be removed or moved until construction is complete. Avoid soil or above ground disturbances within the fenced area.
- e. Any pruning required for construction or recommended in this report shall be performed by an ISA Certified Arborist or Tree Worker. Pruning for necessary clearance shall be the minimum required to build the project and performed prior to demolition by an ISA Certified Arborist.

- f. Avoid grading, compaction, trenching, rototilling, vehicle traffic, material storage, spoil, waste or washout or any other disturbance within tree protection zones (TPZ's) outside of drive and parking areas.
- g. Any work that is to occur within the protection zones of the trees shall be monitored by the Consulting Arborist.
- h. If roots larger than 1 inch or limbs larger than 3 inches in diameter are cut or damaged during construction, contact Consulting Arborist as soon as possible to inspect and recommend appropriate remedial treatments.
- i. All trees to be preserved shall be irrigated once every week during non-Winter months to uniformly wet the soil to a depth of at least 18 inches under and beyond their canopies.

#### **4. Impact on Tree #8**

- a. Property owner shall comply with all provisions of Mitigation Measure #3 for Tree #8.
- b. Property owner shall post a bond or other security for the appraised value of Tree #8 prior to the issuance of building permits, which will be released if the trees are still healthy upon completion of the 18-month monitoring period. The value of any damage to the tree will be taken from the bond and deposited into the City's tree preservation fund, as established in Section 37.030.070(b) of the Municipal Code.

#### **5. Impact on Chinese Tallow Trees**

- a. Conduct a meeting to discuss tree preservation guidelines with the Consulting Arborist and all contractors, subcontractors and project managers prior to the initiation of demolition and construction.
- b. Prior to any demolition activity on site, identify trees to be preserved and install tree protection fencing in a circle centered at the tree trunk with a radius equal to one foot per inch trunk diameter (outside of paved areas). Tree protection fences shall be made of chain link with posts sunk into the ground. These fences shall not be removed or moved until construction is complete.
- c. Pruning for necessary equipment clearance shall be the minimum required to build the project and performed prior to demolition by an ISA Certified Arborist or Certified Tree Worker.
- d. Avoid grading, compaction, trenching, rototilling, vehicle traffic, material storage, spoil, waste or washout or any other disturbance within tree protection zones. Any work that is to occur within the protection zones of the trees shall be monitored by the Consulting Arborist.
- e. If roots larger than 1 inch or limbs larger than 3 inches in diameter are cut or damaged during construction, contact Consulting Arborist as soon as possible to inspect and recommend appropriate remedial treatments.
- f. All trees to be preserved shall be irrigated once every week during non-Winter months to uniformly wet the soil to a depth of at least 18 inches under and beyond their canopies.