

MITIGATION MONITORING & REPORTING PROGRAM

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Application No: 15-068
Address: 700 Monterey Avenue, Capitola, CA
Applicant: Tricia Proctor and Marie Martorella

This Mitigation Monitoring and Reporting Program (MMRP) for Application No. 15-068 located at Monterey Park at 700 Monterey Avenue, Capitola, CA, has been prepared pursuant to the California Environmental Quality Act (CEQA – Public Resources Code, Section 21000 *et seq.*) and the State CEQA Guidelines (Cal. Code Regs., Title 14, Chapter 3, Sections 15074 and 15097). A master copy of this MMRP shall be kept in the office of the Community Development Department and shall be available for viewing upon request.

Project Description: The project consists of a Conditional Use Permit, Coastal Development Permit, Design Permit, and a right-of-entry agreement for construction and use of an approximate 6,000 square foot skate park within the city-owned Monterey Park. The proposed skateboard facility consists of a concrete bowl-shaped center with ramps and jump features. The facility will be enclosed by a wrought iron fence. The park would be open to the public during daylight hours only as no lighting is proposed.

Mitigation Monitoring and Reporting Program: This MMRP includes mitigation measures in the Mitigation Monitoring and Reporting Matrix on the following pages that correspond to the Final EIR for the project. The matrix lists each mitigation measure or series of mitigation measures by environmental topic. For each mitigation measure, the frequency of monitoring and the responsible monitoring entity is identified. Mitigation measures may be shown in submittals and may be checked only once, or they may require monitoring periodically during and/or after construction. Once a mitigation measure is complete, the responsible monitoring entity shall date and initial the corresponding cell, and indicate how effective the mitigation measure was.

If any mitigation measures are not being implemented, the City may pursue corrective action. Penalties that may be applied include, but are not limited to, the following: (1) a written notification and request for compliance; (2) withholding of permits; (3) administrative fines; (4) a stop-work order; (5) forfeiture of security bonds or other guarantees; (6) revocation of permits or other entitlements.

| Mitigation Measure | Implementation Actions | Monitoring / Reporting Responsibility | Timing Requirements | Reporting Requirements & Verification of Compliance |
|---|---|---|--|---|
| Noise | | | | |
| <p>NOISE-1: Require construction of six-foot noise barriers at the north and south boundaries of the skate park, along the proposed fence line, to reduce maximum instantaneous and hourly average noise levels by a minimum of 5 dBA at the Soquel Union Elementary School District Offices and single-family residences at the west end of Orchid Avenue. Noise barriers shall be constructed from materials having a minimum surface weight of 3 lbs/sf, such as one-inch thick wood fence boards, masonry block, or concrete, and be constructed in a manner free of any cracks or gaps between barrier materials and between the barrier and the ground. Alternately, suitable barrier materials such as Acoustifence by Acoustiblok or ¼-in. plexiglass could be attached to the proposed metal fence surrounding the skate park to provide an equivalent noise level reduction.</p> | <ul style="list-style-type: none"> Include measure as Condition of Approval. Implementation actions are outlined in the mitigation measure. | <ul style="list-style-type: none"> The applicant is responsible for including measure on building plans. The Community Development Department is responsible for plans to ensure the measure has been included on the final building plans. | <ul style="list-style-type: none"> Prior to issuance of building permit for including measure on plans to be installed during construction. | |
| <p>NOISE-2: Prior to issuance of building permits, require a detailed inspection by a qualified acoustician of wood fences on the rear property line of residences along Orchid Avenue that are within 165 feet of the skate park to ensure the fences are adequate to attenuate noise as predicted, and if not, implement repairs and /or replacement, as necessary and with permission of the property owner, to ensure an acoustically effective six-foot noise barrier for existing fences.</p> | <ul style="list-style-type: none"> Include measure as Condition of Approval. Implementation actions are outlined in the mitigation measure. | <ul style="list-style-type: none"> The applicant is responsible for obtaining property owner permission, performing inspections, and providing report on inspections and repairs to the Community Development. | Prior to opening of skate park. | |

| Mitigation Measure | Implementation Actions | Monitoring / Reporting Responsibility | Timing Requirements | Reporting Requirements & Verification of Compliance |
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| Hazardous Materials | | | | |
| HAZMAT-1: Prepare and implement a Soil Management Report for <u>Require</u> soil removal with proper disposal and/or encapsulation of contaminated soils at the project site to prevent exposure to arsenic found in the soils, and require proof of final signoff from the County of Santa Cruz Environmental Health Services. | <ul style="list-style-type: none"> Prepare a Soil Management Plan for removal and disposal of contaminated soils. Submit to County of Santa Cruz for approval. Submit proof of final signoff to City of Capitola. | <ul style="list-style-type: none"> The City of Capitola or the applicant, in coordination with the City of Capitola, is responsible for having the soil management plans prepared. The City of Capitola is responsible for overseeing remediation program. | Remediation to be completed prior to issuance of building permit. | |
| HAZMAT-2: Prepare and implement a Safety Plan to ensure that appropriate worker health and safety measures are in place during grading and construction activities. | <ul style="list-style-type: none"> Implementation actions are specified in the mitigation measure. | <ul style="list-style-type: none"> The City of Capitola or the applicant, in coordination with the City of Capitola, is responsible for preparing Plan. The City of Capitola is responsible for overseeing remediation program. | Prior to issuance of grading permit. | |
| Biological Resources | | | | |
| IS BIO-1: If construction or tree removal is scheduled to begin between February 1 and August 15, require that a pre-construction nesting survey be conducted by a qualified wildlife biologist to determine if migratory birds are nesting in the trees adjacent to the project site. If nesting birds are found, schedule construction to begin after fledging of young is completed (usually by August) or after a qualified biologist has determined that the nest is no longer in use or unless a suitable construction zone buffer can be identified by a qualified biologist. | <ul style="list-style-type: none"> Include measure as Condition of Approval. Implementation actions are outlined in the mitigation measure. | <ul style="list-style-type: none"> The applicant, in coordination with the City of Capitola, is responsible for having a pre-construction survey conducted by a qualified biologist if construction proceeds during the nesting season, and submitting the report to the Planning & Community Development Department. The Community Development Department is responsible for review of the report to ensure compliance with the mitigation measure. | <ul style="list-style-type: none"> Prior to tree removal, grading and/or construction during the times specified in the mitigation measure. | |