

Exhibit E

MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) lists mitigation measures recommended in the Vehicle Miles Traveled (VMT) Reduction Program Environmental Impact Report (EIR) and identifies mitigation monitoring requirements, and is intended to ensure compliance during implementation of the project.

The MMRP is organized in a matrix format. The first column identifies the mitigation measure. The second column, entitled “Mitigation Responsibility,” refers to the party responsible for implementing the mitigation measure. The third column, entitled “Monitoring/Reporting Agency,” refers to the agency responsible for oversight or ensuring that the mitigation measure is implemented. The fourth column, entitled “Monitoring Timing/Schedule,” refers to when monitoring will occur to ensure that the mitigating action is completed.

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measures	Mitigation Responsibility	Monitoring/ Reporting Agency	Monitoring Timing/Schedule
BIOLOGICAL RESOURCES			
Mitigation Measure BIO-1: Transportation improvements funded by the proposed Vehicle Miles Traveled Reduction Program subject to California Environmental Quality Act (CEQA) review, and with the potential to reduce or eliminate habitat for native plant and wildlife species or sensitive habitats, shall provide a Biological Resources Assessment prepared by a qualified biologist for review and approval by the City of Fresno. The assessment shall include biological field survey(s) of the project site to characterize the extent and quality of habitat that would be impacted by development. Surveys shall be conducted by qualified biologists and/or botanists in accordance with California Department of Fish and Wildlife and/or United States Fish and Wildlife Services survey protocols for target species. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation. If no special status/sensitive species, sensitive habitats/natural communities, or federally protected wetlands are observed during the field survey, then no further mitigation will be required. If biological resources are documented on the project site, the project proponent shall comply with the applicable requirements of the regulatory agencies and shall apply mitigation determined through the agency permitting process.	Project Proponent and qualified biologist	Planning and Development Department	Biological Resources Assessment to be completed during environmental review of subsequent project and prior to approval of discretionary project. The City shall ensure that project-specific mitigation is incorporated into project plans for approval prior to the issuance of any grading or construction permits.
Mitigation Measure BIO-4: A pre-construction nesting bird clearance survey shall be conducted by a qualified biologist no more than fourteen (14) days prior to the start of any vegetation removal or ground disturbing activities associated with a transportation improvement project. The survey shall be conducted by a qualified biologist and cover all suitable nesting habitat within the project impact area, and areas within a biologically defensible buffer zone surrounding the project impact area. Further, if an active bird nest is found, the qualified biologist should identify the specific bird species and establish a “no-disturbance” buffer around the active nest to avoid potential direct and indirect impacts. It is further recommended that the qualified biologist periodically monitor any active bird nests to determine if project-related activities disturb the birds and if the “no disturbance” buffer should be increased. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, project activities within the “no-disturbance” buffer may occur following an additional survey by the qualified biologist to search for any new nests in the restricted area. Specific mitigation measures for direct or incidental impacts to avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA) shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.	Project Proponent and qualified biologist	Planning and Development Department	A qualified biologist shall conduct a pre-construction nesting bird clearance survey no more than 14 days before any vegetation removal or ground-disturbing activities. The City shall ensure that project-specific mitigation is incorporated into project plans for approval prior to the issuance of any grading or construction permits.

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CULTURAL RESOURCES			
Mitigation Measure CUL-1: To ensure identification and preservation of potentially historic resources (as defined by CEQA Guidelines Section 15064.5 as a resource listed in, eligible for listing in, or listing in the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), or local register), each transportation improvement funded by the proposed Vehicle Miles Traveled Reduction Program subject to California Environmental Quality Act (CEQA) review (meaning, subject to discretionary action and non-exempt from CEQA) shall be conditioned as follows: prior to any construction activities that could impact potential or previously identified historical resources, the project proponent shall provide a historical resources assessment performed by an architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards for architectural history or history (as defined in 48 Code of Federal Regulations 44716) to the City of Fresno Planning and Development Department for review and approval. The historical resources assessment shall include a records search at the Southern San Joaquin Valley Information Center (SSJVIC) and a survey in accordance with the California Office of Historic Preservation (OHP) guidelines to identify any previously unrecorded potential historical resources that may be potentially affected by the proposed project. If a historical resource is identified on-site, the resource shall be avoided to the extent feasible. If relocation, rehabilitation, or alteration of a historical resource is required, the project proponent shall utilize the Secretary of the Interior's Standards for the Treatment of Historic Properties to the maximum extent feasible to ensure the historical significance of the resource is not impaired. If demolition or significant alteration of a historical resource is required, the resource shall be evaluated, and/or designated in the NRHP, CRHR, or local register, and recordation shall take the form of Historic American Buildings Survey (HABS), Historic American Engineering Record (HAER), or Historic American Landscape Survey (HALS) documentation, and shall be performed by an architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards. Recordation shall meet the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering, which defines the products acceptable for inclusion in the HABS/HAER/HALS collection at the Library of Congress. The specific scope and details of documentation shall be developed at the project level in coordination with the City of Fresno Planning and Development Department and performed prior to the first issuance of any demolition, building, or grading permits.	Project Proponent and qualified historical resources specialist	Planning and Development Department	Project to project approval, the Planning and Development Department shall review historical resources assessment. Timing for recommendations shall be established by project-specific mitigation measure. Planning and Development Department to review contract specifications to ensure inclusion of provisions included in project-specific mitigation measures.

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Mitigation Measure CUL-2.1: To ensure identification and preservation of archaeological resources within the City of Fresno, each transportation improvement funded by the proposed Vehicle Miles Traveled Reduction Program subject to California Environmental Quality Act (CEQA) review (meaning, subject to discretionary action and non-exempt from CEQA) shall be screened by the City of Fresno Planning and Development Department to determine whether a Cultural Resources Assessment is required. Screening shall consider the type of project and whether ground disturbances will occur. Ground disturbances include activities such as grading, excavation, trenching, boring, or demolition that extend below the current grade. If there will be no ground disturbance, then a Cultural Resources Assessment shall not be required. If there will be ground disturbances, prior to issuance of any permits required to conduct ground disturbing activities, the City may require a Cultural Resources Assessment be conducted under the supervision of an archaeologist that meets the Secretary of the Interior's Professionally Qualified Standards in either prehistoric or historic archaeology. The Cultural Resources Assessment shall include a California Historical Resources Information System (CHRIS) records search conducted through the Southern San Joaquin Valley Information Center (SSJVIC) and Sacred Land Files (SLF) search through the Native American Heritage Commission (NAHC), review of historical maps, and a Phase I (intensive) pedestrian survey to assess the likelihood for buried archaeological resources to occur. The Cultural Resources Assessment shall meet or exceed standards in the Office of Historic Preservation's Archaeological Resource Management Reports (ARMR): Recommended Contents and Format (1990) and Guidelines for Archaeological Research Designs (1991).	Project Proponent and qualified historical resources specialist	Planning and Development Department	During environmental review and prior to approval of discretionary project, the Planning and Development Department shall determine if a Cultural Resources Assessment is required. The Planning and Development Department shall ensure that project-specific mitigation is incorporated into project plans prior to project approval.
Mitigation Measure CUL-2.2: In the event that cultural resources are unearthed during excavation and grading activities of any future transportation improvement project funded by the proposed program, the construction contractor shall cease all earth-disturbing activities within a 100-meter radius of the find and the project proponent shall retain a qualified archaeologist that meets the Secretary of the Interior's Professionally Qualified Standards in either prehistoric or historic archaeology to evaluate the significance of the finding and appropriate course of action. Salvage operation requirements pursuant to Section 15064.5 of the CEQA Guidelines shall be followed. After the find has been appropriately mitigated, work in the area may resume.	Project Proponent and construction contractor	Planning and Development Department	Planning and Development Department to review construction specifications to ensure inclusion of provisions included in mitigation measure.
GEOLOGY AND SOILS			
Mitigation Measure GEO-6: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed: • If unique paleontological/geological resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that	Planning and Development Department	Planning and Development Department	City shall review preliminary grading plans prior to issuance of grading permits. If needed, a field survey or literature review shall occur prior to the start of grading activities. Additional monitoring of project sites during construction

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unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified paleontologist shall be consulted to determine whether the resource requires further study. The qualified paleontologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to, excavation of the finds and evaluation of the finds. If the resources are determined to be significant, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any paleontological/geological resources recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study. If unique paleontological/geological resources are found during the field survey or literature review, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by the qualified paleontologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include a paleontological monitor. The monitoring period shall be determined by the qualified paleontologist. If additional paleontological/geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.			period shall be determined by a qualified paleontologist and consistent with project-specific mitigation measures.
NOISE			
Mitigation Measure NOI-1: Each transportation improvement funded by the proposed program subject to California Environmental Quality Act (CEQA) review shall ensure through contract specifications that construction best management practices (BMPs) are implemented by construction contractors to reduce construction noise levels. Contract specifications shall be included in construction documents, which shall be reviewed and approved by the City of Fresno Planning and Development Director prior to issuance of a grading or building permit (whichever is issued first). BMPs to reduce construction noise levels may include, but are not limited to, the following: Ensure that construction equipment is properly muffled according to industry standards and is in good working condition.	Project Proponent and construction contractor	Planning and Development Department	Prior to issuance of a grading or building permit, the Planning and Development Department to review construction specifications to ensure inclusion of provisions included in mitigation measure.

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- Place noise-generating construction equipment and construction staging areas away from sensitive uses. - Construction activities shall occur between the hours of 7:00 a.m. and 10:00 p.m. Monday through Saturday, pursuant to Section 10-109 of the City of Fresno Municipal Code. - Implement noise attenuation measures, as needed, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources. - Use electric air compressors and similar power tools rather than diesel equipment, where feasible. - Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than five minutes. - The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment (between the hours of 7:00 a.m. and 10:00 p.m. Monday through Saturday). The haul route exhibit shall design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise. - Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party and the Director of Development.			
Mitigation Measure NOI-2: Prior to issuance of a grading permit, each transportation improvement funded by the proposed program subject to California Environmental Quality Act (CEQA) review with construction activities requiring operation of groundborne vibration generating equipment (i.e., vibratory compactor/roller, large bulldozer, caisson drilling, loaded trucks, and jackhammer) within 25 feet of an existing structure shall be required to prepare a project-specific vibration impact analysis to evaluate potential construction vibration impacts associated with the project, and to determine any specific vibration control mechanisms that shall be incorporated into the project's construction bid documents to reduce such impacts. Contract specifications shall be included in construction documents, which shall be reviewed and approved by the City prior to issuance of a grading permit.	Project Proponent and construction contractor	Planning and Development Department	Prior to issuance of any grading or construction permits, the Planning and Development Department shall ensure that project construction specifications prohibit heavy construction within 25 feet of existing structures.