

Exhibit N-5

## CHAPTER FOUR – Mitigation Monitoring and Reporting Program

State law requires that a public agency adopt a monitoring program for mitigation measures that have been incorporated into the approved project to reduce or avoid significant effects on the environment. The purpose of the monitoring program is to ensure compliance with environmental mitigation during project implementation and operation. Since there are potentially significant impacts requiring mitigation associated with the project, a Mitigation Monitoring Program is included herein on the following pages. There are two groups of mitigation measures: a Project Specific Mitigation Monitoring Checklist and applicable Mitigation Measures from the City of Fresno Master EIR.

# Project Specific Mitigation Measure Monitoring Checklist

This Project Specific Mitigation Monitoring Checklist has been formulated based upon the findings of the Initial Study and Environmental Impact Report for the Parc West Development Project. These Project Specific Mitigation Measures are in addition to the applicable mitigation measures from the City of Fresno MEIR.

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<b>Agriculture</b>				
<p><b>Mitigation Measure AG – 1</b> In order to reduce potential conflicts between urban and agricultural uses, the following measures shall be implemented:</p> <ul style="list-style-type: none"> <li>• Potential residents shall be notified about possible exposure to agricultural chemicals at the time of purchase / lease of property within the development.</li> <li>• A Right-to-Farm Covenant shall be recorded on each tract map or be made a condition of each tract map to protect continued agricultural practices in the area.</li> <li>• Potential residents shall be informed of the Right-to-Farm Covenant at the time of purchase / lease of property within the development.</li> </ul>	Project Applicant	Prior to occupancy	City of Fresno	
<b>Biology</b>				
<p><b>Mitigation Measure BIO-1:</b> Protection of burrowing owls.</p> <p>1. Pre-construction surveys should be conducted to determine the presence of nesting birds if ground clearing or construction activities will be initiated during the breeding season (February 15 through September 15). The portion of the project site on which construction is to take place and potential nesting areas within 500 feet of the proposed construction area should be surveyed 14 to 30 days prior to the initiation of construction. Surveys should be performed by a qualified biologist or ornithologist to verify the presence or absence of nesting birds. Construction should not occur within a 500 foot buffer surrounding active nests of raptors or a 250 foot buffer surrounding active nests of migratory birds. If construction within these buffer areas is required or if nests must be removed to allow continuation of</p>	Project Applicant	Prior to ground disturbing activities	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>construction, then approval and specific removal methodologies should be obtained from CDFW.</p> <p>2. If during pre-construction nest surveys, burrowing owls are found to be present, the following measures will be implemented:</p> <ul style="list-style-type: none"> <li>a. Compensation for the loss of burrowing owl habitat will be negotiated with the responsible wildlife agencies. Appropriate mitigation may include participation in an approved mitigation bank, establishing a conservation easement, or other means acceptable to the responsible agency.</li> <li>b. Exclusion areas will be established around occupied burrows in which no construction activities would occur. During the non-breeding season (September 1 through January 31), the exclusion area would extend 160 feet around any occupied burrows. During the breeding season of burrowing owls (February 1 through August 31), exclusion areas of 250 feet surrounding occupied burrows would be installed.</li> <li>c. If construction must occur within these buffer areas, passive relocation of burrowing owls may be implemented as an alternative, but only during the non-breeding season and only with the concurrence of the CDFW. Passive relocation of burrowing owls would be implemented by a qualified biologist using accepted techniques. Burrows from which owls had been relocated would be excavated using hand tools and under direct supervision of a qualified biologist.</li> <li>d. Compensation for the loss of burrowing owl burrows removed during construction will be negotiated with the responsible wildlife agency. This may require that replacement burrows be constructed on compensation lands.</li> </ul>				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)								
<p><b>Mitigation Measure BIO-2:</b> Protection of Swainson's hawks and other raptors (including northern harrier) and migratory birds (including California horned lark).</p> <ol style="list-style-type: none"> <li>1. Pre-construction surveys should be conducted to determine the presence of nesting birds if ground clearing or construction activities will be initiated during the breeding season (February 15 through September 15). Potential nesting areas on the project site and potential nesting areas within 500 feet of the site should be surveyed 14 to 30 days prior to the initiation of construction. Surveys should be performed by a qualified biologist to verify the presence or absence of nesting birds. Construction should not occur within a 500 foot buffer surrounding active nests of raptors or a 250 foot buffer surrounding active nests of migratory birds. If construction within these buffer areas is required or if nests must be removed to allow continuation of construction, then approval and specific removal methodologies should be obtained from California Department of Fish and Wildlife.</li> <li>2. All trees which are suitable for Swainson's hawk nesting that are within 2,640 feet of construction activities should be inspected by a qualified biologist.</li> <li>3. If potential Swainson's hawk nests are found during the inspection, then surveys should be conducted at the following intensities, depending upon dates of initiation of construction:</li> </ol>												
<table border="1"> <thead> <tr> <th>Construction start</th> <th>Survey period</th> <th>Number of surveys</th> <th>Timing</th> </tr> </thead> <tbody> <tr> <td>February to March</td> <td>1 January to 20 March</td> <td>1</td> <td>All day</td> </tr> </tbody> </table>	Construction start	Survey period	Number of surveys	Timing	February to March	1 January to 20 March	1	All day				
Construction start	Survey period	Number of surveys	Timing									
February to March	1 January to 20 March	1	All day									

21 March to 24 March	1 January to 20 March	1	All day			
	21 March to 24 March	Up to 3	Sunrise to 10 am and 4 pm to sunset			
24 March to 5 April	1 January to 20 March	1	All day			
	21 March to 5 April	3	Sunrise to 10 am and 4 pm to sunset			
6 April to 9 April	21 March to 5 April	3	Sunrise to 10 am and 4 pm to sunset			
	6 April to 9 April	Up to 3	Sunrise to 10 am and 4 pm to sunset			
	1 January to 20 March	1 (if all 3 surveys are performed between 6 and 9 April, then this survey need not be conducted)	All day			
10 April to 30 July	21 March to 5 April	3	Sunrise to 10 am and 4 pm to sunset			
	6 April to 20 April	3	Sunrise to 12 pm and 4:30 pm to sunset			

31 July to 15 September	6 to 20 April	3	Sunrise to 12 pm and 4:30 pm to sunset			
	10 to 30 July	3	Sunrise to 12 pm and 4 pm to sunset			
<hr/>						
<p>4. If Swainson's hawks are detected to be actively nesting in trees within 2,640 feet of the construction area, construction should not occur within this zone until after young Swainson's hawks have fledged (this usually occurs by early June). The nest should be monitored by a qualified biologist to determine fledging date. According to the <i>Staff Report Regarding Mitigation for Impacts to Swainson's Hawks in the Central Valley of California</i> (CDFG 1994), mitigation for foraging habitat is not mandatory for this site because there are no known CNDDDB occurrences within 10 miles of the project site. However, if Swainson's hawks are found within the project area, the project site could be considered foraging habitat and compensation for foraging habitat would be required by CDFW at a ratio of 0.75 to 1 (0.75 acre for every 1.0 acre adversely affected). If there are active nests within one mile of the site, then compensation for foraging habitat would be at a ratio of 1:1.</p> <p>5. If northern harriers or other raptors are found actively nesting within 250 feet of the construction area, construction should be postponed until after young have fledged. The date of fledging should be determined by a qualified biologist. If construction cannot be delayed within this zone, the CDFW should be consulted and alternative protection measures required by the CDFW should be followed.</p> <p>6. If other nesting birds (particularly non-raptor species listed on the MBTA) are found actively nesting within 250 feet of the construction area, construction should be postponed until after young have fledged. The date of fledging should be determined by a qualified biologist. If construction cannot be delayed within this zone, the CDFW and/or the USFWS should be consulted and alternative</p>						

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)								
<p>protection measures required by the CDFW and/or the USFWS should be followed.</p> <p><b>Mitigation Measure BIO-3:</b> To protect San Joaquin kit foxes and American badgers, the developer shall follow the <i>Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance</i> (USFWS 1999). The measures that are listed below have been excerpted from those guidelines and would protect San Joaquin kit foxes and American badgers from direct mortality and from destruction of active dens and natal or pupping dens.</p> <p>1. Pre-construction surveys should be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities, or any project activity likely to impact the San Joaquin kit fox or American badger. Exclusion zones should be placed around dens in accordance with USFWS Recommendations using the following:</p> <table border="1" data-bbox="191 914 1146 1084"> <tr> <td></td> <td>50 foot radius</td> </tr> <tr> <td></td> <td>100 foot radius</td> </tr> <tr> <td>Den (Occupied and</td> <td>Contact U.S. Fish and Wildlife Service for guidance</td> </tr> <tr> <td></td> <td>50 foot radius</td> </tr> </table> <p>If dens must be removed, they should be appropriately monitored and excavated by a trained wildlife biologist. Replacement dens would be required. Destruction of natal dens and other "known" kit fox dens should not occur until authorized by USFWS.</p> <p>2. Project-related vehicles should observe a 20-mph speed limit in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes and American badgers are most active. Nighttime construction should</p>		50 foot radius		100 foot radius	Den (Occupied and	Contact U.S. Fish and Wildlife Service for guidance		50 foot radius				
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Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>be avoided, unless the construction area is appropriately fenced to exclude kit foxes and American badgers. The area within any such fence should be determined to be uninhabited by San Joaquin Kit foxes and American badgers prior to initiation of construction. Off-road traffic outside of designated project areas should be prohibited.</p> <p>3. To prevent inadvertent entrapment of kit foxes, American badgers, or other animals during the construction phase of the project, all excavated, steep-walled holes or trenches more than 2 feet deep should be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals.</p> <p>4. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipe, becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in anyway. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity, until the fox has escaped.</p> <p>5. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in closed containers and removed at least once a week from a construction or Project Site.</p>				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
6. No firearms should be allowed on the Project Site during the construction phase.				
7. To prevent harassment, mortality of kit foxes or destruction of dens by dogs or cats, no pets should be permitted on the Project Site.				
8. Use of rodenticides and herbicides in project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restriction deemed necessary by the Service. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox.				
9. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured, or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the Service.				
10. An employee education program should be conducted for any project that has anticipated impacts to kit fox or other endangered species. The program should consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the project. The program should include the following: A description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the previously referenced people and anyone else who may enter the project site.</p> <p>11. Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. should be re-contoured if necessary, and revegetated to promote restoration of the area to pre-project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with the Service, California Department of Fish and Wildlife (CDFW), and revegetation experts.</p> <p>12. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the Service should be contacted for guidance.</p> <p>13. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFW immediately in the case of a dead, injured, or entrapped kit fox. The CDFW contact for immediate assistance is State Dispatch at (916) 445-0045. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530) 934-9309. The Service should be contacted at the numbers below.</p>				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>14. The Sacramento Fish and Wildlife Office and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The Service contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact is Mr. Paul Hoffman at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.</p> <p>15. New sightings of kit foxes shall be reported to the California Natural Diversity Database (CNDDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the Service at the address below.</p> <p>Any project-related information required by the Service or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at:</p> <p style="text-align: center;">Endangered Species Division 2800 Cottage Way, Suite W2605 Sacramento, California 95825-1846 (916) 414-66200 or (916) 414-6600</p>				
<b>Geology / Soils</b>				
<p><b>Mitigation Measure GEO – 1</b> The project proponent shall retain a registered geotechnical engineer to prepare a design level geotechnical analysis prior to the issuance of any grading and/or building permit. The design-level analysis shall address site preparation measures and foundation design requirements of the project. The</p>	Project Applicant	Prior to issuance of grading permits	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>design-level analysis shall be prepared to the satisfaction of the City of Fresno. Final design-level project plans shall be designed in accordance with the approved geotechnical analysis. This shall include certification of engineered fills and subgrade preparation through monitoring of earthwork and compaction testing by a geotechnical engineer during construction.</p>				
<p><b>Mitigation Measure GEO – 2</b> In order to reduce on-site erosion due to project construction and operation, an erosion control plan and Storm Water Pollution Prevention Plan (SWPPP) shall be prepared for the site preparation, construction, and post-construction periods by a registered civil engineer or certified professional. The erosion control plan shall incorporate best management practices consistent with the requirements of the National Pollution Discharge Elimination System (NPDES). The erosion component of the plan must at least meet the requirements of the SWPPP required by the California State Water Resources Control Board. If earth disturbing activities are proposed between October 15 and April 15, these activities shall be limited to the extent feasible to minimize potential erosion related impacts. Additional erosion control measures shall be implemented in consultation with the City of Fresno. Prior to the issuance of any permit, the project proponent shall submit detailed plans to the satisfaction of the City of Fresno. The components of the erosion control plan and SWPPP shall be monitored for effectiveness by City of Fresno. Erosion control measures may include, but not be limited to, the following:</p> <ol style="list-style-type: none"> <li>a. Limit disturbance of soils and vegetation disturbance removal to the minimum area necessary for access and construction;</li> <li>b. Confine all vehicular traffic associated with construction to the right-of-way of designated access roads;</li> <li>c. Adhere to construction schedules designed to avoid periods of heavy precipitation or high winds;</li> </ol>	Project Applicant	Prior to issuance of grading or building permit	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>d. Ensure that all exposed soil is provided with temporary drainage and soil protection when construction activity is shut down during the winter periods; and</p> <p>e. Inform construction personnel prior to construction and periodically during construction activities of environmental concerns, pertinent laws and regulations, and elements of the proposed erosion control measures.</p>				
<b>Hazards / Hazardous Materials</b>				
<p><b>Mitigation Measure HAZ-1:</b> Prior to issuance of grading permits, the project applicant shall retain a qualified consultant to perform testing of the project site soils, in particular those soils on the site that were subject to pesticide use, soils in the vicinity of the diesel fuel storage tank and soils adjacent to the former railroad alignment, in accordance with the California Department of Toxic Substances (DTSC) "Interim Guidance for Sampling Agricultural Properties". The Guidance document provides recommendations for the number of soil samples and methodology based on project size in acres. Soils shall be laboratory tested for organochlorine pesticides and arsenic in accordance with DTSC guidelines. If the testing yields concentrations in excess of acceptable limits for residential and commercial development, the project applicant shall retain a qualified contractor to perform soil remediation in accordance with DTSC guidelines. The soil remediation activities shall be completed prior to grading activities. The applicant shall submit documentation to the City of Fresno demonstrating that soil testing was performed and any necessary remediation was completed as part of the grading permit application.</p>	Project Applicant	Prior to issuance of building permit	City of Fresno	
<p><b>Mitigation Measure HAZ-2:</b> Irrigation wells that may be dispersed throughout the project site, and any potential onsite domestic wells and septic systems shall be properly abandoned or destroyed in compliance</p>	Project Applicant	Prior to issuance of	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
with applicable regulations of the Fresno County Department of Public Health governing water wells and septic systems. Consultation shall occur with the Department of Public Health regarding well and septic system abandonment and inspections. Documentation of wells and septic systems being abandoned or destroyed shall be submitted to the City of Fresno Planning Department prior to construction of proposed uses. If irrigation wells and septic systems are found during construction activities; those activities shall cease until consultation with the County Department of Public Health has occurred to review proper abandonment of those systems.		building permit		
<b>Mitigation Measure HAZ-3:</b> The applicant shall consult with PG&E to determine the location of electric power lines and high-pressure gas transmission lines within the project boundaries. The locations/depths shall be delineated on all grading/development plans. Development plans shall provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E facilities. Grading/development plans shall indicate which types of equipment and wheel load limits will be acceptable for work over the gas line. PG&E shall be afforded the opportunity to consult with the developer on project plans.	Project Applicant	Prior to issuance of building permit	City of Fresno	
<b>Hydrology and Water Quality</b>				
<b>Mitigation Measure HYD - 1:</b> Prior to clearing, grading, and disturbances to the ground such as stockpiling, or excavation, the Project proponent shall submit a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ amended by 2010-0014-DWQ & 2012-0006-DWQ). The SWPPP shall be designed with Best	Project Applicant	Prior to issuance of building permit	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p>Management Practices (BMPs) that the RWQCB has deemed as effective at reducing erosion, controlling sediment, and managing runoff. These include: covering disturbed areas with mulch, temporary seeding, soil stabilizers, binders, fiber rolls or blankets, temporary vegetation, and permanent seeding. Sediment control BMPs, installing silt fences or placing straw wattles below slopes, installing berms and other temporary run-on and runoff diversions. These BMPs are only examples of what should be considered and should not preclude new or innovative approaches currently available or being developed. Final selection of BMPs will be subject to approval by City of Fresno and the RWQCB. The SWPPP will be kept on site during construction activity and will be made available upon request to representatives of the RWQCB.</p>				
<p><b>Mitigation Measure HYD – 2:</b> The Project will implement the City of Fresno Water Conservation Program, including implementation of the State's Water Efficient Landscape Ordinance. The California Water Conservation Act mandates a 20 percent reduction in water usage by 2020. The City will meet the reduction target with measures applicable to new and existing development. Reductions beyond the state mandated 20 percent are possible with the use of building and landscaping water conservation features. The reductions from buildings can be achieved with high efficiency toilets, low-flow faucets, and water-efficient appliances such as dishwashers. Water savings from landscaping would be achieved primarily through the use of drought-tolerant landscaping or xeriscaping.</p>				
<p><b>Mitigation Measure HYD – 3:</b> The Project proponent shall retain a qualified consultant to prepare a drainage / grading plan prior to the issuance of any grading and/or building permit. The design-level analysis shall be prepared to the satisfaction of the City of Fresno and FMFCD.</p>				
<p><b>Noise</b></p>				

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
<p><b>Mitigation Measure NOI-1:</b> Prior to issuance of building permits for development within the Parc West Development Project site, a detailed acoustical study shall be prepared by a certified professional to document potential impacts to onsite noise-sensitive land uses (as determined by the City of Fresno's General Plan, refer to Table 3.10-6). Potential impacts in exceedance of the City of Fresno's standards including: Maximum Allowable Noise Exposure-Stationary Noise Sources, Maximum Allowable Noise Exposure from Transportation Noise Sources, City of Fresno Incremental Noise Impact Criteria for Noise-Sensitive Uses, and Exterior Noise Standards shall require incorporation of mitigation such as increased setbacks, sound walls, equipment enclosures, site design, and enhanced building materials to reduce impacts to levels below the City of Fresno standards. Development that cannot incorporate mitigation to reduce impacts to acceptable City of Fresno standards shall not be approved.</p>	Project Applicant	Prior to issuance of building permits	City of Fresno	
<p><b>Mitigation Measure NOI-2:</b> Construction within the project of two story homes along Grantland Avenue shall be prohibited unless a detailed acoustical analysis, prepared by a certified professional, can document compliance with the city's 45 dB DNL standard at the upper floor elevation.</p>				
<p><b>Mitigation Measure NOI-3:</b> Prior to issuance of building permits for noise-sensitive land uses adjacent to Grantland Avenue, a sound wall shall be constructed to reduce noise levels by 10 db or as determined necessary by the acoustical study required by Mitigation Measure NOI-1.</p>				
<p><b>Transportation</b></p>				
<p><b>Mitigation Measure TRA-1:</b> The Project shall pay into applicable transportation fee programs. These include a Fresno Major Street Impact Fee (FMSI), a Traffic Signal Mitigation Impact Fee (TSMI) and a Regional Transportation Mitigation Fee (RTMF). The FMSI Fee will be calculated and</p>	Project Applicant	Prior to issuance of building permits	City of Fresno	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
assessed during the building permit process. The RTMF will be calculated and assessed by Fresno COG.				
<p><b>Mitigation Measure TRA-2:</b> The Project will be responsible for paying its fair share cost percentages and/or constructing the recommended improvements identified in Tables 3.17-13 and 3.17-13a (based on the Cumulative Year 2035 With Project AM Peak-hour impacts at Project-impacted intersections) subject to reimbursement for the costs that are in excess of the Project's equitable responsibility as determined by the City. This will be itemized and enforced through conditions of approval or a development agreement, at the discretion of the City.</p>				

# MEIR Mitigation Measure Monitoring Checklist for the Parc West Development Project

November 2019

## INCORPORATING MEASURES FROM THE MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) CERTIFIED FOR THE CITY OF FRESNO GENERAL PLAN UPDATE (SCH No. 2012111015)

This mitigation measure monitoring and reporting checklist was prepared pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15097 and Section 21081.6 of the Public Resources Code (PRC). It was certified as part of the Fresno City Council's approval of the MEIR for the Fresno General Plan update (Fresno City Council Resolution 2014-225, adopted December 18, 2014).

- A** - Incorporated into Project
- B** - Mitigated
- C** - Mitigation in Progress
- D** - Responsible Agency Contacted
- E** - Part of City-wide Program
- F** - Not Applicable

Letter designations to the right of each MEIR mitigation measure listed in this Exhibit note how the mitigation measure relates to the environmental assessment of the above-listed project, according to the key found at right and at the bottoms of the following pages:

The timing of implementing each mitigation measure is identified in in the checklist, as well as identifies the entity responsible for verifying that the mitigation measures applied to a project are performed. Project applicants are responsible for providing evidence that mitigation measures are implemented. As lead agency, the City of Fresno is responsible for verifying that mitigation is performed/completed.

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>AES-1.</b> Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences.</p> <p><b>Verification comments:</b></p>	<p>Prior to issuance of building permits</p>	<p>Public Works Department (PW) and Development &amp; Resource Management Dept. (DARM)</p>	<p>X</p>				<p>X</p>	

**Aesthetics** (continued):

MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR THE PARC WEST DEVELOPMENT

November 2019

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>AES-2:</b> Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties.</p> <p><b>Verification comments:</b></p>	Prior to issuance of building permits	DARM	X					X
<p><b>AES-3:</b> Lighting systems for non-residential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur.</p> <p><b>Verification comments:</b></p>	Prior to issuance of building permits	DARM	X					X
<p><b>AES-4:</b> Lighting systems for freestanding signs shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater.</p> <p><b>Verification comments:</b></p>	Prior to issuance of building permits	DARM						X

A - Incorporated into Project  
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E - Part of City-Wide Program  
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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR THE PARC WEST DEVELOPMENT

November 2019

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Aesthetics** (continued):

<p><b>AES-5:</b> Materials used on building facades shall be non-reflective.</p> <p><b>Verification comments:</b></p>	<p>Prior to development project approval</p>	<p>DARM</p>	<p>X</p>					<p>X</p>
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**Air Quality:**

<p><b>AIR-1:</b> Projects that include five or more heavy-duty truck deliveries per day with sensitive receptors located within 300 feet of the truck loading area shall provide a screening analysis to determine if the project has the potential to exceed criteria pollutant concentration based standards and thresholds for NO2 and PM2.5. If projects exceed screening criteria, refined dispersion modeling and health risk assessment shall be accomplished and if needed, mitigation measures to reduce impacts shall be included in the project to reduce the impacts to the extent feasible. Mitigation measures include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards.</li> <li>• Post signs requiring drivers to limit idling to 5 minutes or less.</li> </ul> <p><b>Verification comments:</b></p>	<p>Prior to development project approval</p>	<p>DARM</p>						<p>X</p>
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**B** - Mitigated

**C** - Mitigation in Process  
**D** - Responsible Agency Contacted

**E** - Part of City-Wide Program  
**F** - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Air Quality** *(continued)*:

<p><b>AIR-2:</b> Projects that result in an increased cancer risk of 10 in a million or exceed criteria pollutant ambient air quality standards shall implement site-specific measures that reduce toxic air contaminant (TAC) exposure to reduce excess cancer risk to less than 10 in a million. Possible control measures include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Locate loading docks and truck access routes as far from sensitive receptors as reasonably possible considering site design limitations to comply with other City design standards.</li> <li>• Post signs requiring drivers to limit idling to 5 minutes or less</li> <li>• Construct block walls to reduce the flow of emissions toward sensitive receptors</li> <li>• Install a vegetative barrier downwind from the TAC source that can absorb a portion of the diesel PM emissions</li> <li>• For projects proposing to locate a new building containing sensitive receptors near existing sources of TAC emissions, install HEPA filters in HVAC systems to reduce TAC emission levels exceeding risk thresholds.</li> <li>• Install heating and cooling services at truck stops to eliminate the need for idling during overnight stops to run onboard systems.</li> </ul> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to development project approval</p>	<p>DARM</p>						X
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**Air Quality** *(continued)*:

<p><b>AIR-2</b> <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> <li>For large distribution centers where the owner controls the vehicle fleet, provide facilities to support alternative fueled trucks powered by fuels such as natural gas or bio-diesel</li> <li>Utilize electric powered material handling equipment where feasible for the weight and volume of material to be moved.</li> </ul> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p><b>AIR-3:</b> Require developers proposing projects on ARB's list of projects in its Air Quality and Land Use Handbook (Handbook) warranting special consideration to prepare a cumulative health risk assessment when sensitive receptors are located within the distance screening criteria of the facility as listed in the ARB Handbook.</p> <p><b>Verification comments:</b></p>	<p>Prior to development project approval</p>	<p>DARM</p>						X

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR THE PARC WEST DEVELOPMENT

November 2019

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Air Quality** *(continued)*:

<p><b>AIR-4:</b> Require developers of projects containing sensitive receptors to provide a cumulative health risk assessment at project locations exceeding ARB Land Use Handbook distance screening criteria or newer criteria that may be developed by the San Joaquin Valley Air Pollution Control District (SJVAPCD).</p> <p><b>Verification comments:</b></p>	<p>Prior to development project approval</p>	<p>DARM</p>						<p>X</p>
<p><b>AIR-5:</b> Require developers of projects with the potential to generate significant odor impacts as determined through review of SJVAPCD odor complaint history for similar facilities and consultation with the SJVAPCD to prepare an odor impact assessment and to implement odor control measures recommended by the SJVAPCD or the City to the extent needed to reduce the impact to less than significant.</p> <p><b>Verification comments:</b></p>	<p>Prior to development project approval</p>	<p>DARM</p>						<p>X</p>

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**Biological Resources:**

<p><b>BIO-1:</b> Construction of a proposed project should avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible.</p> <p><b>Verification comments:</b></p>	<p>Prior to development project approval</p>	<p>DARM</p>					<p>X</p>	
<p><b>BIO-2:</b> Direct or incidental take of any state or federally listed species should be avoided to the greatest extent feasible. If construction of a proposed project will result in the direct or incidental take of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the California Department of Fish and Wildlife (CDFW) 2081 and U.S. Fish and Wildlife Service (USFWS) Section 7 or Section 10 permitting processes must take place prior to any action that</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to development project approval</p>	<p>DARM</p>					<p>X</p>	

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**Biological Resources** *(continued):*

<p><b>BIO-2</b> <i>(continued from previous page)</i>                      may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to a listed species will be determined on a case-by-case basis through agency consultation.</p> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p><b>BIO-3:</b> Development within the Planning Area should avoid, where possible, special-status natural communities and vegetation communities that provide suitable habitat for special-status species. If a proposed project will result in the loss of a special-status natural community or suitable habitat for special-status species, compensatory habitat-based mitigation is required under CEQA and the California Endangered Species Act (CESA). Mitigation will consist of preserving on-site habitat, restoring similar habitat or purchasing off-site credits from an approved mitigation bank. Compensatory mitigation will be determined through consultation with the City and/or resource agencies. An appropriate mitigation strategy and ratio will be agreed upon by the developer and lead agency to reduce project impacts to special-status natural communities to a less than significant</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to development project approval</p>	<p>DARM</p>				X		

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**Biological Resources** *(continued)*:

<p><b>BIO-3</b> <i>(continued from previous page)</i>: level. Agreed-upon mitigation ratios will depend on the quality of the habitat and presence/absence of a special-status species. The specific mitigation for project level impacts will be determined on a case-by-case basis.</p> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p><b>BIO-4:</b> Proposed projects within the Planning Area should avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a pre-construction clearance survey must be conducted to determine if any nesting birds or nesting activity is observed on or within 500-feet of a project site. If an active nest is observed during the survey, a biological monitor must be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer will be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to development project approval and during construction activities</p>	<p>DARM</p>	X				X	

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**Biological Resources** *(continued)*:

<p><b>BIO-4</b> <i>(continued from previous page)</i>:                      may continue in the vicinity of the nest only at the discretion of the biological monitor.  <b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p><b>BIO-5</b>: If a proposed project will result in the removal or impact to any riparian habitat and/or a special-status natural community with potential to occur in the Planning Area, compensatory habitat-based mitigation shall be required to reduce project impacts. Compensatory mitigation must involve the preservation or restoration or the purchase of off-site mitigation credits for impacts to riparian habitat and/or a special-status natural community. Mitigation must be conducted in-kind or within an approved mitigation bank in the region. The specific mitigation ratio for habitat-based mitigation will be determined through consultation with the appropriate agency (<i>i.e.</i>, CDFW or USFWS) on a case-by-case basis.  <b>Verification comments:</b></p>	<p>Prior to development project approval</p>	<p>DARM</p>						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Biological Resources** *(continued)*:

<p><b>BIO-6:</b> Project impacts that occur to riparian habitat may also result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. CDFW and/or USACE consultation, determination of mitigation strategy, and regulatory permitting to reduce impacts, as required for projects that remove riparian habitat and/or alter a streambed or waterway, shall be implemented.</p> <p><b>Verification comments:</b></p>	<p>Prior to development project approval</p>	<p>DARM</p>						<p>X</p>
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<p><b>BIO-7:</b> Project-related impacts to riparian habitat or a special-status natural community may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. Project impacts to special-status species associated with riparian habitat shall be mitigated through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS.</p> <p><b>Verification comments:</b></p>	<p>Prior to development project approval</p>	<p>DARM</p>						<p>X</p>
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**Biological Resources** *(continued)*:

<p><b>BIO-8:</b> If a proposed project will result in the significant alteration or fill of a federally protected wetland, a formal wetland delineation conducted according to U.S. Army Corps of Engineers (USACE) accepted methodology is required for each project to determine the extent of wetlands on a project site. The delineation shall be used to determine if federal permitting and mitigation strategy are required to reduce project impacts. Acquisition of permits from USACE for the fill of wetlands and USACE approval of a wetland mitigation plan would ensure a “no net loss” of wetland habitat within the Planning Area. Appropriate wetland mitigation/creation shall be implemented in a ratio according to the size of the impacted wetland.</p> <p><b>Verification comments:</b></p>	<p>Prior to development project approval</p>	<p>DARM</p>						<p>X</p>
<p><b>BIO-9:</b> In addition to regulatory agency permitting, Best Management Practices (BMPs) identified from a list provided by the USACE shall be incorporated into the design and construction phase of the project to ensure that no pollutants or siltation drain into a federally protected wetland. Project design features such as fencing, appropriate drainage and</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to development project approval; but for long-term operational BMPs, prior to issuance of occupancy</p>	<p>DARM</p>						<p>X</p>

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**Biological Resources** *(continued):*

<p><b>BIO-9</b> <i>(continued from previous page):</i>                  incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible.</p> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**Cultural Resources:**

<p><b>CUL-1:</b> If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist 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 in accordance with Section 15064.5 of the CEQA Guidelines and the City’s Historic Preservation Ordinance.</p> <p>If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	<p>X</p>				<p>X</p>	

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**Cultural Resources** *(continued):*

<p><b>CUL-1</b> <i>(continued from previous page)</i></p> <p>recommended to the Lead Agency. Appropriate 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.</p> <p>No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-germ preservation to allow future scientific study.</p> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p><b>CUL-2:</b> 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 prehistoric archaeological resources shall be conducted. The following procedures shall be followed.</p> <p>If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	X				X	

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**Cultural Resources** *(continued):*

<p><b>CUL-2</b> <i>(continued from previous page)</i></p> <p>archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist 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 in accordance with CEQA Guidelines Section 15064.5.</p> <p>If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate 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 prehistoric archaeological artifacts recovered as a result of mitigation shall be provided</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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Cultural Resources (continued):

<p><b>CUL-2</b> (further continued from previous two pages)</p> <p>to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.</p> <p>If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. 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.</p> <p>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 an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>[see Page 14]</p>	<p>[see Page 14]</p>						
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Cultural Resources (continued):

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MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR THE PARC WEST DEVELOPMENT

November 2019

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>CUL-2</b> (further continued from previous three pages)                      excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.  <b>Verification comments:</b></p>	[see Page 14]	[see Page 14]						
<p><b>CUL-3:</b> 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 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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	Prior to commencement of, and during, construction activities	DARM	X				X	

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<p><b>CUL-3</b> (continued from previous page)</p> <p>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.</p> <p>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</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						

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**Cultural Resources** *(continued):*

<p><b>CUL-3</b> <i>(further continued from previous two pages)</i></p> <p>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.</p> <p><b>Verification comments:</b></p>	<p>[see Page 17]</p>	<p>[see Page 17]</p>						
<p><b>CUL-4:</b> In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to commencement of, and during, construction activities</p>	<p>DARM</p>	X				X	

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**Cultural Resources** *(continued):*

<p><b>CUL-4</b> <i>(continued from previous page)</i></p> <p>likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains.</p> <p>Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.</p> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**Hazards and Hazardous Materials**

<p><b>HAZ-1:</b> Re-designate the existing vacant land proposed for low density residential located northwest of the intersection of East Garland Avenue and North Dearing Avenue and located within Fresno Yosemite International Airport Zone 1-RPZ, to Open Space.</p> <p><b>Verification comments:</b></p>	<p>Prior to development approvals</p>	<p>DARM</p>						<p>X</p>
<p><b>HAZ-2:</b> Limit the proposed low density residential (1 to 3 dwelling units per acre) located northwest of the airport, and located within Fresno Yosemite International Airport Zone 3-Inner Turning Area, to 2 dwelling units per acre or less.</p> <p><b>Verification comments:</b></p>	<p>Prior to development approvals</p>	<p>DARM</p>						<p>X</p>
<p><b>HAZ-3:</b> Re-designate the current area within Fresno Yosemite International Airport Zone 5-Sideline located northeast of the airport to Public Facilities-Airport or Open Space.</p> <p><b>Verification comments:</b></p>	<p>Prior to development approvals</p>	<p>DARM</p>						<p>X</p>

A - Incorporated into Project  
 B - Mitigated

C - Mitigation in Process  
 D - Responsible Agency Contacted

E - Part of City-Wide Program  
 F - Not Applicable

MEIR MITIGATION MEASURE MONITORING CHECKLIST FOR THE PARC WEST DEVELOPMENT

November 2019

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

**Hazards and Hazardous Materials** *(continued)*:

<p><b>HAZ-4:</b> Re-designate the current vacant lots at the northeast corner of Kearney Boulevard and South Thorne Avenue to Public Facilities-Airport or Open Space.</p> <p><b>Verification comments:</b></p>	<p>Prior to development approvals</p>	<p>DARM</p>						X
<p><b>HAZ-5:</b> Prohibit residential uses within Safety Zone 1 northwest of the Hawes Avenue and South Thorne Avenue intersection.</p> <p><b>Verification comments:</b></p>	<p>Prior to development approvals</p>	<p>DARM</p>						X
<p><b>HAZ-6:</b> Establish an alternative Emergency Operations Center in the event the current Emergency Operations Center is under redevelopment or blocked.</p> <p><b>Verification comments:</b></p>	<p>Prior to redevelopment of the current Emergency Operations Center</p>	<p>Fresno Fire Department and Mayor/ City Manager's Office</p>						X

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**Hydrology and Water Quality**

<p><b>HYD-1:</b> The City shall develop and implement water conservation measures to reduce the per capita water use to 215 gallons per capita per day.</p> <p><b>Verification comments:</b></p>	<p>Prior to water demand exceeding water supply</p>	<p>Department of Public Utilities (DPU)</p>						X
<p><b>HYD-2:</b> The City shall continue to be an active participant in the Kings Water Authority and the implementation of the Kings Basin IRWMP.</p> <p><b>Verification comments:</b></p>	<p>Ongoing</p>	<p>DPU</p>						X
<p><b>HYD-5.1:</b> The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan collection systems to less than significant.</p> <ul style="list-style-type: none"> <li>Implement the existing Storm Drainage Master Plan (SDMP) for collection systems in drainage areas where the amount of imperviousness is unaffected by the change in land uses.</li> </ul> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to exceedance of capacity of existing stormwater drainage facilities</p>	<p>Fresno Metropolitan Flood Control District (FMFCD), DARM, and PW</p>						X

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**F** - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Hydrology and Water Quality** *(continued)*:

<p><b>HYD-5.1</b> <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> <li>Update the SDMP in those drainage areas where the amount of imperviousness increased due to the change in land uses to determine the changes in the collection systems that would need to occur to provide adequate capacity for the stormwater runoff from the increased imperviousness.</li> <li>Implement the updated SDMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness.</li> </ul> <p>Require developments that increase site imperviousness to install, operate, and maintain FMFCD approved on-site detention systems to reduce the peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems.</p> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**C** - Mitigation in Process  
**D** - Responsible Agency Contacted

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Hydrology and Water Quality** *(continued)*:

<p><b>HYD-5.2:</b> The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan retention basins to less than significant:</p> <p>Consult the SDMP to analyze the impacts to existing and planned retention basins to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include:</p> <ul style="list-style-type: none"> <li>• Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins.</li> <li>• Increase the size of the emergency relief pump capacity required to pump excess runoff volume out of the basin and into adjacent canal that convey the stormwater to a disposal facility for existing retention basins.</li> <li>• Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins.</li> </ul> <p><b>Verification comments:</b></p>	<p>Prior to exceedance of capacity of existing retention basin facilities</p>	<p>FMFCD, DARM, and PW</p>						X
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Hydrology and Water Quality** *(continued)*:

<p><b>HYD-5.3:</b> The City and partnering agencies shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan urban detention (stormwater quality) basins to less than significant.</p> <p>Consult the SDMP to determine the impacts to the urban detention basin weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include:</p> <ul style="list-style-type: none"> <li>• Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors.</li> <li>• Increase the size of the urban detention basin to increase residence time by purchasing more land. The existing detention basins are already at the adopted design depth.</li> <li>• Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins.</li> </ul> <p><b>Verification comments:</b></p>	<p>Prior to exceedance of capacity of existing urban detention basin (stormwater quality) facilities</p>	<p>FMFCD, DARM, and PW</p>						<p>X</p>
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**D** - Responsible Agency Contacted

**E** - Part of City-Wide Program  
**F** - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Hydrology and Water Quality** *(continued)*:

<p><b>HYD-5.4:</b> The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan pump disposal systems to less than significant.</p> <ul style="list-style-type: none"> <li>• Consult the SDMP to determine the extent and degree to which the capacity of the existing pump system will be exceeded.</li> <li>• Require new developments to install, operate, and maintain FMFCD design standard on-site detention facilities to reduce peak stormwater runoff rates to existing planned peak runoff rates.</li> <li>• Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDMP.</li> </ul> <p><b>Verification comments:</b></p>	<p>Prior to exceedance of capacity of existing pump disposal systems</p>	<p>FMFCD, DARM, and PW</p>						<p>X</p>
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

**Hydrology and Water Quality** *(continued)*:

<ul style="list-style-type: none"> <li><b>HYD-5.5:</b> The City shall work with FMFCD to develop and adopt an update to the SDMP for the Southeast Development Area that would be adequately designed to collect, convey and dispose of runoff at the rates and volumes which would be generated by the planned land uses in that area.</li> </ul> <p><b>Verification comments:</b></p>	Prior to development approvals in the Southeast Development Area	FMFCD, DARM, and PW						X

**Public Services:**

<p><b>PS-1:</b> As future fire facilities are planned, the fire department shall evaluate if specific environmental effects would occur. Typical impacts from fire facilities include noise, traffic, and lighting. Typical mitigation to reduce these impacts includes:</p> <ul style="list-style-type: none"> <li><i>Noise:</i> Barriers and setbacks on the fire department sites.</li> <li><i>Traffic:</i> Traffic devices for circulation and a “keep clear zone” during emergency responses.</li> <li><i>Lighting:</i> Provision of hoods and deflectors on lighting fixtures on the fire department sites.</li> </ul> <p><b>Verification comments:</b></p>	During the planning process for future fire department facilities	DARM					X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Public Services** *(continued)*:

<p><b>PS-2:</b> As future police facilities are planned, the police department shall evaluate if specific environmental effects would occur. Typical impacts from police facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from police department facilities includes:</p> <ul style="list-style-type: none"> <li>• <i>Noise:</i> Barriers and setbacks on the police department sites.</li> <li>• <i>Traffic:</i> Traffic devices for circulation.</li> <li>• <i>Lighting:</i> Provision of hoods and deflectors on lighting fixtures on the police department sites.</li> </ul> <p><b>Verification comments:</b></p>	<p>During the planning process for future Police Department facilities</p>	<p>DARM</p>					X	
<p><b>PS-3:</b> As future public and private school facilities are planned, school districts shall evaluate if specific environmental effects would occur with regard to public schools, and DARM shall evaluate other school facilities. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from school facilities includes:</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>During the planning process for future school facilities</p>	<p>DARM, local school districts, and the Division of the State Architect</p>					X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Public Services** (continued):

<p><b>PS-3</b> (continued from previous page)</p> <ul style="list-style-type: none"> <li>• <i>Noise</i>: Barriers and setbacks placed on school sites.</li> <li>• <i>Traffic</i>: Traffic devices for circulation.</li> <li>• <i>Lighting</i>: Provision of hoods and deflectors on lighting fixtures for stadium lights.</li> </ul> <p><b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
<p><b>PS-4:</b> As future parks and recreational facilities are planned, the City shall evaluate if specific environmental effects would occur. Typical impacts from school facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts from park and recreational facilities includes:</p> <ul style="list-style-type: none"> <li>• <i>Noise</i>: Barriers and setbacks placed on school sites.</li> <li>• <i>Traffic</i>: Traffic devices for circulation.</li> <li>• <i>Lighting</i>: Provision of hoods and deflectors on lighting fixtures for outdoor play area/field lights.</li> </ul> <p><b>Verification comments:</b></p>	<p>During the planning process for future park and recreation facilities</p>	<p>DARM</p>					X	

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**Public Services** (continued):

<p><b>PS-5:</b> As future detention, court, library, and hospital facilities are planned, the appropriate agencies shall evaluate if specific environmental effects would occur. Typical impacts from court, library, and hospital facilities include noise, traffic, and lighting. Typical mitigation to reduce potential impacts includes:</p> <ul style="list-style-type: none"> <li>• <i>Noise:</i> Barriers and setbacks placed on school sites.</li> <li>• <i>Traffic:</i> Traffic devices for circulation.</li> <li>• <i>Lighting:</i> Provision of hoods and deflectors on outdoor lighting fixtures.</li> </ul> <p><b>Verification comments:</b></p>	<p>During the planning process for future detention, court, library, and hospital facilities</p>	<p>DARM, to the extent that agencies constructing these facilities are subject to City of Fresno regulation</p>					X	
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**Utilities and Service Systems**

<p><b>USS-1:</b> The City shall develop and implement a wastewater master plan update.</p> <p><b>Verification comments:</b></p>	<p>Prior to wastewater conveyance and treatment demand exceeding capacity</p>	<p>DPU</p>						X
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**Utilities and Service Systems** *(continued)*:

<p><b>USS-2:</b> Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. By approximately the year 2025, the City shall construct the following improvements:</p> <ul style="list-style-type: none"> <li>• Construct an approximately 70 MGD expansion of the Regional Wastewater Treatment and Reclamation Facility and obtain revised waste discharge permits as the generation of wastewater is increased.</li> <li>• Construct an approximately 0.49 MGD expansion of the North Facility and obtain revised waste discharge permits as the generation of wastewater is increased.</li> </ul> <p><b>Verification comments:</b></p>	<p>Prior to exceeding existing wastewater treatment capacity</p>	<p>DPU</p>						<p>X</p>
<p><b>USS-3:</b> Prior to exceeding existing wastewater treatment capacity, the City shall evaluate the wastewater system and shall not approve additional development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. After</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to exceeding existing wastewater treatment capacity</p>	<p>DPU</p>						<p>X</p>

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Utilities and Service Systems** *(continued)*:

<p><b>USS-3</b> <i>(continued from previous page)</i>                      approximately the year 2025, the City shall construct the following improvements:</p> <ul style="list-style-type: none"> <li>• Construct an approximately 24 MGD wastewater treatment facility within the Southeast Development Area and obtain revised waste discharge requirements as the generation of wastewater is increased.</li> <li>• Construct an approximately 9.6 MGD expansion of the Regional Wastewater Treatment and Reclamation Facility and obtain revised waste discharge permits as the generation of wastewater is increased.</li> </ul> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p><b>USS-4:</b> A Traffic Control/Traffic Management Plan to address traffic impacts during construction of water and sewer facilities shall be prepared and implemented, subject to approval by the City (and Fresno County, when work is being done in unincorporated area roadways). The plan shall identify access and parking restrictions, pavement markings and signage, and hours of construction and for deliveries. It shall include haul routes, the notification plan, and coordination with emergency service providers and schools.</p> <p><b>Verification comments:</b></p>	<p>Prior to construction of water and sewer facilities</p>	<p>PW for work in the City; PW and Fresno County Public Works and Planning when unincorporated area roadways are involved</p>					X	

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**Utilities and Service Systems** *(continued)*:

<p><b>USS-5:</b> Prior to exceeding capacity within the existing wastewater collection system facilities, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of a facility until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided.</p> <ul style="list-style-type: none"> <li>• Orange Avenue Trunk Sewer: This facility shall be improved between Dakota and Jensen Avenues. Approximately 37,240 feet of new sewer main shall be installed and approximately 5,760 feet of existing sewer main shall be rehabilitated. The size of the new sewer main shall range from 27 inches to 42 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are RS03A, RL02, C01-REP, C02-REP, C03-REP, C04-REP, C05-REP, C06-REL and C07-REP.</li> <li>• Marks Avenue Trunk Sewer: This facility shall be improved between Clinton Avenue and Kearney Boulevard. Approximately 12,150 feet of new sewer main shall be installed. The size of the new sewer main shall range from 33 inches to 60 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CM1-REP and CM2-REP.</li> </ul> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to exceeding capacity within the existing wastewater collection system facilities</p>	<p>DPU</p>						X
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**Utilities and Service Systems** *(continued)*:

<p><b>USS-5</b> <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> <li>• North Avenue Trunk Sewer: This facility shall be improved between Polk and Fruit Avenues and also between Orange and Maple Avenues. Approximately 25,700 feet of new sewer main shall be installed. The size of the new sewer main shall range from 48 inches to 66 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CN1-REL1 and CN3-REL1.</li> <li>• Ashlan Avenue Trunk Sewer: This facility shall be improved between Hughes and West Avenues and also between Fruit and Blackstone Avenues. Approximately 9,260 feet of new sewer main shall be installed. The size of the new sewer main shall range from 24 inches to 36 inches in diameter. The associated project designations in the 2006 Wastewater Master Plan are CA1-REL and CA2-REP.</li> </ul> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**Utilities and Service Systems** *(continued)*:

<p><b>USS-6:</b> Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in Appendix J-1, the City shall evaluate the wastewater collection system and shall not approve additional development that would generate additional wastewater and exceed the capacity of one of the 28 pipeline segments until additional capacity is provided.</p> <p><b>Verification comments:</b></p>	<p>Prior to exceeding capacity within the existing 28 pipeline segments shown in Figures 1 and 2 in Appendix J-1 of the MEIR</p>	<p>DPU</p>						X
<p><b>USS-7:</b> Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demand additional water until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be provided.</p> <ul style="list-style-type: none"> <li>Construct an approximately 80 million gallon per day (MGD) surface water treatment facility near the intersection of Armstrong and Olive Avenues, in accordance with Chapter 9 and Figure 9-1 of the City of Fresno Metropolitan Water Resources Management Plan Update (2014 Metro Plan Update) Phase 2 Report, dated January 2012.</li> </ul> <p><i>(continued on next page)</i></p>	<p>Prior to exceeding existing water supply capacity</p>	<p>DPU</p>						X

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**Utilities and Service Systems** *(continued)*:

<p><b>USS-7</b> <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> <li>Construct an approximately 30 MGD expansion of the existing northeast surface water treatment facility for a total capacity of 60 MGD, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> <li>Construct an approximately 20 MGD surface water treatment facility in the southwest portion of the City, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> </ul> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
<p><b>USS-8:</b> Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided by approximately 2025.</p> <ul style="list-style-type: none"> <li>Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> </ul> <p><i>(continued on next page)</i></p>	<p>Prior to exceeding capacity within the existing water conveyance facilities</p>	<p>DPU</p>						<b>X</b>

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**Utilities and Service Systems** *(continued)*:

<p><b>USS-8</b> <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> <li>• Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> <li>• Construct a 3.0 million gallon potable water reservoir (Reservoir T3) near the intersection of Temperance and Dakota Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> <li>• Construct a 3.0 million gallon potable water reservoir (Reservoir T4) in the Downtown Planning Area, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> <li>• Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> <li>• Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> </ul> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Utilities and Service Systems** *(continued)*:

<p><b>USS-8</b> <i>(continued from previous two pages)</i></p> <ul style="list-style-type: none"> <li>Construct 50.3 miles of regional water transmission mains ranging in size from 24-inch to 48-inch diameter, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> <li>Construct 95.9 miles of 16-inch diameter transmission grid mains, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.</li> </ul> <p><b>Verification comments:</b></p>	<p><i>[see Page 37]</i></p>	<p><i>[see Page 37]</i></p>						
<p><b>USS-9:</b> Prior to exceeding capacity within the existing water conveyance facilities, the City shall evaluate the water conveyance system and shall not approve additional development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be provided after approximately the year 2025 and additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to exceeding capacity within the existing water conveyance facilities</p>	<p>DPU</p>						X

**A** - Incorporated into Project  
**B** - Mitigated

**C** - Mitigation in Process  
**D** - Responsible Agency Contacted

**E** - Part of City-Wide Program  
**F** - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Utilities and Service Systems** *(continued)*:

<p><b>USS-9</b> <i>(continued from previous page)</i></p> <ul style="list-style-type: none"> <li>Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area.</li> <li>Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the Southeast Development Area.</li> </ul> <p>Additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the General Plan Update.</p> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**Utilities and Service Systems - Hydrology and Water Quality**

<p><b>USS-10:</b> In order to maintain Fresno Irrigation District canal operability, FMFCD shall maintain operational intermittent flows during the dry season, within defined channel capacity and downstream capture capabilities, for recharge.</p> <p><b>Verification comments:</b></p>	<p>During the dry season</p>	<p>Fresno Irrigation District (FID)</p>						<b>X</b>

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**B** - Mitigated

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**E** - Part of City-Wide Program  
**F** - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Utilities and Service Systems - *Biological Resources:***

<p><b>USS-11:</b> When FMFCD proposes to provide drainage service outside of urbanized areas:</p> <p>(a) FMFCD shall conduct preliminary investigations on undeveloped lands outside of highly urbanized areas. These investigations shall examine wetland hydrology, vegetation and soil types. These preliminary investigations shall be the basis for making a determination on whether or not more in-depth wetland studies shall be necessary. If the proposed project site does not exhibit wetland hydrology, support a prevalence of wetland vegetation and wetland soil types then no further action is required.</p> <p>(b) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall obtain the necessary Clean Water Act, Section 404 permits for activities where fill material shall be placed in a wetland, obstruct the flow or circulation of waters of the United States, impair or reduce the reach of such waters. As part of FMFCD's Memorandum of Understanding with CDFG, Section 404 and 401 permits would be obtained from the U.S. Army Corps of Engineers and from the</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to development approvals outside of highly urbanized areas</p>	<p>California Regional Water Quality Control Board (RWQCB), and USACE</p>						X
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**D** - Responsible Agency Contacted

**E** - Part of City-Wide Program  
**F** - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Utilities and Service Systems - *Biological Resources* (continued):**

<p><b>USS-11</b> <i>(continued from previous page)</i></p> <p>Regional Water Quality Control Board for any activity involving filling of jurisdictional waters). At a minimum, to meet “no net loss policy,” the permits shall require replacement of wetland habitat at a 1:1 ratio.</p> <p>(c) Where proposed activities could have an impact on areas verified by the Corps as jurisdictional wetlands or waters of the U.S. (urban and rural streams, seasonal wetlands, and vernal pools), FMFCD shall submit and implement a wetland mitigation plan based on the wetland acreage verified by the U.S. Army Corps of Engineers. The wetland mitigation plan shall be prepared by a qualified biologist or wetland scientist experienced in wetland creation, and shall include the following or equally effective elements:</p> <ul style="list-style-type: none"> <li>i. Specific location, size, and existing hydrology and soils within the wetland creation area.</li> <li>ii. Wetland mitigation techniques, seed source, planting specifications, and required buffer setbacks. In addition, the mitigation plan shall ensure adequate water supply is provided to the created wetlands in order to maintain the proper</li> </ul> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**Utilities and Service Systems - *Biological Resources* (continued):**

<p><b>USS-11</b> <i>(continued from previous two pages)</i></p> <p>hydrologic regimes required by the different types of wetlands created. Provisions to ensure the wetland water supply is maintained in perpetuity shall be included in the plan.</p> <p>iii. A monitoring program for restored, enhanced, created, and preserved wetlands on the project site. A monitoring program is required to meet three objectives; 1) establish a wetland creation success criteria to be met; 2) to specify monitoring methodology; 3) to identify as far as is possible, specific remedial actions that will be required in order to achieve the success criteria; and 4) to document the degree of success achieved in establishing wetland vegetation.</p> <p>(d) A monitoring plan shall be developed and implemented by a qualified biologist to monitor results of any on-site wetland restoration and creation for five years. The monitoring plan shall include specific success criteria, frequency and timing of monitoring, and assessment of whether or not maintenance activities are being carried out and how these shall be adjusted if necessary.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see Page 41]</i></p>	<p><i>[see Page 41]</i></p>						
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**Utilities and Service Systems - *Biological Resources* (continued):**

<p><b>USS-11</b> <i>(continued from previous three pages)</i></p> <p>If monitoring reveals that success criteria are not being met, remedial habitat creation or restoration should be designed and implemented by a qualified biologist and subject to five years of monitoring as described above.</p> <p>Or</p> <p>(e) In lieu of developing a mitigation plan that outlines the avoidance, purchase, or creation of wetlands, FMFCD could purchase mitigation credits through a Corps approved Mitigation Bank.</p> <p><b>Verification comments:</b></p>	<p>[see Page 41]</p>	<p>[see Page 41]</p>						
<p><b>USS-12:</b> When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools:</p> <p>(a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, FMFCD shall conduct a preliminary rare plant assessment. The assessment will determine the likelihood on whether or not the project site could support rare plants. If it is determined that the project site would not support rare plants, then no further</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools</p>	<p>California Department of Fish &amp; Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS)</p>						X

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**F** - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Utilities and Service Systems - *Biological Resources* (continued):**

<p><b>USS-12</b> <i>(continued from previous page)</i></p> <p>action is required. However, if the project site has the potential to support rare plants; then a rare plant survey shall be conducted. Rare plant surveys shall be conducted by qualified biologists in accordance with the most current CDFG/USFWS guidelines or protocols and shall be conducted at the time of year when the plants in question are identifiable.</p> <p>(b) Based on the results of the survey, prior to design approval, FMFCD shall coordinate with CDFG and/or implement a Section 7 consultation with USFWS, shall determine whether the project facility would result in a significant impact to any special status plant species. Evaluation of project impacts shall consider the following:</p> <ul style="list-style-type: none"> <li>• The status of the species in question (e.g., officially listed by the State or Federal Endangered Species Acts).</li> <li>• The relative density and distribution of the on-site occurrence versus typical occurrences of the species in question.</li> </ul> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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Utilities and Service Systems - *Biological Resources* (continued):

<p><b>USS-12</b> (continued from previous two pages)</p> <ul style="list-style-type: none"> <li>The habitat quality of the on-site occurrence relative to historic, current or potential distribution of the population.</li> </ul> <p>(c) Prior to design approval, and in consultation with the CDFG and/or the USFWS, FMFCD shall prepare and implement a mitigation plan, in accordance with any applicable State and/or federal statutes or laws, that reduces impacts to a less than significant level.</p> <p><b>Verification comments:</b></p>	<p>[see Page 44]</p>	<p>[see Page 44]</p>						
<p><b>USS-13:</b> When FMFCD proposes to provide drainage service outside in areas that support seasonal wetlands or vernal pools:</p> <p>(a) During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools, FMFCD shall conduct a preliminary survey to determine the presence of listed vernal pool crustaceans.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>During facility design and prior to initiation of ground disturbing activities in areas that support seasonal wetlands or vernal pools</p>	<p>CDFW and USFWS</p>						<b>X</b>

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**Utilities and Service Systems - *Biological Resources* (continued):**

<p><b>USS-13</b> <i>(continued from previous page)</i></p> <p>(b) If potential habitat (vernal pools, seasonally inundated areas) or fairy shrimp exist within areas proposed to be disturbed, FMFCD shall complete the first and second phase of fairy shrimp presence or absence surveys. If an absence finding is determined and accepted by the USFWS, then no further mitigation shall be required for fairy shrimp.</p> <p>(c) If fairy shrimp are found to be present within vernal pools or other areas of inundation to be impacted by the implementation of storm drainage facilities, FMFCD shall mitigate impacts on fairy shrimp habitat in accordance with the USFWS requirements of the Programmatic Biological Opinion. This shall include on-site or off-site creation and/or preservation of fairy shrimp habitat at ratios ranging from 3:1 to 5:1 depending on the habitat impacted and the choice of on-site or off-site mitigation. Or mitigation shall be the purchase of mitigation credit through an accredited mitigation bank.</p> <p><b>Verification comments:</b></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**Utilities and Service Systems - *Biological Resources* (continued):**

<p><b>USS-14:</b> When FMFCD proposes to construct drainage facilities in an area where elderberry bushes may occur:</p> <p>(a) During facility design and prior to initiation of construction activities, FMFCD shall conduct a project-specific survey for all potential Valley Elderberry Longhorn Beetle (VELB) habitats (elderberry shrubs), including a stem count and an assessment of historic or current VELB habitat.</p> <p>(b) FMFCD shall avoid and protect all potential identified VELB habitat where feasible.</p> <p>(c) Where avoidance is infeasible, develop and implement a VELB mitigation plan in accordance with the most current USFWS mitigation guidelines for unavoidable take of VELB habitat pursuant to either Section 7 or Section 10(a) of the Federal Endangered Species Act. The mitigation plan shall include, but might not be limited to, relocation of elderberry shrubs, planting of elderberry shrubs, and monitoring of relocated and planted elderberry shrubs.</p> <p><b>Verification comments:</b></p>	<p>During facility design and prior to initiation of construction activities</p>	<p>CDFW and USFWS</p>						X
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**Utilities and Service Systems - *Biological Resources* (continued):**

<p><b>USS-15:</b> Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat, FMFCD shall conduct a survey of trees. If nests are found during the survey, a qualified biologist shall assess the nesting activity on the project site. If active nests are located, no construction activities shall be allowed within 250 feet of the nest until the young have fledged. If construction activities are planned during the no n-breeding period (August through February), a nest survey is not necessary.</p> <p><b>Verification comments:</b></p>	<p>Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat</p>	<p>CDFW and USFWS</p>						X
<p><b>USS-16:</b> When FMFCD proposes to construct drainage facilities in an area that supports bird nesting habitat:</p> <p>(a) FMFCD shall conduct a pre-construction breeding-season survey (approximately February 1 through August 31) of proposed project sites in suitable habitat (levee and canal berms, open grasslands with suitable burrows) during the same calendar year that construction is planned to begin. If phased construction procedures are planned for the proposed project, the results of the above survey shall be valid only for the season when it is conducted.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to ground disturbing activities during nesting season (March through July) for a project that supports bird nesting habitat</p>	<p>CDFW and USFWS</p>						X

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**Utilities and Service Systems - *Biological Resources* (continued):**

<p><b>USS-16</b> <i>(continued from previous page)</i></p> <p>(b) During the construction stage, FMFCD shall avoid all burrowing owl nest sites potentially disturbed by project construction during the breeding season while the nest is occupied with adults and/or young. The occupied nest site shall be monitored by a qualified biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a 160-foot diameter non-disturbance buffer zone around the nest site. Disturbance of any nest sites shall only occur outside of the breeding season and when the nests are unoccupied based on monitoring by a qualified biologist. The buffer zone shall be delineated by highly visible temporary construction fencing.</p> <p>Based on approval by CDFG, pre-construction and pre-breeding season exclusion measures may be implemented to preclude burrowing owl occupation of the project site prior to project-related disturbance. Burrowing owls can be passively excluded from potential nest sites in the construction area, either by closing the burrows or placing one-way doors in the burrows according to current CDFG protocol. Burrows shall be examined not more than 30 days before construction to ensure that no owls have recolonized the area of construction.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p><i>[see previous page]</i></p>	<p><i>[see previous page]</i></p>						
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**Utilities and Service Systems - *Biological Resources* (continued):**

<p><b>USS-16</b> (continued from previous two pages)</p> <p>For each burrow destroyed, a new burrow shall be created (by installing artificial burrows at a ratio of 2:1 on protected lands nearby).</p> <p><b>Verification comments:</b></p>	<p>[see Page 49]</p>	<p>[see Page 49]</p>						
<p><b>USS-17:</b> When FMFCD proposes to construct drainage facilities in the San Joaquin River corridor:</p> <p>(a) FMFCD shall not conduct instream activities in the San Joaquin River between October 15 and April 15. If this is not feasible, FMFCD shall consult with the National Marine Fisheries Service and CDFW on the appropriate measures to be implemented in order to protect listed salmonids in the San Joaquin River.</p> <p>(b) Riparian vegetation shading the main-channel that is removed or damaged shall be replaced at a ratio and quantity sufficient to maintain the existing shading of the channel. The location of replacement trees on or within</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>During instream activities conducted between October 15 and April 15</p>	<p>National Marine Fisheries Service (NMFS), CDFW, and Central Valley Flood Protection Board (CVFPB)</p>						X

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**Utilities and Service Systems / Biological Resources (continued):**

<p><b>USS-17</b> (continued from previous page)</p> <p>FMFCD berms, detention ponds or river channels shall be approved by FMFCD and the Central Valley Flood Protection Board.</p> <p><b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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**Utilities and Service Systems – Recreation / Trails:**

<p><b>USS-18:</b> When FMFCD updates its District Service Plan:</p> <p>Prior to final design approval of all elements of the District Services Plan, FMFCD shall consult with Fresno County, City of Fresno, and City of Clovis to determine if any element would temporarily disrupt or permanently displace adopted existing or planned trails and associated recreational facilities as a result of the proposed District Services Plan. If the proposed project would not temporarily disrupt or permanently displace adopted existing or planned trails, no further mitigation is necessary. If the proposed project would have an effect on the trails and associated facilities, FMFCD shall implement the following:</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>Prior to final design approval of all elements of the District Services Plan</p>	<p>DARM, PW, City of Clovis, and County of Fresno</p>						<b>X</b>
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**D** - Responsible Agency Contacted

**E** - Part of City-Wide Program  
**F** - Not Applicable

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F

**Utilities and Service Systems – Recreation / Trails (continued):**

<p><b>USS-18</b> (continued from previous page)</p> <p>(a) If short-term disruption of adopted existing or planned trails and associated recreational facilities occur, FMFCD shall consult and coordinate with Fresno County, City of Fresno, and City of Clovis to temporarily re-route the trails and associated facilities.</p> <p>(b) If permanent displacement of the adopted existing or planned trails and associated recreational facilities occur, the appropriate design modifications to prevent permanent displacement shall be implemented in the final project design or FMFCD shall replace these facilities.</p> <p><b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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**Utilities and Service Systems – Air Quality:**

<p><b>USS-19:</b> When District drainage facilities are constructed, FMFCD shall:</p> <p>(a) Minimize idling time of construction equipment vehicles to no more than ten minutes, or require that engines be shut off when not in use.</p> <p style="text-align: right;"><i>(continued on next page)</i></p>	<p>During storm water drainage facility construction activities</p>	<p>Fresno Metropolitan Flood Control District and SJVAPCD</p>					X	

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**Utilities and Service Systems – Air Quality (continued):**

<p><b>USS-19</b> (continued from previous page)</p> <p>(b) Construction shall be curtailed as much as possible when the Air Quality Index (AQI) is above 150. AQI forecasts can be found on the SJVAPCD web site.</p> <p>(c) Off-road trucks should be equipped with on-road engines if possible.</p> <p>(d) Construction equipment should have engines that meet the current off-road engine emission standard (as certified by CARB), or be re-powered with an engine that meets this standard.</p> <p><b>Verification comments:</b></p>	<p>[see previous page]</p>	<p>[see previous page]</p>						
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**Utilities and Service Systems – Adequacy of Storm Water Drainage Facilities:**

<p><b>USS-20:</b> Prior to exceeding capacity within the existing storm water drainage facilities, the City shall coordinate with FMFCD to evaluate the storm water drainage system and shall not approve additional development that would convey additional storm water to a facility that would experience an exceedance of capacity until the necessary additional capacity is provided.</p> <p><b>Verification comments:</b></p>	<p>Prior to exceeding capacity within the existing storm water drainage facilities</p>	<p>FMFCD, PW, and DARM</p>					X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
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**Utilities and Service Systems – Adequacy of Water Supply Capacity:**

<p><b>USS-21:</b> Prior to exceeding existing water supply capacity, the City shall evaluate the water supply system and shall not approve additional development that demand additional water until additional capacity is provided. By approximately the year 2025, the City shall construct an approximately 25,000 AF/year tertiary recycled water expansion to the Fresno-Clovis Regional Wastewater Reclamation Facility in accordance with the 2013 Recycled Water Master Plan and the 2014 City of Fresno Metropolitan Water Resources Management Plan update.</p> <p>Implementation of Mitigation Measure USS-5 is also required prior to approximately the year 2025.</p> <p><b>Verification comments:</b></p>	<p>Prior to exceeding existing water supply capacity</p>	<p>DPU and DARM</p>					<p>X</p>	

**Utilities and Service Systems – Adequacy of Landfill Capacity:**

<p><b>USS-22:</b> Prior to exceeding landfill capacity, the City shall evaluate additional landfill locations and shall not approve additional development that could contribute solid waste to a landfill that is at capacity until additional capacity is provided.</p> <p><b>Verification comments:</b></p>	<p>Prior to exceeding landfill capacity</p>	<p>DPU and DARM</p>					<p>X</p>	

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