

**Mitigation Monitoring and Reporting Program  
Initial Study Application No. 7085  
Classified Conditional Use Permit Application No. 3526**

<b>Mitigation Measures</b>					
<b>Mitigation Measure No.*</b>	<b>Impact</b>	<b>Mitigation Measure Language</b>	<b>Implementation Responsibility</b>	<b>Monitoring Responsibility</b>	<b>Time Span</b>
*1.	Aesthetics	All outdoor lighting shall be hooded and directed downward so as to not shine toward adjacent properties and public streets	Applicant	Applicant/Fresno County Department of Public Works and Planning (PWP)	On-going; for duration of the project
*2.	Biological Resources	A Burrowing Owl (BUOW) survey shall be conducted prior to any ground-disturbing activities following the survey methodology developed by the California Burrowing Owl Consortium (CBOC 1993). In the event that burrowing owls are found, impacts to occupied burrows shall be avoided by implementation of a no-disturbance buffer zone in accordance with the Department's Staff Report on Burrowing Owl Mitigation (CDFG 2012) unless a qualified biologist approved by the department verifies through non-invasive methods that either the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival. If burrowing owls will be evicted, passive relocation shall be adopted during the nonbreeding season and foraging habitat acquired and permanently protected to offset the loss of foraging and burrow habitat in accordance with the Department's Staff Report on Burrowing Owl Mitigation (CDFG 2012).	Applicant	Applicant/California Department of Fish and Wildlife (CFWL)	As noted
*3.	Biological Resources	To minimize project-related impact on California Tiger Salamander (CTS):  a. Prior to any ground-disturbing activities, a silt fencing shall be installed to prevent wildlife from coming onto the project site during construction. The fencing shall be installed prior to the rainy season (preferably after May 15th or before October 15th) around the entire west and east boundaries of the property and the 100-foot setback line along the north side. The bottom of silt fencing shall be buried at least three (3) inches deep and be maintained during project grading and ground disturbing activity.	Applicant	Applicant/ CFWL	As noted

		<p>b. A qualified wildlife biologist shall conduct a visual survey of the project site immediately prior to the beginning of ground-disturbing activities to ensure no ground burrowing mammals are present and to verify the installation of silt fencing.</p> <p>c. The portion of the project site north of the 100-foot setback line from the remnant Dry Creek channel shall be designated as an Environmentally Sensitive Area on the construction plans and specification, and the setback line shall be fenced with orange construction fencing to provide a visual demarcation.</p> <p>d. A qualified wildlife biologist shall serve as a biological monitor during initial grading and ground-disturbing activities to visually monitor for the presence of California Tiger salamander (CTS). If any CTS are observed, ground disturbing activities shall immediately be halted, and the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) shall immediately be consulted about the appropriate next step.</p>			
*4.	Biological Resources	<p>To evaluate Project-related impacts on nesting birds, a qualified wildlife biologist shall conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground disturbance during the breeding season of February 1 through August 31. If active nests are found, prior to initiation of construction activities, a qualified wildlife biologist conduct a survey to establish a behavioral baseline of all identified nests and upon start of construction continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, the work causing that change shall be cease and CDFW be consulted for additional avoidance and minimization measures. If continuous monitoring of identified nests by a qualified biologist is not feasible, a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors shall be established and shall remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Any variance from these buffers shall be notified to CDFW in advance of implementing a variance.</p>	Applicant	Applicant/CFWL	As noted
*5.	Biological Resources	<p>To minimize the likelihood of mortality, harassment or harm to kit fox that may be present on site during construction, the avoidance and minimization measures found in 2011</p>			

		Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance, found at <a href="http://www.fws.gov/sacramento/es/Survey-Protocols-Guidelines/Documents/kitfox_standard_rec_2011">http://www.fws.gov/sacramento/es/Survey-Protocols-Guidelines/Documents/kitfox_standard_rec_2011</a> shall be implemented. Any take that could occur as a result of the project would require consultation with the U.S. Fish and Wildlife Service under Section 7 or Section 10 of the Endangered Species Act of 1973.			
*6.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures shall be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PWP	As noted
*7.	Hydrology and Water Quality	To address possible impacts related to the seepage component of the downstream face of the Big Dry Creek Reservoir and dam located northeast of the project site, a minimum of 500-foot-wide area adjacent to the dam face shall remain clear of development and designated as open space per the requirements of the Fresno Metropolitan Flood Control District (FMFCD).	Applicant	Applicant/PWP/Fresno Metropolitan Flood Control District (FMFCD)	As noted
*8.	Transportation	Prior to the issuance of building permits for the proposed project the applicant shall enter into an agreement with the City of Clovis agreeing to participate on pro-rata shares developed in the funding of future off-site traffic improvement as defined in the item below.  a. Applicant shall pay his proportionate share of costs for a future traffic signal at Shepherd and Locan Avenues. Applicant's proportionate share is \$11,336.	Applicant	Applicant/PWP/City of Clovis	As noted

\*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document.

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