

**Mitigation Monitoring and Reporting Program  
Initial Study No. 8307  
General Plan Amendment Application No. 566  
Amendment Application No. 3850  
Tentative Tract Map Application No. 6420  
Variance Application No. 4140  
(Elegante Estates LLC aka Vintage on the Bluff LLC)**

IS 8307 Mitigation Measures					
Mitigation Measure No.	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting shall be hooded and directed so as not to shine toward adjacent properties and public streets or roadways..	Applicant	Fresno County Department of Public Works and Planning (PWP)	At the time of installation
4.	Biological Resources	A qualified wildlife biologist shall conduct surveys for nesting Swainson's hawk (SWHA) following the survey methods developed by the Swainson's hawk Technical Advisory Committee (SWHA TAC, 2000) prior to project implementation. The survey protocol includes early season surveys to assist the project proponent in implementing necessary avoidance and minimization measures, and in identifying active nest sites prior to initiating ground-disturbing activities.	Applicant	California Department of Fish and Wildlife (CDFW)	Prior to the initiating ground disturbance activities.
6.	Biological Resources	If expansion of any project activities will take place during the normal bird breeding season (March 1 through September 15), additional pre-activity surveys for active nests shall be conducted by a qualified biologist no more than 10 days prior to the start of the project implementation. A minimum no-disturbance buffer of one-half mile shall be delineated around active nests 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.	Applicant	CDFW	Prior to the initiating ground disturbance activities
7.	Biological Resources	In the event an active SWHA nest is detected during surveys and the one-half mile no-disturbance buffer around the nest	Applicant	CDFW	As noted

		cannot feasibly be implemented, consultation with CDFW is warranted to discuss how to implement the project and avoid Take. If Take cannot be avoided, Take authorization through the acquisition of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) is warranted to comply with California Endangered Species Act.			
	Biological Resources	Prior to initiating ground-disturbing activities on the project site, a qualified biologist shall conduct a habitat assessment, well in advance of the project implementation, to determine if the project area or its immediate vicinity contain suitable habitat for the American badger.	Applicant	CDFW	Prior to the initiating ground disturbance activities
	Biological Resources	If suitable habitat is present, a qualified biologist shall conduct focused surveys for American badgers and their requisite habitat features (dens) to evaluate potential impacts resulting from ground and vegetation disturbance.	Applicant	CDFW	Prior to initiating ground disturbance activities
	Biological Resources	Avoidance whenever possible is encouraged via delineation and observation of a 50-foot no-disturbance buffer around dens until it is determined through non-invasive means that individuals occupying the den have dispersed.	Applicant	CDFW	As noted
8.	Cultural Resources	<p>If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:</p> <p>a. If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately with no agency notifications required.</p> <p>b. If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, the archaeologist shall immediately notify the lead agencies. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be a Historical</p>	Applicant	Applicant/PWP	During ground disturbance/ construction activities

		<p>Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines or a historic property under Section 106 NHPA (National Historic Preservation act), if applicable. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Historical Resource under CEQA or a Historic Property under Section 106; or 2) that the treatment measures have been completed to their satisfaction.</p> <p>c. If the find includes human remains, or remains that are potentially human, they shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the Fresno County Coroner (per Section 7050.5 of the Health and Safety Code). The provisions of Section 7050.5 of the California Health and Safety Code, Section 5097.98 of the California PRC, and AB 2641 will be implemented. If the coroner determines the remains are Native American and not the result of a crime scene, the coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the Project (Section 5097.98 of the Public Resources Code, PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (Section 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (Section 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (Assembly Bill 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.</p>			
9.	Transportation	The project proponent shall pay the project's pro-rata share (3.36%) of the cost of future improvements for the installation and geometric improvements at the intersection of Friant Road and Willow Avenue, based on a geometric approval	Applicant	Applicant/PWP	Prior to the issuance of building permits

		<p>drawing and a preliminary engineers cost estimate provided by the applicant and approved by the County. The pro-rata share cost shall be established prior to recordation of the final map and payable at the time of issuance of a building permit. The fee shall be adjusted annually for inflation based on the Engineering News Record (ENR) 20 Cities Construction Cost Index. The applicant shall be credited the cost of preparing the GAD drawings towards Public Facility Fees, specifically signalization of the intersection of Willow Avenue and Friant Road associated with the development in accordance with Chapter 17.88 of the County code.</p>			
10.	Transportation	<p>An emergency access path to the project site consisting of a metal swinging gate with a padlock for emergency vehicle access only shall be provided from the Friant Road frontage of the property. To deter motorists from utilizing this emergency access path as a regular driveway, this access shall be designed to not appear as a routine driving surface but must be capable of supporting emergency response vehicles. Features such as the use of grasscrete or other non-typical driving surfaces shall be reviewed and approved by the Fresno County Fire Protection District and the Fresno County Department of Public Works and Planning prior to the approval of final Vesting Tract Map</p>	Applicant	Applicant/PWP/ Fresno County Fire Protection District	Prior to the approval of final Vesting Tract Map.

EA:

G:\4360Devs&Pln\PROJSEC\PROJDOCS\AA\3800-3899\3850 - See GPA 566, VA 4140, TTH 6420\IS-CEQA\CEQA docs (Revised) for SCH\AA 3850 MMRP-draft.docx



