



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

Mitigation Measures

Initial Study No. 7906

The following mitigation measures have been specifically applied to mitigate potential adverse environmental effects identified in the above environmental document. A change in these provisions may affect the validity of the current environmental document, and a new or amended environmental document may be required. All requirements shall be performed at the developer's expense and prior to issuance of development permits.

1. *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, and etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*
2. *Best Management Practices (BMPs) in the Water Quality Assessment Report (WQAR), prepared by GPA Consulting, will be implemented to ensure short-term and long-term impacts to water quality will not be substantial. To avoid and/or minimize potential impacts on jurisdictional features, the following measures shall be implemented:*
 - a. *Work areas would be reduced to the maximum extent feasible.*
 - b. *Equipment staging and storage areas for vehicles, equipment, material, fuels, lubricants, and solvents would be restricted to designated areas and would be a minimum of 50 feet from the creek.*
 - c. *Pesticides and/or herbicides would not be used as part of the project.*
 - d. *Prior to construction in the channel, high visibility Environmentally Sensitive Area (ESA) protective fencing or flagging would be installed at the limits of construction to protect adjacent creek bed and associated vegetation.*
 - e. *Erosion Control BMPs (e.g., silt fencing and fiber rolls) would be implemented to minimize dust, dirt, and debris resulting from construction activities entering the creek and to protect the water quality of the creek pursuant to the requirements of the regulatory permits (i.e., USACE Section 404 Nationwide Permit, RWQCB Section 401 Water Quality Certification, and California Fish and Game Code Section 1602) issued for this project.*

- f. *Hazardous material BMPs (e.g., on-site spill prevention kit) would be implemented to minimize the potential for chemical spills, containment releases, and non-storm water discharge into the creek.*
 - g. *All equipment refueling and maintenance would be conducted away from the creek in accordance with Caltrans' standard specifications and requirements of the regulatory permits issued for this project. In addition, vehicles and equipment would be checked daily for fluid and fuel leaks and drip pans would be placed under all equipment that is parked and not in operation. Any leaking vehicle or equipment would not be operated in the project area until repaired. All workers would be informed of the importance of preventing spills and the appropriate measures to take should a spill occur.*
 - h. *Stationary equipment such as motors, pumps, generators, compressors, and welders located within 100 feet of the jurisdictional features would be positioned over drip-pans, including when in operation.*
 - i. *Any temporary erosion control implemented during construction would be completed using non-invasive species. At project completion, all temporarily disturbed areas would be re-contoured to pre-construction conditions.*
3. *The project will comply with the Construction General Permit by preparing and implementing a Storm Water Pollution Prevention Plan (SWPPP) to address all construction-related activities, equipment, and materials that have the potential to impact water quality. The SWPPP will identify the sources of pollutants that may affect the quality of storm water and determine the site risk level, and will include BMPs to control the pollutants, such as sediment control, catch basin inlet protection, construction materials management and non-storm water BMPs. All work must conform to the Construction Site BMP requirements specified in the latest edition of the Storm Water Quality Handbooks: Construction Site Best Management Practices Manual. The Manual is used to control and minimize the impacts of construction and construction related activities, material and pollutants on the watershed.*
 4. *Stationary construction equipment shall be placed so that emitted noise is directed away from the nearest sensitive receptor.*
 5. *Equipment staging areas shall be located the greatest distance feasible to create distance between construction-related noise sources and noise sensitive receptors.*
 6. *Construction activities associated with the proposed project shall be limited to the hours of 6:00 AM to 9:00 PM on weekdays and 7:00 AM to 5:00 PM on weekends.*
 7. *To avoid and/or minimize potential impacts on special-status plant species, the following measures would be implemented:*
 - a. *Within a year prior to construction, a qualified biologist would conduct a preconstruction plant survey within the construction area. Surveys would be conducted during the appropriate blooming period (typically March to July) for species with potential to be in the construction area, to the extent feasible.*

- b. *In the event that vegetation removal and tree trimming must be conducted during the nesting season, nesting bird surveys would be completed within 300 feet of the construction area by a qualified biologist no more than 48 hours prior to trimming or clearing activities to determine if nesting birds are within the affected vegetation. Nesting bird surveys would be repeated if trimming or removal activities are suspended for three days or more.*
- c. *If nesting birds are found within 300 feet of the construction area, appropriate buffers consisting of orange flagging/fencing or similar (typically 300 feet for birds and 500 feet for raptors) would be installed and maintained until nesting activity has ended. A reduced buffer can be established if determined appropriate by qualified biologist and approved by the wildlife agencies.*
- d. *If construction activities are conducted during the breeding season for burrowing owls (typically February 1 through September 1), a qualified biologist would perform a focused survey for burrows and burrowing owls within the BSA no more than 30 days and no fewer than 14 days prior to the start of construction activities. Surveys would be conducted in accordance with the California Burrowing Owl Consortium's April 1993 Burrowing Owl Survey Protocol and Mitigation Guidelines.*
- e. *Prior to breeding season for burrowing owl (typically February 1 through September 1), a qualified biologist may implement a burrow exclusion and/or closure plan to prevent active nests from becoming established prior to construction. If determined necessary, a plan would be implemented before breeding behavior is exhibited and after the burrow is confirmed empty by site surveillance and/or scoping.*
- f. *If occupied burrows or burrowing habitat (including debris piles) are observed within 500 feet of the construction area, a 165-foot buffer would be installed and maintained during the non-breeding season (typically October 1 through January 31), or a 655-foot buffer during the breeding season (typically February 1 through September 30). The buffer size may be modified, under direction of a qualified biologist, if it's determined that construction activities would not likely have an adverse effect on the owls. Work within the buffer area would only be resumed once a qualified biologist confirms that the burrow is no longer occupied.*
- g. *If occupied burrows cannot be avoided, passive on-site relocation techniques to encourage owls to move to alternative burrows outside the project area would be implemented during the non-breeding season, as directed by a qualified biologist and under consultation with the CDFW. No occupied burrows would be disturbed during the nesting period, unless a qualified biologist, in coordination with the CDFW, determines that juveniles are capable of foraging and surviving independently.*
- h. *Focused surveys for Swainson's hawk would be conducted according to the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley for two survey periods prior to project initiation. Three surveys would be conducted during each survey period to determine if Swainson's hawks are nesting within 600 feet of the BSA.*

- i. If construction is scheduled to begin during Swainson's hawk nesting season (typically February 1 to September 30), pre-construction surveys would be completed by a qualified biologist no more than 48 hours prior to construction to determine if Swainson's hawks are nesting within 600 feet of the BSA. Surveys would be repeated if construction activities are suspended for five days or more.*
 - j. If any nesting Swainson's hawks are found in the BSA, appropriate buffers (typically 600 feet) would be installed and maintained, under direction of a qualified biologist, until the nest(s) are no longer active.*
- 11. To avoid and/or minimize impacts on special-status bat species, the following measures would be implemented:*
- a. Tree removal and trimming, if any, would be conducted outside of the recognized bat maternity season (approximately April 1–September 15), and non-active season (November 1 – February 28) season for bats where feasible.*
 - b. Prior to construction, a qualified bat biologist would conduct a habitat assessment within the project area. Any trees that are determined to provide potentially suitable habitat would be marked "habitat trees" by the qualified biologist. The contractor must contact the County prior to any planned removal of trees marked "habitat trees."*
 - c. During the summer months (June 1 to August 31) prior to construction, visual and acoustic surveys would be conducted for at least two nights at all identified roosting habitat to assess the presence of roosting bats. If presence of a roost is detected, a count and species analysis would be completed to help assess the type of colony and usage.*
 - d. If the presence or absence of bats cannot be confirmed in potential roosting habitat, a qualified biologist would be onsite during tree removal/trimming or disturbance of this area. If the biologist determines that bats are being disturbed during this work, work would be suspended until bats have left the vicinity on their own or can be safely excluded under direction of the biologist. Work would resume only once all bats have left the site and/or approval to resume work is given by a qualified biologist.*
 - e. No less than a month prior to construction, and outside of the recognized bat maternity season (April 1–September 15), bats would be safely evicted from roosts impacted by the project under the direction of a qualified biologist. Exclusionary devices would be installed where feasible on the bridge and in trees to prevent bats from returning and roosting in these areas. Roosts that would not be impacted by the project would be left undisturbed.*
 - f. All removal of trees with potential bat habitat would be conducted using a 2-step process over two consecutive days under the supervision of a qualified biologist. On the first day, any trees that do not contain crevice or cavity roosting habitat, as determined by a qualified biologist, would be trimmed or removed (only if necessary for project construction). In addition, limited trimming of trees (branches and small limbs with no potential roosting features) would be completed. Construction crews would only use hand tools (i.e. chainsaws or similar). On the calendar day immediately following the trimming, all of trees that*

- d. *A qualified biologist would complete pre-construction surveys no more than 48 hours prior to construction to determine the presence or absence of special-status reptile species in the project area. Surveys would be repeated if construction activities are suspended for five days or more. If these species are identified onsite, appropriate measures would be developed and implemented to avoid impacts on these wildlife species, in consultation with appropriate resource agencies as applicable. Measures may include relocation, limiting construction to avoid these species, or creating a species-specific mitigation plan.*
- e. *Adult leopard lizard surveys would be conducted 12 days over the course of the 90-day adult optimal survey period (April 15-July 15), with a maximum of four survey days per week and eight survey days within any 30-day period. At least one survey session should be conducted every four consecutive days.*
- f. *In addition to the 12 days of adult blunt-nosed leopard lizard surveys required for activities in this category, five additional survey days are required during the hatchling optimal survey period (August 15 to September 30), with at least two survey days conducted between August 15 and 30 and at least two survey days between September 15 and 30, for a total of 17 survey days overall within the same survey season/calendar year.*
- g. *In addition to the 12 days of adult blunt-nosed leopard lizard surveys required for activities in this category, five additional survey days are required during the hatchling optimal survey period (August 15 to September 30), with at least two survey days conducted between August 15 and 30 and at least two survey days between September 15 and 30, for a total of 17 survey days overall within the same survey season/calendar year.*
- h. *All burrows not directly impacted by the project would be avoided by a minimum 10-foot buffer. A 10-foot buffer would be maintained around burrows throughout project construction.*
- i. *A survey for leopard lizard that covers and follows the methods in CDFW's guidelines would be conducted each month during project implementation.*
- j. *A litter control program would be instituted in the project area. All workers would make sure their food scraps, paper wrappers, food containers, cans, bottles, and other trash from the project area are deposited in covered or closed trash containers. The trash containers would be removed from the project area at the end of each working day.*
- k. *No pets or firearms (except for federal, state, or local law enforcement office and security personnel) would be permitted on construction sites to avoid harassment, killing, or injuring of listed species.*
- l. *Use of rodenticides and herbicides in the project area would be prohibited.*
- m. *A representative appointed by the County would be the contact source for any employee or contractor who might inadvertently injure or kill a leopard lizard or kit fox or finds a dead, injured, or trapped individual. The representative would be identified during the employee education program. The representative's name and phone number would be provided to the Service. Any contractor, employee, or agency personnel who inadvertently kills, injures, or notices an entrapped*

leopard lizard or kit fox would immediately report the incident to the representative. The representative would immediately contact CDFW and all project work would stop until the County, Caltrans, CDFW, and the Service identify the appropriate measures needed to continue work and avoid take, or the County obtains an Incidental Take Permit. A representative appointed by the County would be the contact source for any employee or contractor who might inadvertently injure or kill a San Joaquin kit fox or finds a dead, injured, or trapped individual. The representative would be identified during the employee education program. The representative's name and phone number would be provided to the USFWS. Any contractor, employee, or agency personnel who inadvertently kills, injures, or notices an entrapped San Joaquin kit fox would immediately report the incident to the representative. The representative would immediately contact CDFW and all project work would stop until the County, Caltrans, CDFW, and USFWS identify the appropriate measures needed to continue work and avoid take, or the County obtains an Incidental Take Permit.

Mohammad Alimi, Design Division Manager

Date

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