

**MITIGATION MONITORING AND REPORTING PROGRAM**

**R2024-004**

<b>Proposed Mitigation</b>	<b>Summary of Measure</b>	<b>Monitoring Responsibility</b>	<b>Timing</b>	<b>Verification (Date and Initials)</b>
<b><i>Aesthetics</i></b>				
AES-1	The Project shall comply with Section 9.22.050, Exterior Light and Glare, of the Clovis Municipal Code, which requires light sources to be shielded and that lighting does not spillover to adjacent properties.	City of Clovis Planning	<i>After Construction Prior to Occupancy</i>	
<b><i>Biological Resources</i></b>				
BIO-1	<b>Worker Training:</b> Prior to construction, personnel shall complete worker environmental awareness training. The training shall present information on burrowing owls and notification procedures and shall direct workers to halt work and allow individual burrowing owls to move off-site of their own accord. Construction personnel shall provide signatures confirming completion of the training, and copies of the training shall be maintained and made available to applicable agencies upon request	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	
BIO-2	<b>Burrowing Owl:</b> A pre-construction survey shall be conducted by a qualified biologist no more than 14 days prior to construction activities. The preconstruction survey shall be conducted in accordance with the "Take Avoidance Surveys" described in California Department of Fish and Wildlife's (CDFW) Staff Report on Burrowing Owl Mitigation (CDFW, 2012). If burrowing owls or sign	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	

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	<p>of burrowing owls is not observed, results shall be documented, and no further action is necessary.</p> <p>Should burrowing owl burrows be observed, CDFW shall be consulted to determine necessary avoidance or exclusion methods. Mitigation shall follow CDFW recommended measures in CDFW's Staff Report on Burrowing Owl Mitigation (CDFW, 2012), and shall follow the below steps:</p> <ul style="list-style-type: none"> <li>• If the burrows can be avoided, a qualified biologist shall demarcate a no-disturbance buffer around the burrows using high visibility fencing or pin flagging. The size of the buffer shall be established with CDFW and shall remain in place until construction is completed. Buffer size for burrowing owl, as detailed in CDFW's staff report, range from 50 meters to 500 meters depending on the level of disturbance and timing of disturbance.</li> <li>• Should full avoidance be infeasible, CDFW shall be consulted to identify appropriate exclusion methods to be implemented prior to removal of the burrows. Consistent with the CDFW Staff Report, exclusion would not occur until a Burrowing Owl Exclusion Plan is approved by CDFW.</li> <li>• In order to mitigate for loss of burrows that are excluded, the Burrowing Owl Exclusion Plan shall identify one of the following mitigation options, or a combination thereof,</li> </ul>			

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	<p>as outlined in the CDFW Staff Report "Mitigating Impacts" section:</p> <ul style="list-style-type: none"> <li>○ Creation of artificial burrows commensurate to the number of burrows excluded;</li> <li>○ Permanent conservation of like habitat, such as conservation easement;</li> <li>○ Purchase of conservation bank credits; and/or</li> <li>○ An alternative mitigation strategy, as developed with and approved by CDFW.</li> </ul>			
BIO-3	<p><b>Nesting Birds:</b> If construction activities would occur during the nesting season (February 1 through August 31), a pre-construction survey for the presence of nesting bird species shall be conducted by a qualified biologist on and within 500 feet of proposed construction areas, as accessible. The survey shall occur within five days of the commencement of construction activities. If active nests are identified in these areas, one of the following should occur:</p> <ul style="list-style-type: none"> <li>• A qualified biologist shall establish a disturbance-free buffer zone using high-visibility fencing or flagging. The size of the buffer shall be determined by the qualified biologist based on the needs of the species. The buffer shall remain in place until either (1) construction activities are completed, (2) the conclusion of the nesting season, or (3)</li> </ul>	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	

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	<p>the qualified biologist determines that the young have fledged and are no longer dependent on the nest, or the nest has failed. If construction activities are halted for a period of more than 14 days, an additional preconstruction nesting bird survey shall be conducted.</p> <p>Or</p> <ul style="list-style-type: none"> <li>Commencement of construction activities shall be postponed until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site or the nest has failed.</li> </ul>			
<b>Cultural Resources</b>				
CULT-1	<p>If prehistoric or historic-era cultural or archaeological materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, can evaluate the significance of the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants.</p>	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	

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	<p>If the qualified professional archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.</p> <p>If a potentially eligible resource is encountered, then the qualified professional archaeologist, the Lead Agency, and the project proponent shall arrange for either 1) total avoidance of the resource or 2) test excavations to evaluate eligibility and, if eligible, total data recovery. The determination shall be formally documented in writing and submitted to the Lead Agency as verification that the provisions for managing unanticipated discoveries have been met.</p>			
CULT-2	<p>If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American</p>	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	

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	involvement, in the event of discovery of human remains, at the direction of the County coroner. All reports, correspondence, and determinations regarding the discovery of human remains on the project site shall be submitted to the Lead Agency.			
<b>Geological Resources</b>				
GEO-1	<p>If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified professional archaeologist and/or paleontologist, can evaluate the significance of the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants.</p> <p>If the qualified professional determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.</p> <p>If a potentially-eligible resource is encountered, then the qualified professional archaeologist and/or paleontologist, the Lead Agency, and the project</p>	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	

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<b><i>Tribal Cultural Resources</i></b>				
TCR-1	<p>If cultural or archaeological materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, can evaluate the significance of the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants.</p> <p>If the qualified professional archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.</p>	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	

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TCR-2	<p>If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the County coroner. All reports, correspondence, and determinations regarding the discovery of human remains on the project site shall be submitted to the Lead Agency.</p>	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	