



<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		<p><b>Mitigation Measure 2.4 A(3):San Joaquin kit fox.</b></p> <p>A qualified biologist shall conduct pre-construction surveys for the San Joaquin kit fox, and the USFWS’ Standard Recommendations for Protection of the San Joaquin Kit Fox (1997, updated 1999) shall be implemented.</p>	<ol style="list-style-type: none"> <li>1. A preconstruction survey for the San Joaquin kit fox shall be undertaken by a qualified biologist.</li> <li>2. Implement the USFWS’ Standard Recommendations for Protection of the San Joaquin Kit Fox (1997, updated 1999).</li> </ol>	County RMA	Prior to construction /during construction activities	
		<p><b>Mitigation Measure 2.4 A(4):California tiger salamander (CTS) preventative measures.</b></p> <p>The County shall incorporate the following preventive measures into the project plans and specifications to minimize or prevent impacts to the CTS:</p> <ul style="list-style-type: none"> <li>• The limits of the work area shall be flagged prior to the start of construction.</li> <li>• Exclusion fencing shall be installed just outside of this work limit if work is conducted within Pancho Rico Creek at a time of year when water is present within the low-flow channel. The fencing shall be installed during the dry season and prior to the start of construction (after April 15) and will be a minimum of 3.5 feet tall following installation. If plywood is used, the ends of each sheet must overlap by at least 6 inches and be tightly fastened together. The fencing shall be inspected daily to ensure that it is in good repair, and repaired as necessary.</li> <li>• Work and worker access shall be prevented in areas outside of the established work limits.</li> <li>• During construction, dedicated construction personnel shall conduct daily checks of the exclusion fencing to ensure that it is functioning correctly (e.g., without any gaps through which CTS might enter the work area), and to maintain the fencing as needed.</li> <li>• All steep walled holes and trenches shall be covered with plywood or similar material at the end of each work day and uncovered and inspected at the beginning of each work day to prevent entrapment of amphibians.</li> <li>• Workers shall be trained on identification of CTS, their potential to occur in the project site, measures to avoid adverse effects, and penalties for not doing so.</li> <li>• A County-approved, qualified biologist shall be</li> </ul>	County shall document and track the implementation of the preventative measures during construction.	County RMA	Prior to construction /during construction activities	

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		<p>responsible for monitoring project activities to ensure avoidance of take of CTS and to minimize disturbance of CTS habitat.</p> <ul style="list-style-type: none"> <li>• The biologist shall conduct a preconstruction survey of the work site and be on-site during all initial ground disturbance activities.</li> <li>• The biologist shall resurvey the project impact area following all rain events and prior to restarting construction for the duration of the project.</li> <li>• To the extent possible, all project related storage and equipment area and any other surface-disturbing activities shall be confined to previously disturbed areas.</li> <li>• In the event that a CTS is discovered during construction, all activities shall cease that would adversely affect the species and the USFWS and CDFW shall be notified immediately. Work that could affect the species shall not continue without authorization from both agencies.</li> <li>• Construction activities shall be limited to April 15 to October 15.</li> <li>• CTS habitat temporarily affected by project activities shall be restored to pre-construction conditions.</li> </ul>				
		<p><b>Mitigation Measure 2.4 A(5):California tiger salamander (CTS) Incidental Take Permit.</b></p> <p>The County shall apply and obtain an Incidental Take Permit (ITP) from the CDFW. As part of the ITP process, the County shall:</p> <ul style="list-style-type: none"> <li>• Within 18 months of issuance of the ITP, the County shall acquire an easement on, preserve (via a conservation easement), and manage (via a Habitat Management and Monitoring Plan [HMMP]) conservation lands off-site that will provide habitat for CTS of greater value compared to the habitat being impacted on the project site. A total of at least one acre of land will be included in the conservation easement in order to allow mitigation of the project's impact on approximately 0.51 acre of potential CTS habitat at a 2:1 ratio. Prior to acquisition of the conservation lands, the</li> </ul>	<ul style="list-style-type: none"> <li>• The County shall obtain and ITP and mitigate the CTS habitat loss at 2:1 ratio, or provide letter of credit to CDFW to cover the cost for CDFW to acquiring, preserving, and managing the conservation easement.</li> <li>• If County obtains the conservation easement, a HMMP shall be submitted to CDFW for review and approval.</li> </ul>	County RMA	Prior to construction activities	

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		<p>presence of CTS on-site shall be confirmed or, if CTS presence cannot be confirmed, CTS presence on-site shall be demonstrated to be likely based on confirmation of CTS presence at another site nearby, within the dispersal capabilities of the species.</p> <ul style="list-style-type: none"> <li>The County shall prepare an HMMP describing the measures that will be taken to manage the mitigation site and to monitor the effects of management on the CTS. The HMMP shall be submitted to the CDFW for review and approval after ITP issuance. The HMMP will describe (1) management measures to be implemented on the proposed mitigation site; (2) the proposed habitat enhancement measures; (3) monitoring measures to evaluate implementation of the HMMP and maintenance of high-quality habitat; and (4) a long-term endowment for management of the site, which will be approved by the CDFW. The County will begin implementing the HMMP within 90 days of the CDFW's approval of the HMMP and completion of the purchase of a conservation easement on the mitigation lands.</li> <li>In lieu of the conservation easement, the County may provide the CDFW with a Letter of Credit to cover costs for the CDFW to acquire, preserve, and manage at least one acre of conservation lands in the same manner described above, in the event that the County does not perform the mitigation described in the previous paragraph within 18 months of ITP issuance.</li> </ul>				
		<p><b>Mitigation Measure 2.4 A(6):Nesting Raptor.</b> Pre-construction surveys for nesting raptors shall be conducted by a qualified ornithologist or wildlife biologist to ensure that no raptor nests will be disturbed during project implementation. This survey shall be conducted no more than 14 days prior to the initiation of construction activities during the early part of the breeding season (January through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). During this survey, the biologist</p>	<ol style="list-style-type: none"> <li>A pre-construction nesting raptor survey shall be conducted at the proposed project site.</li> <li>If nesting birds are found, the ornithologist/biologist shall establish a protective buffer, in consultation with the CDFW, around the active nest until the young have fledged or the nest has otherwise been determined to be inactive.</li> </ol>	County RMA	Prior to construction /during construction activities	

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		shall inspect all trees in and immediately adjacent to the impact areas for raptor nests. If an active raptor nest is found close enough to the construction area to be disturbed by these activities, the ornithologist/biologist, in consultation with the CDFW, shall determine the extent of a construction-free buffer zone to be established around the nest.				
		<p><b>Mitigation Measure 2.4 B(1):Biological Habitat.</b></p> <p>County shall restore and revegetate on-site all temporarily disturbed areas at a 1:1 ratio. The temporarily disturbed areas shall be seeded with weed-free straw or mulch containing a blend of a minimum of three (3) locally native grass species. One (1) or two (2) sterile non-native perennial grass species may be added to the seed mix provided that amount does not exceed 25 percent of the total seed mix by count. Locally native wildflower and/or shrub seeds may also be included in the seed mix. The seeding shall be completed as soon as possible, but no later than November 15 of the year construction ends. The proposed seed mixture shall be submitted to the CDFW for approval prior to application.</p> <p>At approximately ninety (90) days after initial seeding, all exposed areas where seeding is considered unsuccessful shall receive appropriate soil preparation and a second application of seeding, straw, or mulch as soon as is practical. The success of the revegetation shall be determined using percent cover. Monitoring to quantify percent cover shall be conducted in the late spring to early summer of each of the subsequent first three years after seeding in the revegetation area occurs. The annual monitoring reports will be submitted to the CDFW and the Regional Water Quality Control Board (RWQCB).</p>	<ol style="list-style-type: none"> <li>1. County shall restore and revegetate on-site all temporarily disturbed areas with CDFW approved seed mix.</li> <li>2. County shall reseed any areas not successfully revegetated</li> <li>3. Submit The annual monitoring reports to the CDFW and the RWQCB</li> </ol>	County RMA	Post construction / Prior to Project Closeout	

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		<p><b>Mitigation Measure 2.4 E(1):Tree Removal.</b></p> <p>The County shall document the number and species of all riparian woody-stemmed plants in excess of four (4) inches diameter at breast height (DBH) that will be cut, removed, or damaged during construction activities. Riparian trees and shrubs with a DBH of four (4) inches or greater that shall be damaged or removed shall be replaced by replanting appropriate native species at a 3:1 ratio (replaced to lost), except that heritage trees 24-inches or greater shall require replanting of like species at a 10:1 ratio in or immediately adjacent to the project site. Trees greater than four (4) inches DBH that are removed the County shall develop a Revegetation Plan for the site and submit it to the CDFW for approval prior to commencement of project activities. The Revegetation Plan shall specify monitoring and maintenance requirements to ensure a minimum of 70 percent survival for the plantings after five (5) years, and without any supplemental irrigation for the final 2 (two) years.</p> <p>If the 70% survival criterion is not met, then an analysis of the failure shall be provided along with recommended remedial action. If appropriate, additional work will be performed to correct the deficiency. The monitoring period shall be extended for the appropriate length of time following any remedial action. Should enhancement planting establishment fail to meet designated performance criteria, an intensive planting program and/or contingency enhancement site will be developed as an alternate.</p> <p>All monitoring reports prepared pursuant to the Revegetation Plan shall be submitted to the CDFW and the RWQCB.</p>	<ul style="list-style-type: none"> <li>• Document the number and species of all riparian woody-stemmed plants in excess of four (4) inches diameter at breast height (DBH) that will be cut, removed, or damaged during construction activities.</li> <li>• Develop a Revegetation Plan for the site and submit it to the CDFW for approval prior to commencement of project activities.</li> <li>• Provide a minimum of 70 percent survival for the plantings after five (5) years, and without any supplemental irrigation for the final 2 (two) years.</li> <li>• Submit all monitoring reports prepared pursuant to the Revegetation Plan to the CDFW and the RWQCB.</li> </ul>	County RMA	Prior to construction /during construction activities	