

Draft Environmental Impact Report
Woodville Disposal Site Project
SCH No. 2018121007

**Table 8-1
Mitigation Monitoring and Reporting Program**

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Mitigation Measure	Monitoring Timing / Frequency	Action Indicating Compliance	Monitoring Agency	Person conducting Monitoring / Reporting	Verification of Compliance		
					Initials	Date	Remarks
BIOLOGICAL RESOURCES							
3.4-1. (Avoidance). In order to avoid impacts to nesting birds, construction will occur, where possible, outside the nesting season, or between September 16 and January 31.	Prior to start of construction.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings, if applicable.	County of Tulare Planning Department	Field survey by a qualified Biologist.			
3.4-2. (Pre-construction surveys). If construction must occur during the nesting season (February 1-September 15), a qualified biologist will conduct pre-construction surveys for active bird nests within 10 days of the onset of project initiation Nest surveys will encompass the project site and adjacent lands within 250 feet for migratory birds and 500 feet for raptors. Inaccessible portions of the survey area will be scanned with binoculars or spotting scope, as appropriate. If no active nests are found within the survey area, no further mitigation is required.	Prior to start of construction.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings, if applicable.	County of Tulare Planning Department	Field survey by a qualified Biologist.			
3.4-3. (Establish Buffers). If active nests are found within the survey areas a qualified biologist will establish appropriate no-disturbance buffers based on species tolerance of human disturbance, baseline levels of disturbance, and barriers that may separate the nest from construction disturbance. These buffers will remain in place until the breeding season has ended or until the qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.	Prior to and during construction-related activities. On-going.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings, if applicable.	County of Tulare Planning Department	Qualified biologist.			

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3.4-4. (Take Avoidance Survey). A take avoidance survey for burrowing owls will be conducted by a qualified biologist between 14 and 30 days prior to the start of construction. This take avoidance survey will be conducted according to methods described in the Staff Report on Burrowing Owl Mitigation (CDFG 2012). The survey area will include all suitable habitat on and within 200 meters of project impact areas, where accessible.	Prior to construction-related activities. On-going.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings, if applicable.	County of Tulare Planning Department	Qualified biologist.			
3.4-5. (Avoidance of Active Nests and Roosts). If project activities are undertaken during the breeding season (February 1-August 31) and active nest burrows are identified within or near project impact areas, a 200-meter disturbance-free buffer will be established around these burrows. During the non-breeding season (September 1 - January 31), resident owls occupying burrows in or near project impact areas will be avoided through the establishment of a 50-meter disturbance-free buffer or passively relocated to alternative habitat as described below. Smaller buffer areas during the non-breeding season may be implemented with the presence of a qualified biological monitor during all activities occurring within 50 meters of occupied burrows. Buffers will remain in place for the duration of project activities occurring within the vicinity of burrowing owl activity.	Prior to and during construction-related activities. On-going.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings, if applicable.	County of Tulare Planning Department	Qualified biologist.			
3.4-6. (Passive Relocation of Resident Owls). During the non-breeding season (September 1-January 31), resident owls occupying burrows in project impact areas may be passively relocated to alternative habitat. This activity would be conducted in accordance with a	Prior to construction-related activities. On-going.	Retention of professional biologist/ongoing monitoring/ submittal of	County of Tulare Planning Department	Qualified biologist.			

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relocation plan prepared by a qualified biologist. Passive relocation may include one or more of the following elements: 1) establishing a minimum 50-foot buffer around all active burrowing owl burrows, 2) removing all suitable burrows outside the 50-foot buffer and up to 50 meters outside of the impact areas as necessary, 3) installing one-way doors on all potential owl burrows within the 50-foot buffer, 4) leaving one-way doors in place for 48 hours to ensure owls have vacated the burrows, and 5) removing the doors and excavating the remaining burrows within the 50-foot buffer.		Report of Findings, if applicable.					
3.4-7. (HCP Measures). All HCP protection measures relating to SJKF shall be implemented for the additional 160 acres of proposed landfill expansion outside the HCP boundaries; with the exception of den destruction, which would require consultation with the USFWS and CDFW before such an activity could be conducted outside the HCP boundaries.	Prior to construction-related activities. On-going.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings, if applicable.	County of Tulare Planning Department	Qualified biologist.			
CULTURAL RESOURCES							
3.5-1. In the event that historical, archaeological or paleontological resources are discovered during site excavation, the County shall require that grading and construction work on the Project site be immediately suspended until the significance of the features can be determined by a qualified archaeologist or paleontologist. In this event, the specialists shall provide recommendations for measures necessary to protect any site determined to contain or constitute an	Prior to and during construction-related activities (e.g. cell excavating, storm water retention, etc.).	Approval by Tulare County RMA	County of Tulare Planning Department	Qualified archaeologist or paleontologist.			

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historical resource, a unique archaeological resource, or a unique paleontological resource or to undertake data recover, excavation analysis, and curation of archaeological or paleontological materials. County staff shall consider such recommendations and implement them where they are feasible in light of Project design as previously approved by the County.							
3.5-2. The project proponent shall avoid and minimize impacts to paleontological resources. If a potentially significant paleontological resource is encountered during ground disturbing activities, all construction within a 100-foot radius of the find shall immediately cease until a qualified paleontologist determines whether the resources requires further study. The project proponent shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The paleontologist shall notify the Tulare County Resource Management Agency and the project proponent of the procedures that must be followed before construction is allowed to resume at the location of the find. If the find is determined to be significant and the Tulare County Resource Management Agency determines avoidance is not feasible, the paleontologist shall design and implement a data recovery plan consistent with applicable standards. The plan shall be submitted to the Tulare County Resource Management Agency for review and approval. Upon approval, the plan shall be incorporated into the project.	Prior to and during construction-related activities (e.g. cell excavating, storm water retention, etc.).	Approval by Tulare County RMA	County of Tulare Planning Department	Qualified archaeologist or paleontologist.			

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<p>3.5-3. Consistent with Section 7050.5 of the California Health and Safety Code and (CEQA Guidelines) Section 15064.5, if human remains of Native American origin are discovered during project construction, it is necessary to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Public Resources Code Sec. 5097). In the event of the accidental [that is, unanticipated] discovery or recognition of any human remains in any location other than a dedicated cemetery; the following steps should be taken:</p> <ol style="list-style-type: none"> 1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: <ol style="list-style-type: none"> a. The Tulare County Coroner/Sheriff must be contacted to determine that no investigation of the cause of death is required; and b. If the coroner determines the remains to be Native American: <ol style="list-style-type: none"> i. The coroner shall contact the Native American Heritage Commission within 24 hours. ii. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the 	Prior to and during construction-related activities (e.g. cell excavating, storm water retention, etc.).	Approval by Tulare County RMA, Tulare County Coroner/Sheriff	County of Tulare Planning Department, Tulare County Coroner/Sheriff	Qualified archaeologist or paleontologist.			

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Woodville Disposal Site Project
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<p>deceased Native American.</p> <p>iii. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code section 5097.98, or</p> <p>2. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p> <p>a. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.</p> <p>b. The descendant fails to make a recommendation; or</p> <p>c. The landowner or his authorized representative rejects the recommendation of the descendent.</p>							

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Woodville Disposal Site Project
SCH No. 2018121007

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TRANSPORTATION/TRAFFIC							
TRA 3.17-1 Recommended Intersection Improvements							
3.17-1.a. SR 63 at SR 137. Recommended improvements to achieve acceptable levels of service: <ul style="list-style-type: none">Cumulative Year 2040 No Project and Plus Project scenarios:<ul style="list-style-type: none">Widen the northbound approach to 2 left turn lanes, 2 through lanes, and 1 right turn lane with overlap phasing (adding 1 left turn and 1 right turn)Widen the southbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane with overlap phasing (adding 1 through lane)Widen the eastbound approach to 2 left turn lanes, 2 through lanes, and 1 right turn lane with overlap phasing (adding 1 left turn)Widen the westbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane (adding 1 right turn) <p>The improvements identified above for the Cumulative Year 2040 No Project and Plus Project scenarios are sufficient to meet the existing Measures of Effectiveness (MOE) of the intersection.</p>	TBD following consultation with Caltrans.	Payment of Fees TBD following consultation with Caltrans.	Tulare County Planning Department & Caltrans	Tulare County Planning Department			

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3.17-1.b. Road 140 at SR 137. Recommended improvements to achieve acceptable levels of service: <ul style="list-style-type: none"> Cumulative Year 2040 No Project and Plus Project scenarios: <ul style="list-style-type: none"> Widen the eastbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane (adding 1 through lane and 1 right turn) Widen the westbound approach to 1 left turn lane, 2 through lanes, and 1 right turn lane (adding 1 through lane and 1 right turn) <p>The improvements identified above for the Cumulative Year 2040 No Project and Plus Project scenarios are sufficient to meet the existing Measures of Effectiveness (MOE) of the intersection. It should be noted that SR 137 between SR 63 and the City of Lindsay is planned to be widened from 2 to 4-lanes. The project is listed in the TCAG 2018 RTP Financially Unconstrained Project list.</p>	TBD following consultation with Caltrans.	Payment of Fees TBD following consultation with Caltrans.	Tulare County Planning Department	Tulare County Planning Department			
3.17-1.c. Road 152 at SR 137. Recommended improvements to achieve acceptable levels of service: <ul style="list-style-type: none"> Cumulative Year 2040 No Project and Plus Project scenarios: <ul style="list-style-type: none"> Widen the eastbound approach to 1 left turn lane and 2 through lanes with a shared right (adding 1 through lane) Widen the westbound approach to 1 left 	TBD following consultation with Caltrans.	TBD following consultation with Caltrans.	Tulare County Planning Department	Tulare County Planning Department			

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Woodville Disposal Site Project
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<p>turn lane and 2 through lanes (adding 1 through lane)</p> <p>The improvements identified above for the Cumulative Year 2040 No Project and Plus Project scenarios are sufficient to meet Caltrans' acceptable LOS standard of 'C'. It should be noted that SR 137 between SR 63 and the City of Lindsay is planned to be widened from 2 to 4-lanes. The project is listed in the TCAG 2018 RTP Financially Unconstrained Project list.</p>							
<p>3.17-1.d. Road 192 at SR 190. Recommended improvements to achieve acceptable levels of service:</p> <ul style="list-style-type: none"> • Cumulative Year 2040 No Project and Plus Project scenarios: <ul style="list-style-type: none"> ○ Widen the northbound approach to 1 left turn lane, 1 through lane, and 1 right turn lane (adding 1 left turn lane and 1 right turn) ○ Widen the southbound approach to 1 left turn lane and 1 through lane with a shared right (adding 1 left turn lane) ○ Widen the eastbound approach to 1 left turn lane and 1 through lane with a shared right (adding 1 left turn lane) ○ Widen the westbound approach to 1 left turn lane, 1 through lane, and 1 right turn lane (adding 1 left turn lane and 1 right turn) <p>The improvements identified above for the Cumulative</p>	TBD following consultation with Caltrans.	TBD following consultation with Caltrans.	Tulare County Planning Department	Tulare County Planning Department			

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Woodville Disposal Site Project
SCH No. 2018121007

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Year 2040 No Project and Plus Project scenarios are sufficient to meet Caltrans' acceptable LOS standard of 'C'							
3.17-1.e. Rockford Road at SR 190. Recommended improvements to achieve acceptable levels of service: <ul style="list-style-type: none"> Cumulative Year 2040 No Project and Plus Project scenarios: <ul style="list-style-type: none"> Installation of a four-way stop; <u>or</u> Installation of a traffic signal; <u>or</u> Installation of a roundabout <p>The Four-Way Stop controlled intersection improvement identified above for the Cumulative Year 2040 No Project is sufficient to meet Caltrans' acceptable LOS standard of 'C'. The Four-Way Stop would achieve LOS 'D' under the Cumulative Year 2040 Plus Project scenario. The Traffic Signal and Roundabout controlled intersection improvements identified above for the Cumulative Year 2040 No Project and Plus Project scenarios are sufficient to meet Caltrans' acceptable LOS standard of 'C'.</p>	TBD following consultation with Caltrans.	TBD following consultation with Caltrans.	Tulare County Planning Department	Tulare County Planning Department			
TRA 3.17-2 Recommended Road Segment Improvements							
3.17-2.a. SR 137 between SR 63 and Road 140. Recommended improvements to achieve acceptable levels of service: <ul style="list-style-type: none"> Cumulative Year 2040 No Project and Plus Project scenarios: 	TBD following consultation with Caltrans.	TBD following consultation with Caltrans.	Tulare County Planning Department	Tulare County Planning Department			

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<ul style="list-style-type: none"> ○ Widen the eastbound travel lane from 1 to 2 lanes (adding 1 travel lane) ○ Widen the westbound travel lane from 1 to 2 lanes (adding 1 travel lane) <p>The improvements identified above for the Cumulative Year 2040 No Project and Plus Project scenarios are sufficient to meet Caltrans' acceptable LOS standard of 'C'. It should be noted that SR 137 between SR 63 and the City of Lindsay is planned to be widened from 2- to 4-lanes. The project is listed in the TCAG 2018 RTP Financially Unconstrained Project list.</p>							
TRIBAL CULTURAL RESOURCES							
18-1. In the event that historical, archaeological or paleontological resources are discovered during site excavation, the County shall require that grading and construction work on the Project site be immediately suspended until the significance of the features can be determined by a qualified archaeologist or paleontologist. In this event, the property owner shall retain a qualified archaeologist/paleontologist to provide recommendations for measures necessary to protect any site determined to contain or constitute an historical resource, a unique archaeological resource, or a unique paleontological resource or to undertake data recover, excavation analysis, and curation of archaeological or paleontological materials. County staff shall consider such recommendations and implement them where they are feasible in light of Project design as previously approved by the County.	Prior to and during construction-related activities (e.g. cell excavating, storm water retention, etc.).	Approval by Tulare County RMA	County of Tulare Planning Department	Qualified archaeologist or paleontologist.			

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<p>18-2. Consistent with Section 7050.5 of the California Health and Safety Code and (CEQA Guidelines) Section 15064.5, if human remains of Native American origin are discovered during Project construction, it is necessary to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Public Resources Code Sec. 5097). In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:</p> <ol style="list-style-type: none"> 1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: <ol style="list-style-type: none"> a. The Tulare County Coroner/Sheriff must be contacted to determine that no investigation of the cause of death is required; and b. If the coroner determines the remains to be Native American: <ol style="list-style-type: none"> i. The coroner shall contact the Native American Heritage Commission within 24 hours. ii. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. 	During Construction. Daily or as needed throughout the construction period if suspicious resources are discovered.	Tulare County Planning Department, Tulare County Coroner/Sheriff	Tulare County Planning Department, Tulare County Coroner/Sheriff	A qualified archaeologist shall document the results of field evaluation and shall recommend further actions that shall be taken to mitigate for unique resource or human remains found, consistent with all applicable laws including CEQA.			

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<p>iii. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code section 5097.98, or</p> <p>2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p> <p>a. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.</p> <p>b. The descendant fails to make a recommendation; or</p> <p>c. The landowner or his authorized representative rejects the recommendation of the descendent.</p>							