



FINAL INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION
STANISLAUS ELEMENTARY SCHOOL 1,2,3-TCP MITIGATION PROJECT
STATE CLEARINGHOUSE NO. 2024121117

FEBRUARY 11, 2025

PREPARED FOR:
CITY OF MODESTO
1010 10TH STREET MODESTO, CA 95354



PREPARED BY:



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FINAL INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

For the proposed:

Stanislaus Elementary School 1,2,3-TCP Mitigation Project
Draft Initial Study/ Mitigated Negative Declaration
SCH# 2024121117

CITY OF MODESTO, STANISLAUS COUNTY, CALIFORNIA

FEBRUARY 11, 2025

PREPARED FOR:

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1.0 INTRODUCTION

Pursuant to California Environmental Quality Act (CEQA) Section 15073, City of Modesto has prepared responses to comments received during the 30-day public review period for the Draft IS/MND for Stanislaus Elementary School 1,2,3-TCP Mitigation Project (SCH# 2024121117). Response to comments is included in this document.

The IS/MND, Appendices, and the Final Mitigation Monitoring and Reporting Program (MMRP) together comprise the Final IS/MND that the City of Modesto, as the Lead Agency for CEQA, will utilize to certify that the Stanislaus Elementary School 1,2,3-TCP Mitigation Project is compliant with CEQA. This Final IS/MND document is organized into five sections:

Section 1—Introduction.

Section 2—Response to Comments: Provides a list of the agencies, organizations, and individuals who commented on the Draft IS/MND during the 30-day public review period, which began on December 28, 2024, and ended on January 28, 2025. Copies of all letters received on the Draft IS/MND and written responses to these comments are included in this section.

Section 3—Final Mitigation Monitoring and Reporting Program (MMRP).

Section 4—Final IS/MND and Appendices (Separate Cover).

The Draft IS/MND has no revisions resulting from public review and comment. Therefore, the Final IS/MND contains no Errata. Revisions were agreed to and incorporated into plans for the Project prior to public review. Mitigation measures, which avoid or reduce potentially significant adverse impacts to less than significant levels are incorporated into the MMRP for the Project. Due to revisions in Project plans and the requirements of the MMRP, there is no substantial evidence that the Project will have a significant effect on the environment. As the Lead Agency for CEQA, the City of Modesto has determined that this Final IS/MND provides sufficient analysis and fully discloses reasonably anticipated impacts from implementing the Project, that the Project is not growth inducing, and that all Project impacts can be reduced to less than significant levels.

This Final IS/MND has been completed in compliance with CEQA. The City intends to utilize this document as a basis for decision making on the Project. As the Lead Agency, the City will also utilize the information in this document to make an environmental determination, that an EIR is not needed and the Project will have less than significant impacts on the environment with the implementation of the MMRP pursuant to CEQA Statute and Guidelines (Public Resources Code 21000-21189) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387).



2.0 RESPONSE TO PUBLIC COMMENTS

The 30-day Public Review Period for the Project started on December 28, 2024, and concluded on January 29, 2025. During the public review period, emails were received from Stanislaus County Public Works Department and Stanislaus County Planning and Community Development Department. A comment letter was received from the Central Valley Regional Water Quality Control Board.

TABLE 1: SUMMARY OF COMMENTERS

Comment Letter No.	Person, Firm, or Agency	Letter Dated
1	Andrew Malizia, PE, Deputy Director County of Stanislaus, Public Works Department Development Services, Traffic & Special Projects	December 31, 2024
2	Teresa McDonald, Associate Planner County of Stanislaus, Planning and Community Development	December 31, 2024
3	Central Valley Regional Water Quality Control Board Peter G. Minkel, Engineering Geologist	January 21, 2025

For each comment, a written response was given to ensure that comments from the agency were thoroughly evaluated and incorporated into the final document for a comprehensive and meaningful review of the proposed Project. The Comment Numbers are correlated with the bracketed and identified portions of each comment letter. The comment letter is presented on the following pages and has been keyed to responses to agency comments in the comment matrix that follows the letter in this package.

COMMENT LETTER 1

Andrew Malizia, PE, Deputy Director
County of Stanislaus, Public Works Department
Development Services, Traffic & Special Projects

From: [Andrew Malizia](#)
To: [Teresa McDonald](#); [Jim Alves](#)
Cc: [Isael Ojeda](#); [Jeremy Ballard](#)
Subject: RE: Stanislaus Elementary School 1,2,3-TCP Mitigation Project
Date: Tuesday, December 31, 2024 2:33:07 PM

External Email: Please use caution when clicking links and/or opening attachments.

Thanks for the CC.

No Comments from PW. MM-TRAF-01 & -02 look acceptable to me.

Andrew Malizia, PE

Deputy Director

Development Services, Traffic & Special Projects

Stanislaus County Public Works

1010 10th Street, Suite 4204

Modesto, CA 95354

209 | 525-4302

Comment 1

COMMENT LETTER 2

Teresa McDonald, Associate Planner
County of Stanislaus, Planning and Community Development

From: [Teresa McDonald](#)
To: [Jim Alves](#)
Cc: [Andrew Malizia](#); [Isael Ojeda](#); [Jeremy Ballard](#)
Subject: Stanislaus Elementary School 1,2,3-TCP Mitigation Project
Date: Tuesday, December 31, 2024 12:42:47 PM
Attachments: [0219_001.pdf](#)

Comment 1

External Email: Please use caution when clicking links and/or opening attachments.

Good afternoon Jim,

Planning does not have a comment at this time. I have included Public Works on this response in the event they wish to comment on the project.

Andrew and Isael, the draft Initial Study/ Mitigated Negative Declaration may be found here for reference: https://files.ceqanet.opr.ca.gov/309082-1/attachment/6FpshZW98iJvsiQe5ji2w9xsKbFnPlnXrOmpOfYtOqW84DxwoQX6sKGPvfuE4fSoSRgWfh_pR56vQINis0

Comment 2

Teresa McDonald
Associate Planner
Planning and Community Development
(209)525-6330

Due to high volume, appointments are strongly recommended and will be given priority over walk-ins. For information on how to schedule an appointment please go to <http://www.stancounty.com/planning/phone-mail-options.shtm>

COMMENT LETTER 3

Central Valley Regional Water Quality Control Board
Peter G. Minkel, Engineering Geologist

Central Valley Regional Water Quality Control Board

21 January 2025

Jim Alves
City of Modesto Utilities Department
1010 Tenth Street, Third Floor
Modesto, CA 95354
jalves@modestogov.com

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, STANISLAUS ELEMENTARY SCHOOL 1,2,3-TCP MITIGATION PROJECT, SCH#2024121117, STANISLAUS COUNTY

Pursuant to the State Clearinghouse's 24 December 2025 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Stanislaus Elementary School 1,2,3-TCP Mitigation Project, located in Stanislaus County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by

Comment 3

the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

Comment 3
(Continued)

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality/certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

Comment 3
(Continued)

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

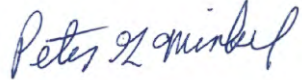
https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

Comment 3
(Continued)

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.



Peter G. Minkel
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,
Sacramento

Comment 3

(Continued)



RESPONSE TO COMMENTS MATRIX

Commenter	Comment Number	Comment	Response	Revision(s) to IS/MND
Andrew Malizia, PE, Deputy Director County of Stanislaus Public Works, Development Services, Traffic & Special Projects	1	December 31, 2024 SENT VIA EMAIL: [REDACTED] Jim Alves, Senior Civil Engineer City of Modesto Public Works, Utilities Department 1010 Tenth Street, Third Floor Modesto, CA 95354	Thank you. Comment 1 states that the County of Stanislaus Public Works, Development Services, Traffic & Special Projects, has no comments on the environmental analysis in the IS/MND. No revisions are needed.	No revisions to the IS/MND are needed.
Teresa McDonald, Associate Planner County of Stanislaus, Planning and Community Development	2	December 31, 2024 SENT VIA EMAIL: [REDACTED] Jim Alves, Senior Civil Engineer City of Modesto Public Works, Utilities Department 1010 Tenth Street, Third Floor Modesto, CA 95354	Thank you. Comment 2 states that the County of Stanislaus Planning and Community Development Department has no comments on the environmental analysis in the IS/MND. No revisions are needed.	No revisions to the IS/MND are needed.
Peter G. Minkel, Engineering Geologist Central Valley Regional Water Quality Control Board	3	January 21, 2025 SENT VIA Mail Jim Alves, Senior Civil Engineer City of Modesto Public Works, Utilities Department 1010 Tenth Street, Third Floor Modesto, CA 95354	This a form letter explaining authority and hierarchy of water quality regulations under jurisdiction of the Central Valley Regional Water Quality Control Board. The Project will construct water mains and a service lateral to an existing elementary school. Construction will not intercept groundwater which is at 40 feet below ground surface. Construction will temporarily disturb approximately 0.03 acres, which will be returned to pre-project conditions after construction. Direct impacts on wetlands or other surface waters under state or federal jurisdiction are not proposed. Mitigation measures require the contractor to develop and implement a Storm Water Pollution Prevention Plan (SWPPP) consistent with local regulations to prevent pollutants from entering surface water and groundwater, to protect water quality in receiving waters and beneficial uses of groundwater and surface waters. The SWPPP is a requirement specified in MM HYDRO-01 and HYDRO-02 found on IS/MND pages 78 and 79, and in the MMRP circulated for public review and comment. Compliance with the MMRP will be verified through the standard application of the plan check and inspection process. Therefore, indirect temporary construction impacts on water quality are less than significant with the implementation of the MMRP.	No revisions to the IS/MND are needed.

4.0 MITIGATION MONITORING AND REPORTING PROGRAM

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DRAFT MITIGATION MONITORING AND REPORTING PROGRAM
 FOR STANISLAUS ELEMENTARY SCHOOL 1,2,3-TCP MITIGATION PROJECT
 SCH# 2024121117

The following is a Mitigation Monitoring and Reporting Program (MMRP) for Stanislaus Elementary School 1,2,3-TCP Mitigation Project located in Modesto, and Unincorporated Stanislaus County, California. This MMRP has been prepared pursuant to Section 15097 of the CEQA Guidelines and Section 21081.6 of the Public Resources Code. This MMRP lists all applicable Project Mitigation Measures (MM), Standard Conditions (SC), and environmental commitments for executing Best Management Practices provided by the Project Applicant that are required to be implemented with the Project under existing Plans, Programs, and Policies for environmental resource protection. This MMRP includes implementation timing and responsible party to ensure proper enforcement of all MMs to reduce Project impacts. The City of Modesto, as the Lead Agency, will utilize the MMRP to document the implementation of Project mitigation and BMP environmental commitments, which ensure all project impacts are reduced to less than significance pursuant to The California Environmental Quality Act (CEQA).

Issue	Potentially Significant Impact reduced to Less than Significant with Mitigation Incorporated	Recommended Mitigation Measure	Timing	Responsible Party	Date Completed and Initials
Aesthetics	d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	MM AES-01: Construction Lighting Plan- Prior to Project approval, the City of Modesto Utilities Department shall verify that Plans and Specifications for the Project show temporary lighting measures prior to and throughout nighttime construction activities (dusk to dawn) which minimize lighting on adjacent parcels. Plans and Specifications for the Project shall include directing light sources away from residential properties and structures that may be occupied on a 24-hour basis such as hotels. City inspectors shall verify that uplighting is minimized to the maximum extent by angling light sources down and fitting light sources with covered bulbs, shields, and dimmers and temporary boundary fencing around active areas of construction throughout the duration of nighttime construction.	Prior to start of construction and throughout construction	City Engineer, Project contractor, and City inspectors	Initials: _____ Date: _____
		MM AES-02: Coordination with Private Landowners- At least four (4) weeks prior to the start of construction, the City and the contractor shall coordinate with private owners and obtain written landowner approval for construction activities on private property in the form of a signature on the plan sheet showing the proposed work. Restoration work on private property shall be agreed upon approved by the landowner and the City in advance of construction. Restoration shall be certified by the landowner and the City upon completion as adequately meeting the City's private landowner's requirements.	At least four (4) weeks prior to the start of construction and upon completion of construction	The City of Modesto Engineering Department, Project Contractor	Initials: _____ Date: _____



Issue	Potentially Significant Impact reduced to Less than Significant with Mitigation Incorporated	Recommended Mitigation Measure	Timing	Responsible Party	Date Completed and Initials
Agriculture and Forestry Resources	b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<p>MM AG-01: Buffer and Setback Guidelines- Throughout Project construction and earthworks, the City Inspectors shall verify that Project contractor incorporates and implements the following measures where portions of the Project Alignment and the adjoining agricultural operation share a common parcel line:</p> <ul style="list-style-type: none"> - Buffer: Establish a 6-foot-high chain link fence with a shade cloth between construction activities within the public right-of-way and agricultural land uses; - Refuse Disposal and Containers: Refuse containers with fastened lids shall be placed and used in areas of active construction and staging. Refuse containers shall be emptied and the refuse removed from the construction areas and disposed of off-site at an appropriate disposal site at the end of each day. - Site Inspections: At the beginning and end of each day, the Project contractor shall conduct a site inspection so that all debris is removed from the Project Site. 	Throughout Project construction and earthworks.	City inspectors and Project contractor	Initials: _____ Date: _____
		See Mitigation Measure MM HYDRO-02: Stormwater BMPs throughout Project Construction.	Prior to Project construction and the issuance of building permits.	City of Modesto Engineering Department, Project Contractor	Initials: _____ Date: _____
Air Quality	a) Conflict with or obstruct implementation of the applicable air quality plan?	MM AQ-01: Dust Control and Construction Emissions- Throughout Project construction the contractor shall implement appropriate dust control best management practices, such as regular sweeping of track-out areas, covered haul loads and cover stockpiles, as well as check equipment idling so that equipment that is not actively in use is not left idling more than 5 minutes.			
Biological Resources	a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of	<p>MM BIO-01: Pre-construction Bird and Wildlife Clearance Surveys, Training, Monitoring, and Inspections</p> <p>a) Migratory Birds and Birds of Prey Survey and Report: Pre-construction clearance surveys shall be conducted fifteen (15) days and three (3) days prior to construction, for nesting migratory birds, raptors, and birds of prey, by the City's Qualified Biologist. A</p>	Three days prior to Project construction if Project activities occur between February 1 st and August 31 st .	Project Biologist, City of Modesto Engineering Department	Initials: _____ Date: _____



Issue	Potentially Significant Impact reduced to Less than Significant with Mitigation Incorporated	Recommended Mitigation Measure	Timing	Responsible Party	Date Completed and Initials
<p>Biological Resources</p>	<p>Fish and Game or U.S. Fish and Wildlife Service?</p> <p>a) Continued...</p>	<p>negative survey report from the City’s Qualified Biologist shall be on file with the City prior to the start of any vegetation removal or ground disturbing activities so that no nesting birds, including birds of prey or raptors, will be disturbed during construction. The City’s Biologist conducting the clearance survey should document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur and copies of the report kept on file in the construction management office for the Project and at City Hall. If there is a lapse in construction longer than 7 days, pre-construction surveys and reports shall be repeated by the City’s Qualified Biologist and kept on file with the City and construction management office.</p> <p>b) Crew Training: Crew training shall be provided by the City’s Qualified Biologist prior to construction to inform construction staff of the types of birds and wildlife that may be encountered during construction and the appropriate next steps that should be taken to avoid take.</p> <p>c) Active Nests: If an active avian nest is discovered, construction activities should stay outside of a no-disturbance buffer established by the City’s Qualified Biologist. The size of the no-disturbance buffer will be determined by the City’s Qualified Biologist and will depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and the construction activity, type and duration of construction activity, ambient noise, species habituation, and topographical barriers. These factors will be evaluated on a case-by-case basis when developing buffer distances. Limits of construction to avoid an active nest will be established and installed by the City’s Qualified Biologist in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas.</p> <p>d) Monitoring and Inspections: The contractor shall inspect construction and materials staging/stockpiles daily at the start and end</p>			



Issue	Potentially Significant Impact reduced to Less than Significant with Mitigation Incorporated	Recommended Mitigation Measure	Timing	Responsible Party	Date Completed and Initials
<p>Biological Resources</p>	<p>a) Continued...</p>	<p>of each day for wildlife and verify that storage areas are covered and secured, and that debris/refuse is removed from the job site daily. If wildlife is encountered within construction and staging areas, the contractor shall immediately contact the City’s Qualified Biologist to determine and implement appropriate handling, establishment of a buffer, and next steps for passive relocation and entrapment prevention. A Qualified Biological monitor should be present to delineate the boundaries of buffer areas and to monitor any type of wildlife present near construction so that active nests, protected species, and nesting behavior are not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive or wildlife is protected under natural conditions, construction activities within the buffer area can occur. If wildlife is encountered within construction areas or within buffers, the City’s Qualified Biologist shall be immediately notified to determine and implement the appropriate next steps.</p> <p>MM BIO-02: Swainson’s hawk:</p> <p>a) Swainson’s hawk: Prior to start of construction, a preconstruction Swainson’s Hawk survey shall be conducted within a minimum of a half-mile radius around the Project in accordance with the five-period schedule, provided by the Swainson’s Hawk Technical Advisory Committee, as follows:</p> <ul style="list-style-type: none"> • January to March 20- One (1) Survey, All Day • March 20 to April 5- Three (3) Surveys, Sunrise to 1000 / 1600 to Sunset • April 5 to April 20- Three (3) Surveys, Sunrise to 1200 / 1630 to Sunset • April 21 to June 10- Monitoring • June 10 to July 30- Three (3) Surveys, Sunrise to 1200 / 1600 to Sunset 			



Issue	Potentially Significant Impact reduced to Less than Significant with Mitigation Incorporated	Recommended Mitigation Measure	Timing	Responsible Party	Date Completed and Initials
		<p>b) Swainson’s hawk Nests: If an occupied nest of the SWHA is found and may be impacted by construction, the City’s Biologist should consult with CDFW and demonstrate compliance with CESA. In addition, the City’s Biologist shall establish an adequate buffer between construction activities and the active nests that will prevent disruption of the nests until the young have fledged the nests.</p>			
Cultural Resources	b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<p>MM CUL-01: Worker Environmental Awareness Training (WEAP). Prior to the initiation of ground-disturbing activities, the City shall hire a Qualified Archaeologist according U.S. Secretary of the Interior Professional Qualifications Standards for Archaeology to write and prepare a WEAP training program. The City may provide personnel to deliver the WEAP training to field personnel regarding archaeological resources and the possibility of buried prehistoric or historic cultural deposits. If any subsurface cultural resources are encountered during Project construction activities within 50 feet of the encounter shall be halted and the City and the City’s qualified archeologist shall be called to examine these materials, determine their significance, and implement the appropriate next steps such as:</p> <ul style="list-style-type: none"> a) Preservation in place, or b) Excavation, recovery, and curation by qualified professionals. 	Prior to the initiation of ground-disturbing activities.	City of Modesto Engineering Department, Project Archeologist, Field personnel, Project contractor	Initials: _____ Date: _____
Cultural Resources	b) Continued...	<p>MM CUL-02: Cultural Resources Discovery. In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find should cease and a qualified archaeologist shall be called to assess the significance of the find. The qualified archaeologist shall have the authority to stop or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing on the California Register or the National Register, plans for the treatment, evaluation, and mitigation of impacts to the find will need to be developed. Prehistoric or historic cultural materials that may be encountered during ground-disturbing activities include:</p> <ul style="list-style-type: none"> - historic artifacts such as glass bottles and fragments, cans, nails, ceramic and pottery fragments, and other metal objects; 	Throughout construction	City of Modesto Engineering Department, Contractor, Project Archeologist	Initials: _____ Date: _____



Issue	Potentially Significant Impact reduced to Less than Significant with Mitigation Incorporated	Recommended Mitigation Measure	Timing	Responsible Party	Date Completed and Initials
		<ul style="list-style-type: none"> - historic structural or building foundations, walkways, cisterns, pipes, privies, and other structural elements; - prehistoric flaked-stone artifacts and debitage (waste material), consisting of obsidian, basalt, and or cryptocrystalline silicates; - groundstone artifacts, including mortars, pestles, and grinding slabs; - dark, greasy soil that may be associated with charcoal, ash, bone, shell, flaked stone, groundstone, and fire affected rocks. 			
	c) Disturb any human remains, including those interred outside of dedicated cemeteries?	MM CUL-03: Human Remains: If human remains are encountered during the undertaking, State Health and Safety Code Section 7050.5 states that no disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.	Throughout Construction	Contractor, County Coroner, City of Modesto Engineering Department	Initials: _____ Date: _____
Energy	a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?	MM EN-01: Idling Regulation for On-Road Diesel-Fueled Equipment. Throughout Project construction, on-road diesel-fueled equipment weighing more than 10,000 pounds must comply with California Air Resources Board (CARB) adopted idling regulation which states that heavy duty vehicles are prohibited from idling more than five (5) minutes in any one location. This regulation will be enforced throughout Project construction by the Project contractor and inspections by the City of Modesto Engineering Department and/or Utilities Department.	Throughout Project construction	Project contractor, City Inspector	Initials: _____ Date: _____
Geology and Soils	b) Result in substantial soil erosion or the loss of topsoil?	MM GEO-01: Site Clearing. Prior to site grading, the Contractor shall clear all construction areas of existing structures including all asphalt concrete pavements, rubble, deleterious debris, if any, and any other surface and subsurface items designated for removal to expose undisturbed firm and stable native soils. This work shall be verified by the City Inspector. Where practical, the clearing should extend a minimum of five feet beyond the limits	Prior to site grading.	Geotechnical Engineer, Project contractor, City of Modesto	Initials: _____ Date: _____



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Geology and Soils	b) Continued...	of the proposed structure areas of the site. Existing underground utilities to be abandoned should be completely removed, including existing trench backfill. Depressions from removal of underground structures (e.g., foundations, utilities, etc.) should be cleaned of loose soil and properly backfilled pursuant to MM GEO-10: Utility Trench Backfill .		Engineering Department	
		MM GEO-02: Stripping. After completion of clearing operations, the Contractor shall remove any remaining vegetation and organically contaminated topsoil should be removed by stripping. Materials from stripping may be stockpiled for later use or disposed of off-site and should not be used in general fill construction, but may be used in non-structural areas, provided they are kept at least five feet from structural areas, moisture conditions and compacted. Compliance shall be verified by the City or County Inspector.	Upon clearing operations.	Geotechnical Engineer, Project contractor, City of Modesto Engineering Department	Initials: _____ Date: _____
Geology and Soils	b) Continued...	MM GEO-03: Discing. Depending on site conditions and quantity of organics at time of grading, discing may be suitable in lieu of stripping. However, the decision must be made by a licensed Geotechnical Engineer at the time of earthwork construction. Discing operation, if approved, should be observed by the Geotechnical Engineer's representative and be continuous until the organics are adequately mixed into the surface soils to provide a compactable mixture of soil containing minor amounts of organic matter. Pockets or concentrations of organics will not be allowed. Compliance shall be verified by the Inspector.	Throughout Project construction.	Geotechnical Engineer, Project contractor, City of Modesto Engineering Department	Initials: _____ Date: _____
		MM GEO- 04: Aeration for Soils with High Moisture Content. Upon the discovery of high moisture content within subgrade soils and excavated soils, considerable aeration to reach a moisture content that will permit the specified degree of compaction to be achieved shall be implemented by the Contractor and verified by Inspector. Aeration may include deep ripping to the top of the hardpan, mixing wetter soils with drier soils onsite, and/or windrows to dry the existing subgrade soils and the Project schedule should allow for adequate drying of the subgrade to achieve compactable moisture content.	Upon the discovery of high moisture content within subgrade soils and excavated soils.	Geotechnical Engineer, Project contractor, City of Modesto Engineering Department	Initials: _____ Date: _____



Issue	Potentially Significant Impact reduced to Less than Significant with Mitigation Incorporated	Recommended Mitigation Measure	Timing	Responsible Party	Date Completed and Initials
Geology and Soils	b) Continued...	<p>MM GEO-05: Existing Pavement. Existing Pavement and flatworks (asphalt concrete and concrete) that are not incorporated into the new design should be broken up and removed from the site. Alternatively, pulverized asphalt and Portland cement concrete rubble may be used as fill by the Contractor as verified by the Inspector provided it is processed into fragments less than three inches in largest dimension, is mixed with soil or aggregate base to form a compactable mixture, and its use is approved by the Owner.</p>	Throughout Project construction.	Geotechnical Engineer, Project contractor, City of Modesto Engineering Department	Initials: _____ Date: _____
		<p>MM GEO-06: Scarification and Compaction. Compaction of all subgrade soils should be performed using a heavy, self-propelled, sheepsfoot compactor capable of achieving the required compaction and must be performed by the Contractor in the presence of the Geotechnical Engineers' representative. It is recommended that construction bid documents contain unit price (price per cubic yard) for additional excavation due to unstable wet soil or the presence of unsuitable materials and replacement with engineered fill.</p>	Throughout Project construction.	Geotechnical Engineer, Project contractor, City of Modesto Engineering Department	Initials: _____ Date: _____
		<p>MM GEO-07: Engineered Fill Construction. If imported fill materials are required for the Project, imported fill materials should be granular materials with a Plasticity Index of 15 or less; an expansion Index of 20 or less; an organic content less than four percent; do not contain particles greater than three inches in maximum dimension, and shall be within a compactable moisture content. The Geotechnical Engineer must approve the imported fill three days prior to being transported on the Project Site and the contract must have appropriate documentation that the imported fill is clean of known contamination per DTSC and within acceptable corrosion limits.</p>	If fill materials are required for the Project.	Geotechnical Engineer, Project contractor, City of Modesto Engineering Department	Initials: _____ Date: _____
		<p>MM GEO-08: Excavation and Fill Slopes. Permanent excavation and fill slopes should be constructed by the Contractor and verified by the Inspector as no steeper than two horizontals to one vertical (2H:1V) and should be vegetated as soon as practical following grading to minimize erosion in addition to the implementation of the following erosion control measures pursuant to MM HYDRO-01: Local SWPPP and MM HYDRO-02: Stormwater BMPs Throughout Project Construction.</p>	Throughout Project construction.	Geotechnical Engineer, Project contractor, City of Modesto Engineering Department	Initials: _____ Date: _____



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Geology and Soils	b) Continued...	MM GEO-09: Monitoring during Excavation. Throughout earthworks and excavation activities, the Geotechnical Engineer’s representative shall be present on a regular basis during all earthwork operations to observe and test the engineered fill and to verify compliance with Geotechnical Engineer recommendations as well as Project plans and specifications.	Throughout Project construction.	Geotechnical Engineer, Project contractor, City of Modesto Engineering Department	Initials: _____ Date: _____												
		MM GEO-10: Utility Trench Backfill. Utility trench backfill shall be mechanically compacted by the Contractor and verified by the Inspector as engineered fill. Bedding and initial backfill around and over the pipe should conform to the pipe manufacturers recommendations for the pipe materials selected and applicable sections of the governing agency standards. On-site soils shall be used as trench backfill. Utility backfills should be placed in thin lift, thoroughly moisture conditioned to at least the optimum moisture content, and compacted to at least 90 percent of the maximum dry density as determined by ASTM D1557. Within the upper six inches of pavement subgrade soil compaction of untreated soils should be increased to at least 95 percent relative compaction at less than the optimum moisture content. The lift thickness will depend on the type of compaction equipment used to backfill utility trenches.	Throughout Project construction.	Geotechnical Engineer, Project contractor, City of Modesto Engineering Department	Initials: _____ Date: _____												
		MM GEO-11: Pavement Design. New pavements should match adjacent pavement sections and be constructed in accordance with design requirements of the applicable jurisdiction, Kiernan Avenue (CalTrans) Tully Road (County of Stanislaus) Dale Road (City of Modesto). Recommended construction per the Project Geotechnical Engineer is as follows: PAVEMENT DESIGN ALTERNATIVES <table border="1" data-bbox="659 1157 1394 1411" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th rowspan="2" style="text-align: left;">Traffic Index (TI)</th> <th rowspan="2" style="text-align: left;">Pavement Use</th> <th colspan="2" style="text-align: left;">Pavement Subgrades R-value= 40</th> </tr> <tr> <th style="text-align: left;">Type A Asphalt Concrete (inches)</th> <th style="text-align: left;">Class 2 Aggregate Base (inches)</th> </tr> </thead> <tbody> <tr> <td>4.5</td> <td>Automobile Parking</td> <td>2 ½ *</td> <td>4.0</td> </tr> <tr> <td>6.0</td> <td></td> <td>3</td> <td>7.0</td> </tr> </tbody> </table>	Traffic Index (TI)	Pavement Use	Pavement Subgrades R-value= 40		Type A Asphalt Concrete (inches)	Class 2 Aggregate Base (inches)	4.5	Automobile Parking	2 ½ *	4.0	6.0		3	7.0	Upon the implementation of new pavement.
Traffic Index (TI)	Pavement Use	Pavement Subgrades R-value= 40															
		Type A Asphalt Concrete (inches)	Class 2 Aggregate Base (inches)														
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			Entry-Exit Drives, Truck Traffic and Fire Lanes	3 ½ *	6.0			
		Notes: *= Asphalt concrete thickness includes CALTRANS factor for safety.						
		The upper six inches of pavement subgrade soils should be compacted to at least 95 percent relative compaction at no less than the optimum moisture content (ASTM D1577). Pavement subgrades should be proof-rolled with a fully loaded, water truck to placement of aggregate base to identify soft/unstable areas that may require removal and re-compaction. In addition, there should be at least six inches of PCC pavement in areas subject to heavy wheel loading; and supported on at least four inches of compacted Class 2 aggregate base on the prepared subgrade.						
	f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	MM PALEO-01: Paleontological Monitoring. Prior to the initiation of earthworks and ground distributing activities, the City of Modesto Utilities Department is responsible for hiring a qualified paleontologist and developing a paleontological resource mitigation program that will be put in place to monitor, salvage, and curate any recovered fossils from the study area. The City Utilities Department will verify that paleontological monitoring is implemented during earthwork in native soils.			Prior to the initiation of earthworks and ground disturbing activities.	City of Modesto Utilities Department, Project contractor	Initials: _____ Date: _____	
Hazards and Hazardous Materials	b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	MM HAZ-01: Coordination with Stanislaus Union School District. Prior to start of Project construction, the Contractor shall provide the construction schedule to the Stanislaus Union School District, specifically Stanislaus Elementary School so that construction occurs when the school site is not in use. The contractor shall coordinate with the school district on an ongoing basis during construction and shall keep records of this coordination at the Project Site for review by the grading and building inspectors. sufficiently strong and well enough anchored to prevent the introduction of foreign material into the well and to protect the public from a potentially hazardous situation.			Prior to start of construction and ongoing during construction	Project contractor	Initials: _____ Date: _____	



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Hazards and Hazardous Materials	b) Continued...	MM HAZ-02: Hazardous Materials Manifest and Plan. Prior to the issuance of permits, the contractor shall provide a manifest of construction materials and a plan for proper handling, disposal, contingency, and emergency response to the City of Modesto Engineering Department, Stanislaus Consolidated Fire Protection District, and Stanislaus County for verification of adequate contingency measures for storage, use, and handling of potentially hazardous materials used, stored, and handled onsite during construction. Contractor compliance shall be monitored throughout construction. In the unlikely event of hazardous materials discovery within the Project Area, the Contractor shall notify the City of Modesto, as well as coordinate with Stanislaus Consolidated Fire Protection District and Stanislaus County.	Prior to the issuance of permits	Project Contractor, City of Modesto Engineering Department, Stanislaus Consolidated Fire Protection District, Stanislaus County	Initials: _____ Date: _____
	d) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	MM HAZ-01: Coordination with Stanislaus Union School District. Prior to start of Project construction, the Contractor shall provide the construction schedule to the Stanislaus Union School District, specifically Stanislaus Elementary School so that construction occurs when the school site is not in use. The contractor shall coordinate with the school district on an ongoing basis during construction and shall keep records of this coordination at the Project Site for review by the grading and building inspectors.	Prior to the start of Project construction	Project contractor	Initials: _____ Date: _____
	f) Impair implementation of or physically interfere with an adopted	See MM TRAF-01: Traffic Control Plan (TCP).	The TCP shall be approved by the City prior to	Project contractor, Stanislaus Union School District	Initials: _____ Date: _____
				City of Modesto City Engineering	Initials: _____



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Hydrology and Water Quality	a) Continued...	<ul style="list-style-type: none"> iv. Collect sediment-laden runoff in temporary sediment basins (EC-9), velocity dissipation devices (EC-10), sloop drains (EC-11), streambank stabilization (EC-12); Soil testing prior to start of construction to ensure selection of appropriate BMPs and prepare soil for vegetation enhancements (EC-15); 2. Detail sediment control measures pursuant to CASQA Factsheet SE-1 to SE-14 implementing soil prevention and control measures: <ul style="list-style-type: none"> i. Protect all stockpiles from stormwater run-on using temporary perimeter sediment barriers such as compost berms (SE-13), temporary silt dikes (SE-12), fiber rolls (SE-5), silt fences (SE-1), sandbags (SE-8), gravel bags (SE-6), or biofilter bags (SE-14). 3. Detail drain inlet protection in the public right-of-way pursuant to CASQA Factsheet SE-10 implement SE-2, Sediment Basin or SE-3, Sediment Trap and/or used in conjunction with other drainage control, erosion control, and sediment control BMPs to protect the site; 4. Detail stabilized entrance and egress from construction site to minimize track-out. 5. Detail on-site concrete wash out area to minimize track-out. 6. Detail stockpile management, material storage & delivery areas to minimize dust and control loose materials. 7. Detail solid waste management practices implementing waste disposal in covered waste receptacles. 8. Detail location of temporary sanitary waste facilities implementing proper disposal practices including: <ul style="list-style-type: none"> i. Place covered trash and recycling cans in accessible areas for use near active construction. ii. Cover and maintain dumpsters. Check frequently for leaks. Never clean a dumpster by hosing it down on-site where wash water can enter the storm drain system. iii. Dispose of trash daily. iv. Sweeping areas around dumpsters and prohibiting the disposal of liquid chemicals or waste in dumpsters. 9. List name and contact number of person responsible for implementation of and adherence to Local SWPPP. 			



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Hydrology and Water Quality	a) Continued...	10. State size of project in square feet or acres or cubic yards.			
		<p>MM HYDRO-02: Stormwater BMPs throughout Project Construction. Prior to start of Project construction and on an ongoing basis throughout construction, the City of Modesto Utilities Department shall verify that Best Management Practices for Construction from the SWPPP or functional equivalent are implemented by the contractor and verified with inspections throughout construction activities. Inspections by the City of Modesto will ensure that the Project contractor maintains the following BMPs for general business practice, vehicle maintenance, clean up, education, and erosion prevention:</p> <p>General Business Practice</p> <ol style="list-style-type: none"> 1. Schedule activities such as excavation, saw cutting, and paving during dry weather. 2. Keep materials out of the rain. Store them under cover with temporary roofs or plastic sheets/tarps, protected from rainfall, runoff, and wind. 3. Use as little water as possible for dust control to avoid excess runoff of sediment. 4. Keep pollutants off exposed surfaces. 5. Make sure portable toilets are in good working order. Check frequently for leaks. <p>Vehicle Maintenance</p> <ol style="list-style-type: none"> 6. Maintain all vehicles and heavy equipment per manufacturers specifications. Inspect frequently for leaks. 7. Designate one area for vehicle parking, vehicle refueling, and routine equipment maintenance. The designated area should be well away from gutters and storm drains and fitted with spill containment. 8. Perform major vehicle maintenance and vehicle/equipment washing off site. 9. Use drip pans or drop cloths to catch drips and spills. 10. Do not use diesel fuel to lubricate equipment or parts. 	Prior to Project construction and the issuance of permits. Implemented throughout construction	City of Modesto Engineering Department, Project Contractor	Initials: _____ Date: _____



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Hydrology and Water Quality	a) Continued...	<p>Clean Up</p> <ol style="list-style-type: none"> 11. Ensure that there are appropriate spill kits on site and that all employees are trained on the locations and use of the kits. 12. Never hose down streets to clean up tracked dirt. Use wet/dry sweep or vacuum methods. 13. Clean up leaks, drips, and other spills immediately. This will prevent contaminated soil or residue on paved surfaces. 14. Never hose down surfaces where materials have spilled. Use dry cleanup methods whenever possible. 15. Clean up spills on dirt areas by digging up and properly disposing of contaminated soil. 16. Sweep up dry spilled materials immediately. Never attempt to bury them or “wash them away” with water. 17. Report significant spills to the appropriate spill response agencies immediately. <p>Employee and Client Education</p> <ol style="list-style-type: none"> 18. Educate your employees. Include water quality training in new employee orientations and conduct annual review sessions. 19. Educate your customers. Post BMPs where clients and employees can see them. Handling Materials and Wastes 20. Practice source reduction – minimize waste when ordering materials. Only order the amounts needed to complete the job. 21. Use recycled and recyclable materials whenever possible. 22. Never bury waste materials or leave them in the street. 23. Dispose of all waste properly. <p>Erosion Prevention</p> <ol style="list-style-type: none"> 24. Reestablish stable upper/top crust on disturbed surfaces. This includes application of water or chemical stabilizers. Re-vegetation (permanent or temporary) is an excellent form of erosion control for any site. 25. Avoid excavation and grading activities during wet weather. 			



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Hydrology and Water Quality		26. Construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity. 27. Plant permanent vegetation as soon as possible, once excavation and grading activities are complete.			
	b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin? b) Continued...		Prior to the issuance of permits.	City of Modesto Engineering Department, Project contractor	Initials: _____ Date: _____
	e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	See MM HYDRO-02: Stormwater BMPs through Project Construction.	Prior to Project construction and the issuance of permits.	City of Modesto Engineering Department, Project Contractor	Initials: _____ Date: _____
Noise	b) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	MM NOI-01: Construction Noise. Throughout Project construction, the following construction noise impacts must be implemented by the Project contractor and City of Modesto Utilities Department in order for noise levels during construction activities to be considered less than significant: <ol style="list-style-type: none"> 1. During all Project Site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards. 2. The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the Project site. One-inch plywood or acoustical blankets capable of achieving a reduction level of at least 10 dB 	Throughout Project construction	City of Modesto Utilities Department, Project contractor	Initials: _____ Date: _____



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Noise	b) Noise	<p>shall be used to keep equipment noise from exceeding the 80 dBA noise level standard.</p> <ol style="list-style-type: none"> 3. Equipment shall be shut off and not left to idle when not in use. 4. Whenever possible, electric power will be used in lieu of internal combustion engine power. 5. The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the Project site during all Project construction. 6. Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded, and noise shall be directed away from sensitive receptors. 7. The Project proponent shall mandate that the construction contractor prohibit the use of music or sound amplification on the Project site during construction. 8. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. 9. The quietest equipment available will be utilized when feasible; and, 10. Haul routes that affect the fewest number of people will be utilized whenever possible. 11. Construction activities near and at the school site shall be limited to only when the school is not in use. 			
Public Services	a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:	<p>MM PUB-01: Coordination with Local Agencies for Traffic Control. Prior to start of construction, Modesto’s City Engineering Division must ensure coordination is facilitated between local agencies and special districts within Modesto City Limits and Stanislaus County including Stanislaus Consolidated Fire Protection District, Modesto Fire Department, California Highway Patrol, Stanislaus County Sheriff’s Department, Stanislaus School District, and Modesto Police Department. Coordination between Local Agencies shall involve the review of the Project’s traffic control plan and construction schedule prior to City of Modesto’s approval to ensure all agency Best Management Practices and standards are incorporated into the traffic control plan. This coordination shall also include Stanislaus Elementary School so that installation of the service pipe does not occur during school</p>	Prior to start of construction	City of Modesto’s Engineering Department, Modesto City Limits and Stanislaus County including Stanislaus Consolidated Fire Protection District, Modesto Fire	Initials: _____ Date: _____



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Public Services	i. Fire Protection? ii. Police Protection?	hours or pick-up and drop-off times to avoid conflicts with the operation of the school.		Department, California Highway Patrol, Stanislaus County Sherrif's Department, and Modesto Police Department	
	iii. Schools?	MM HAZ-02: Coordination with Stanislaus Union School District. Prior to start of Project construction, the Contractor shall provide the construction schedule to the Stanislaus Union School District, specifically Stanislaus Elementary School so that construction occurs when the school site is not in use. The contractor shall coordinate with the school district on an ongoing basis during construction and shall keep records of this coordination at the Project Site for review by the grading and building inspectors.	Prior to the start of Project construction.	Project contractor, Stanislaus Union School District	Initials: _____ Date: _____
Transportation	b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)? d) Result in inadequate emergency access?	MM TRAF-01: Traffic Control Plan- The City of Modesto Engineering Department shall approve a Traffic Control Plan prepared by a licensed traffic engineer, for all project-affected roadways and intersections prior to mobilization of the Project. The Traffic Control Plan shall comply with requirements in encroachment permits issued by Stanislaus County, City of Modesto and Caltrans. The Traffic Control Plan shall be implemented the contractor continuously during construction and shall include, but not be limited to, the following measures from CALTRANS, Stanislaus County, and the City of Modesto: City of Modesto: 1. Public Notification: Two weeks, one week and 24 hours prior to beginning any work in an area or the project, provide written public notice to all residents, businesses, churches, property owners, tenants, and applicable parties adjacent to and within a 1/4-mile radius of the project area (Pursuant to Modesto Standard Specification No. <i>12.04 Traffic Control Requirements</i>); 2. Right-of-way Lane Access: A minimum of one 11-foot-wide lane shall be open in each direction at non intersections, and a minimum of one 11-foot-wide lane for each striped movement at an intersection, for traffic during	Prior to Project Mobilization	City of Modesto Engineering Department, Licensed Traffic Engineer, Project contractor	Initials: _____ Date: _____



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Transportation	b), d) Continued...	<p>working hours, unless otherwise described by the Contract Documents (Pursuant to Modesto Standard Specification No. 12.04 Traffic Control Requirements)</p> <p>3. Work Schedule: Normal work schedule is limited to the hours of 7:00 a.m. to 3:30 p.m. outside of the full path of the traveled way. Normal work schedule is limited to the hours of 8:30 a.m. to 3:30 p.m. when any work by the Contractor is within the traveled way, unless otherwise described by the Contract Documents (Pursuant to Modesto Standard Specification No. 12.04 Traffic Control Requirements)</p> <p>4. Private Driveways: Notify the owner of the private driveway fifteen (15) calendar days prior to implementing the Traffic Control Plan (Pursuant to Modesto Standard Specification No. 12.04 Traffic Control Requirements);</p> <p>5. Trenches: Backfill all trenches at the end of each workday (Pursuant to Modesto Standard Specification No. 12.04 Traffic Control Requirements);</p> <p>6. Aggregate base: Provide aggregate base and compact all areas within the roadway and shoulder (Pursuant to Modesto Standard Specification No. 12.04 Traffic Control Requirements);</p> <p>7. Temporary Paving & Delineators: Provide temporary paving and temporary delineators or striping at the end of each workday (Pursuant to Modesto Standard Specification No. 12.04 Traffic Control Requirements);</p> <p>8. Schools: Notify schools within ½ mile of the work zone, two weeks, one week and 24 hours before implementing the approved Traffic Control Plan in the vicinity of the school;</p> <p>9. Signs: Post “No Parking, Tow Away” signs on barricades along the roadway at least 48 hours prior to the construction work in that area;</p> <p>City of Modesto’s BMPs are based on CATRANS standards and traffic control measures outlined within the CALTRANS Manual on Uniform Traffic Control Devices (CAMUTCD, 2014 Edition).</p>			
Transportation	b) Continued...	<p>MM TRAF-02: Encroachment Permit- Prior to the issuance of permits and active Project construction, the City’s Engineering and Utilities Departments in coordination with Stanislaus County and CALTRANS, must obtain an approved encroachment permit for work within the public right-of-way with plans showing no new driveways along Kiernan. Throughout Project</p>	Prior to the issuance permits and active Project construction	City of Modesto’s Engineering and Utilities Department, Stanislaus	Initials: _____ Date: _____



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		construction, the Project contractor will be responsible for the enforcement of the encroachment permit.		County, CALTRANS	
<p>Utilities and Services</p>	<p>d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?</p> <p>d) Continued...</p>	<p>SC UTL-01: Waste Management Plan- Prior to Project construction, the City's Utilities Department shall ensure Project specifications include standards conditions pertaining to good housekeeping practices. The City's standard plan check and review process will ensure the following measures are included in Project Specifications and maintain throughout active construction within the Project Area:</p> <ol style="list-style-type: none"> 1. Site Clean Up: The Contractor shall keep the project site clean and free of dust, mud, and debris resulting from the Contractor's operations. Daily clean up throughout the project shall be required as the Contractor progresses with the work. Extra precautions and cleanup efforts shall be made prior to weekends, holidays and predicted storm events. 2. Continuous Street Sweeping throughout active construction. <ul style="list-style-type: none"> Spillage of earth, gravel, concrete, asphalt, or other materials resulting from hauling operations along or across any public traveled way shall be removed immediately by the Contractor at his expense. If site is not kept sufficiently clean, the City will take measures to clean it and back charge the Contractor. 3. Solid Waste Management: Refer to CASQA Factsheet WM-5 and WM-6. <ol style="list-style-type: none"> a. Select designated waste collection areas onsite. b. Inform trash-hauling contractors that you will accept only watertight dumpsters for onsite use. Inspect dumpsters for leaks and repair any dumpster that is not watertight. c. Locate containers in a covered area or in a secondary containment. d. Provide an adequate number of containers with lids or covers that can be placed over the container to keep rain out or to prevent loss of wastes when it is windy. e. Cover waste containers at the end of each workday and when it is raining. f. Plan for additional containers and more frequent pickup during the demolition phase of construction. 	<p>Prior to Project construction</p>	<p>City of Modesto Utilities Department</p>	<p>Initials: _____</p> <p>Date: _____</p>
<p>Utilities and Services</p>					



Issue	Potentially Significant Impact reduced to Less than Significant with Mitigation Incorporated	Recommended Mitigation Measure	Timing	Responsible Party	Date Completed and Initials
Utilities and Services	d) Continued...	<ul style="list-style-type: none"> g. Collect site trash daily, especially during rainy and windy conditions. h. Remove this solid waste promptly since erosion and sediment control devices tend to collect litter. i. Make sure that toxic liquid wastes (used oils, solvents, and paints) and chemicals (acids, pesticides, additives, curing compounds) are not disposed of in dumpsters designated for construction debris. j. Do not hose out dumpsters on the construction site. Leave dumpster cleaning to the trash hauling contractor. k. Arrange for regular waste collection before containers overflow. l. Clean up immediately if a container does spill. v Make sure that construction waste is collected, removed, and disposed of only at authorized disposal areas. <p>4. Material Storage and Delivery Area: Refer to CASQA Factsheet WM-1.</p> <ul style="list-style-type: none"> a. Chemicals must be stored in water tight containers with appropriate secondary containment or in a storage shed. b. Temporary storage areas should be located away from vehicular traffic. c. Material delivery and storage areas should be located away from waterways, if possible. d. Employees and subcontractors should be trained on the proper material delivery and storage practices. <p>5. Concrete Waste Management: Refer to CASQA Factsheet WM-8.</p> <ul style="list-style-type: none"> a. Store dry and wet materials under cover, away from drainage areas. Refer to WM-1, Material Delivery and Storage for more information. b. Perform washout of concrete trucks in designated areas only, where washout will not reach stormwater. c. Do not wash sweepings from exposed aggregate concrete into the street or storm drain. Collect and return sweepings to aggregate base stockpile or dispose in the trash. <p>6. Spill Prevention and Control: Refer to CASQA Factsheet WM-3.</p> <ul style="list-style-type: none"> a. Ensure that stockpile coverings are installed securely to protect from wind and rain. <p>7. Temporary Sanitary Waste Facilities: Refer to CASQA WM-10</p>			



Issue	Potentially Significant Impact reduced to Less than Significant with Mitigation Incorporated	Recommended Mitigation Measure	Timing	Responsible Party	Date Completed and Initials
		<ul style="list-style-type: none"> a. Instruct employees and subcontractors how to safely differentiate between non-hazardous liquid waste and potential or known hazardous liquid waste. b. Instruct employees, subcontractors, and suppliers that it is unacceptable for any liquid waste to enter any storm drainage device, waterway, or receiving water. c. Educate employees and subcontractors on liquid waste generating activities and liquid waste storage and disposal procedures. v Hold regular meetings to discuss and reinforce disposal procedures (incorporate into regular safety meetings). 			
Wildfire	a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	See MM TRAF-01: Traffic Control Plan.	Upon the finalization of a detailed pipeline alignment design	City of Modesto City Engineering Staff, Licensed Traffic Engineer	Initials: _____ Date: _____

5.0 FINAL IS/MND

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