

SCH Summary Form Attachment A – Impact and Mitigation Summary

Biological Resources: The Project site is located within the United States Fish and Wildlife Service's (USFWS) designated critical habitat for desert tortoise. If desert tortoise are present in the area during construction, the Project may have a significant impact. Furthermore, construction of the proposed Project may disturb nesting bird species that are protected under the Migratory Bird Treaty Act (MBTA). Impacts would be less than significant with implementation of MM BIO-1 and MM BIO-2.

MM BIO-1: Per the Biological Reconnaissance Assessment, the Project site has low potential to have a special status wildlife species, desert tortoise (*Gopherus agassizii*), to be present on-site. Because the Project site is located within USFWS designated critical habitat, a pre-construction survey for desert tortoise shall be done prior to initiating ground disturbance to ensure no desert tortoise migrating through the area are present on site. If a tortoise or an active burrow is observed no work shall occur within 500 feet of the burrow and a qualified biological monitor shall be present throughout construction activities.

MM BIO-2: To minimize potential impacts to nesting birds protected under the MBTA within the Project, construction activities shall take place outside nesting season (February 1 to August 31) to the greatest extent practicable. The survey shall be scheduled with and conducted by a qualified biologist in coordination with the County and on-site construction manager.

If construction activities must occur during nesting season, a preconstruction nesting bird survey shall be conducted prior to initiation of ground-disturbing activities. The survey shall be completed within 14 days prior to ground disturbing activities, which consist of, but are not limited to, tree removal, trenching, etc.

During the survey, should nesting birds or their nests be encountered, to the maximum extent practicable, a minimum buffer zone around occupied nests should be determined by a qualified biologist to avoid impacts to the active nest. The buffer shall range at a minimum of 100 to 300 feet. The buffer should be maintained during physical ground-disturbing activities. Avoidance measures that shall be implemented if the biologist finds that it is required to not impact the nests include but are not limited to noise, activity, and design modifications, worker education, signage, buffers and/or temporary fencing. Once the biologist has determined that the nesting has ceased and the nestlings have fledged, the buffer may be removed.

Cultural Resources: There is potential for the discovery of previously unknown archaeological resources or human remains during Project grading activities on undisturbed land. Impacts would be less than significant with implementation of MM CUL-1, MM CUL-2, and MM CUL-3.

MM CUL-1 If cultural resources are encountered during ground-disturbing activities, work in the immediate area must halt and an archaeologist meeting the Secretary of the

Interior's (SOI) Professional Qualifications Standards for archaeology will be contacted immediately to evaluate the find. Ground-disturbing activities will not resume until all the stipulations of the Code of Regulations (CFR) Title 36 Part 800.13(b) and (c) are satisfied and the Lead Agency has authorized a continuance. If the discovery proves to be significant under CEQA or the National Historic Preservation Act (NHPA), additional work such as data recovery excavation and Native American consultation may be necessary to mitigate any significant impacts.

MM CUL-2 The County shall retain an SOI-Qualified Archaeologist to remain on-call for the duration of the Project's ground-disturbing construction activity to ensure the expedient response and assessment to inadvertent findings of cultural resources during construction.

MM CUL-3: In the event that human remains are discovered during ground-disturbing activities, then the Project would be subject to California Health and Safety Code 7050.5, CEQA Section 15064.5, and California Public Resources Code (PRC) Section 5097.98. If human remains are found during ground-disturbing activities, State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Medical Examiner-Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. In the event of an unanticipated discovery of human remains, the County Medical Examiner-Coroner shall be notified immediately. If the human remains are determined to be of Native American ancestry, the Medical Examiner-Coroner shall notify the NAHC, which shall notify a most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials (NPS 1983).