

## CHAPTER 5.0

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# MITIGATION MONITORING AND REPORTING PROGRAM

## 5.0 MITIGATION MONITORING AND REPORTING PROGRAM

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### 5.1 INTRODUCTION

This document is the Final Mitigation Monitoring and Reporting Program (FMMRP) for the Seville Solar Farm Complex. This FMMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to “adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” A Final MMRP is required for the proposed Project because the EIR identified significant adverse impacts and mitigation measures have been identified to address these impacts. The numbering of the individual mitigation measures follows the numbering sequence as found in the EIR. All revisions to mitigation measures that were necessary, as a result of responding to public comments and incorporating staff-initiated revisions have been incorporated into this FMMRP.

### 5.2 MITIGATION MONITORING AND REPORTING PROGRAM

The FMMRP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in this Final EIR. The County of Imperial will be the primary agency, but not the only agency responsible for implementing the mitigation measures. In some cases, other public agencies will implement measures. In other cases, the project applicant will be responsible for implementation of measures and the County’s role is exclusively to monitor the implementation of the measures. In such cases, the Project Applicant may choose to require the construction contractor to implement specific mitigation measures prior to and/or during construction. The County will continue to monitor mitigation measures that are required to be implemented during the operation of the project.

The FMMRP is presented in tabular form on the following pages. The components of the FMMRP are described briefly below:

**Mitigation Measures:** The mitigation measures are taken from the Draft EIR, in the same order that they appear in the Draft EIR. The Final MMRP contains revisions to mitigation measures, as well as any new mitigation measures.

**Mitigation Timing:** Identifies at which stage of the Project mitigation must be completed.

**Monitoring Responsibility:** Identifies the department within the County, Project Applicant, or consultant responsible for mitigation monitoring.

**Compliance Verification Responsibility:** Identifies the department of the County or other State agency responsible for verifying compliance with the mitigation. In some cases, verification will include contact with responsible state and federal agencies.

## 5.0 MITIGATION MONITORING AND REPORTING PROGRAM

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## 5.0 MITIGATION MONITORING AND REPORTING PROGRAM

MM #	Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
<b>AIR QUALITY</b>				
<b>MM 4.4.1a</b>	<p><b>Compliance with ICAPCD Regulation VIII</b></p> <p>The Project Applicant shall prepare a Dust Control Plan for control of fugitive dust during construction as required by ICAPCD Regulation VIII. The Dust Control Plan shall also include dust control measures to be implemented during the operation and maintenance phase of the Project. The Dust Control Plan shall address construction and earthmoving activities, track-out, open areas and unpaved roads. The Dust Control Plan shall also include information on the dust suppressants to be applied and the specific surface treatment(s) and/or control measures to be utilized to control track-out where unpaved and/or access points join paved public access roads. The Dust Control Plan shall be submitted for ICAPCD review prior to any earthmoving activities.</p>	Submittal of Dust Control Plan to ICAPCD for review prior to any earthmoving activities; Implementation of Dust Control Plan during construction and operation/maintenance phases as specified in the Dust Control Plan.	ICPDSD and ICAPCD.	
<b>MM 4.4.1b</b>	<p><b>Compliance with ICAPCD Policy 5</b></p> <p>The Project shall comply with ICAPCD Policy 5 (Off-Site Mitigation/In-Lieu Fee) to reduce construction-phase emission levels to below significance through payment of an in-lieu mitigation fee.</p>	Prior to initiation of any construction activities.	ICPDSD and ICAPCD.	
<b>MM 4.4.1c</b>	<p><b>CalEEMod Construction-Phase Mitigation</b></p> <p>As noted in the Methodology discussion, all construction activity CalEEMod modeling was done incorporating measures to reduce emissions. Accordingly, the following mitigation measures shall be employed:</p> <ul style="list-style-type: none"> <li>• The construction contractor shall use diesel powered construction equipment using engines with certified NO<sub>x</sub> emissions rated as Tier 3 or better to reduce NO<sub>x</sub> emissions.</li> <li>• On-site watering shall occur three times daily during the grading activities.</li> <li>• All worker, vendor and haul truck trips shall be restricted to 25 mph on unpaved solar farm complex site roads. Onsite, unpaved roads in the CalEEMod models assume watering three times daily.</li> </ul>	During construction.	ICPDSD and ICAPCD.	

## 5.0 MITIGATION MONITORING AND REPORTING PROGRAM

MM #	Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
<b>MM 4.4.1d</b>	<p><b>CalEEMod Operations Mitigation</b></p> <p>As noted in the Methodology discussion, all operations CalEEMod modeling was done incorporating measures to reduce emissions. Accordingly, the following mitigation measures shall be employed:</p> <ul style="list-style-type: none"> <li>Onsite unpaved roads shall be watered three times per day when in use for panel washing.</li> <li>The off-highway water truck engine shall be rated as Tier 3 or better.</li> </ul>	During panel washing activities.	ICPDSD and ICAPCD.	
<b>GEOLOGY AND SOILS</b>				
<b>MM 4.6.1</b>	Structures with the Project area shall be designed and constructed to resist the effects of seismic ground motions as provided in Section 1613 of the 2010 California Building Code. The Project shall be engineered using the 2010 California Building Code, Section 1613 Design Coefficients for the proposed structures.	Prior to approval of final building plans/As part of Project design.	Imperial County Planning and Development Services Department and Imperial County Department of Public Works.	
<b>MM 4.6.3</b>	The design of foundations and slabs-on-ground shall be performed in accordance with the procedures outlined in Sections 1808.6.1 and 1808.6.2 of the 2010 CBC and the latest edition of the Wire Reinforcement Institute (WRI) publication "Design of Slab-on-Grade Foundations." An effective plasticity index of 12 shall be used by the project structural engineer to design slabs-on-grade within an interior grade beam system in accordance with the WRI publication.	Prior to issuance of building permits.	Imperial County Planning and Development Services Department	
<b>MM 4.6.5a</b>	<p><b>Concrete in Contact with Site Soils</b></p> <p>The type of concrete to be used in construction of the Project shall be follow the recommendation of a structural engineer and the contractor responsible for concrete placement used in footings and interior slabs-on-ground, foundation walls, and concrete exposed to weather.</p>	Prior to issuance of building permit/during construction.	Imperial County Planning and Development Services Department, Division of Building & Safety.	

## 5.0 MITIGATION MONITORING AND REPORTING PROGRAM

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<b>MM 4.6.5b</b>	<p><b>Metal Encased in Concrete</b></p> <p>The thickness of the concrete cover over the reinforcement shall be determined by a structural engineer to protect against elevated chloride levels. The thickness shall be determined based upon the chloride concentration of on-site soils.</p>	Prior to issuance of building permit/during construction.	Imperial County Planning and Development Services Department, Division of Building & Safety.	
<b>MM 4.6.5c</b>	<p><b>Metallic Elements in Contact with Site Soils</b></p> <ul style="list-style-type: none"> <li>• The recommendations of a corrosion engineer shall be implemented to mitigate the detrimental effects of corrosive soils on buried metallic and other building materials that may be exposed to corrosive soils.</li> <li>• Any ferrous metal or copper components of the proposed buildings or panel foundations placed in direct contact with Project soils shall be protected against detrimental effects of severely corrosive soils.</li> <li>• Sampling and testing of near-surface soils shall be performed during the final stages of site grading by a qualified corrosion engineer to provide a complete assessment of soil corrosivity.</li> </ul>	Prior to issuance of building permit/during construction and the final stages of site grading.	Imperial County Planning and Development Services Department, Division of Building & Safety.	
<b>CULTURAL RESOURCES</b>				
<b>MM 4.7.2</b>	<p>If avoidance is not possible, SDI-12151 shall be assessed by a qualified professional archaeologist to evaluate significance for eligibility to the CRHR. The evaluation shall be conducted prior to commencing construction.</p> <p>A qualified and experienced archaeological monitor will monitor the installation of temporary orange construction fencing around the boundaries of site SDI-12151. The on-site Construction Manager (defined as the individual with the authority to halt all construction-related activities) shall stake the line where the fence will be installed and provide a minimum of 48 hours advance notice to the archaeological monitor before fence installation occurs. The Construction Manager shall be responsible for maintaining the fencing throughout the duration of construction, including periodic maintenance or replacement. The Construction Manager shall not allow passage of non-authorized personnel to enter the boundaries of the fence. All potentially significant finds shall remain confidential.</p>	Evaluation shall occur prior to commencing construction; Implemented during construction and operation of the solar farm complex.	Applicant, Qualified Archaeologist and Imperial County Department of Planning and Development Services.	

## 5.0 MITIGATION MONITORING AND REPORTING PROGRAM

MM #	Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>The Archaeological Monitor shall oversee the effectiveness of the protective measures described in this measure at least twice per month during construction to ensure that unanticipated cultural resources are avoided. If an unanticipated cultural resource is discovered, the monitor will immediately notify the Construction Manager and give interim directions for protecting the site, which may include mandatory cessation of activity within 100 feet or more of the discovery. The Construction Manager will be responsible for promptly implementing those interim measures. The Archaeological Monitor shall oversee the removal of the temporary fencing after construction is completed. The Construction Manager shall be required to provide a minimum of 48 hours advance notice to the archaeological monitor before fence removal occurs.</p>			
<p><b>MM 4.7.3</b></p>	<p>If subsurface deposits are discovered during construction, all work shall halt within a 200-foot radius of the discovery. A qualified professional archaeologist shall be retained to evaluate the significance of the find. A Native American monitor, following the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites established by the NAHC, may also be required. Work cannot continue at the discovery site until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant or eligible for listing on the NRHP or CRHR. If a potentially-eligible resource is encountered, then the archaeologist, lead agency, and project proponent shall arrange for either 1) total avoidance of the resource, if possible; or 2) test excavations to evaluate eligibility for the CRHR and, if eligible, data recovery as mitigation.</p>	<p>During construction.</p>	<p>Qualified Archaeologist and Imperial County Department of Planning and Development Services.</p>	
<p><b>MM 4.7.4</b></p>	<p>In the event that evidence of human remains is discovered, construction activities within 200 feet of the discovery shall be halted or diverted and the Imperial County Coroner shall be notified (Section 7050.5 of the Health and Safety Code). If the Coroner determines that the remains are Native American, the Coroner will notify the NAHC which will designate a Most Likely Descendant (MLD) for the Project (Section 5097.98 of the Public Resources Code). The designated MLD then has 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains (AB 2641). If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (Section 5097.94 of the Public Resources Code). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (Section 5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a document with the county in which the property is located (AB 2641).</p>	<p>During construction.</p>	<p>Applicant; NAHC; Imperial County Department of Planning and Development Services; and Imperial County Coroner.</p>	

## 5.0 MITIGATION MONITORING AND REPORTING PROGRAM

MM #	Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
<b>MM 4.7.5</b>	<p>A qualified paleontological monitor shall be present during ground-breaking activities associated with Project construction. The depth of excavation that requires paleontological monitoring shall be determined by the paleontological monitor and the construction contractor based on initial observations during construction earth moving.</p> <p>The paleontological monitor will be equipped to salvage fossils as they are unearthed (to help avoid construction delays) and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors are empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Recovered specimens shall be prepared to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. Fossil specimens shall be curated by accessioning them into an established, accredited museum repository with permanent retrievable paleontological storage. A report of findings with an appended itemized inventory of specimens will be prepared. The report and inventory, when submitted to the Imperial County Department of Planning and Development Services, along with confirmation of the curation of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.</p> <p>In general, a paleontological monitor will not be required after possible fossil bearing sediments have been fully explored.</p>	During construction.	Imperial County Department of Planning and Development Services; Paleontological Monitor; and Construction Contractor.	
<b>AGRICULTURAL RESOURCES</b>				
<b>MM 4.9.1a</b>	<p>Prior to the issuance of a grading permit or building permit (whichever is issued first) for the proposed Project, the mitigation of temporary impacts to agricultural lands shall be accomplished via one of the following options:</p> <p><b><u>Non-Prime Farmland</u></b></p> <ul style="list-style-type: none"> <li>● <b>Option 1:</b> The Permittee shall procure Agricultural Conservation Easements on a 1 to 1 basis on land of equal size, of equal quality of farmland, outside the path of development. The Conservation Easement shall meet the State Department of Conservation’s regulations and shall be recorded prior to issuance of any grading or building permits.</li> <li>● <b>Option 2:</b> The Permittee shall pay an “Agricultural In-Lieu Mitigation Fee” in the amount of 20% of the fair market value per acre for the total acres of proposed site based on five comparable sales of land used for agricultural purposes as of the effective date of the permit, including program costs on a cost recovery/time and material basis. The Agricultural In-Lieu</li> </ul>	Prior to the issuance of a grading permit or building permit (whichever is issued first).	Imperial County Planning and Development Services Department.	



## 5.0 MITIGATION MONITORING AND REPORTING PROGRAM

MM #	Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>Mitigation Fee, will be placed in a trust account administered by the Imperial County Agricultural Commissioner's office and will be used for such purposes as the acquisition, stewardship, preservation and enhancement of agricultural lands within Imperial County.</p> <ul style="list-style-type: none"> <li>● <b>Option 3:</b> If the Permittee and County voluntarily enter into a Public Benefit Agreement that includes an Agricultural Benefit Fee payment that is equal to or greater than the amount that would be due under Option 2 of this mitigation measure and the public benefit agreement requires that the Agricultural Benefit Fee be used for such purposes as the acquisition, stewardship, preservation and enhancement of agricultural lands within Imperial County, then this mitigation measure may be satisfied by the payment of a voluntarily agreed amount to the Agricultural Benefit Fee.</li> </ul> <p><b><u>Prime Farmland</u></b></p> <ul style="list-style-type: none"> <li>● <b>Option 1:</b> Agricultural Conservation Easements on a 2 to 1 basis on land of equal size, of equal quality farmland, outside of the path of development. The Conservation Easement shall meet the State Department of Conservation's regulations and shall be recorded prior to issuance of any grading or building permits; or</li> <li>● <b>Option 2:</b> The Permittee shall pay an "Agricultural In-Lieu Mitigation Fee" in the amount of 30% of the fair market value per acre for the total acres of the proposed solar farm complex site based on five comparable sales of land used for agricultural purposes as of the effective date of the permit, including program costs on a cost recovery/time and material basis. The Agricultural In-Lieu Mitigation Fee, will be placed in a trust account administered by the Imperial County Agricultural Commissioner's office and will be used for such purposes as the acquisition, stewardship, preservation and enhancement of agricultural lands within Imperial County.</li> <li>● <b>Option 3:</b> If the Permittee and County voluntarily enter into a Public Benefit Agreement that includes an Agricultural Benefit Fee payment that is equal to or greater than the amount that would be due under Option 2 of this mitigation measure and the Public Benefit Agreement requires that the Agricultural Benefit Fee be used for such purposes as the acquisition, stewardship, preservation and enhancement of agricultural lands within Imperial County, then this mitigation measure may be satisfied by the payment of a voluntarily agreed amount to the Agricultural Benefit Fee; or</li> <li>● <b>Option 4:</b> The Permittee must revise the CUP Application/Site Plan to avoid Prime Farmland.</li> </ul>			

## 5.0 MITIGATION MONITORING AND REPORTING PROGRAM

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<b>MM 4.9.1b</b>	In addition to Options 1, 2 or 3 identified in association with Prime Farmland and Non-Prime Farmland, the Permittee shall submit to Imperial County a Reclamation Plan to return the solar farm complex site to its current agricultural condition prior to the issuance of a certificate of occupancy for the O&M building(s). The Reclamation Plan shall include a site reclamation cost estimate prepared by a California-licensed general contractor or civil engineer. The Permittee shall provide a financial assurance/bonding in the amount equal to the site reclamation cost estimate to return the land to its current agricultural condition after the solar facilities ceases operations and closes.	Prior to the issuance of a grading permit or building permit (whichever is issued first).	Imperial County Planning and Development Services Department.	
<b>MM 4.9.2</b>	<p>Prior to the issuance of a grading permit or building permit (whichever occurs first), a Weed and Pest Control Plan shall be developed by the Applicant and approved by the County of Imperial Agricultural Commissioner. The Plan shall provide the following:</p> <ol style="list-style-type: none"> <li>1) Monitoring, preventative, and management strategies for weed and pest control during construction activities at the solar farm complex and portions of the transmission line that are adjacent agricultural lands;</li> <li>2) Control and management of weeds and pests in areas temporarily disturbed during construction where native seed will aid in site revegetation; and,</li> <li>3) A long-term strategy for weed and pest control and management during the operation of the solar farm complex and transmission line that are adjacent agricultural lands. Such strategies may include, but are not limited to:               <ol style="list-style-type: none"> <li>a. Use of specific types of ground cover and maintenance (mowing, replacement, etc.) of such ground cover;</li> <li>b. Use of specific types of herbicides and pesticides on a scheduled basis; and</li> <li>c. Maintenance and management of project site conditions to reduce the potential for a significant increase in pest-related nuisance conditions on adjacent agricultural lands.</li> </ol> </li> </ol>	Prior to the issuance of a grading permit or building permit (whichever occurs first).	County of Imperial Agricultural Commissioner	

## 5.0 MITIGATION MONITORING AND REPORTING PROGRAM

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<b>HAZARDS AND HAZARDOUS MATERIALS</b>				
MM 4.10.2	The Applicant shall ensure that the AST, farm equipment area, and any other debris have been cleared from the site. Prior to the demolition of any building, structure, or transite pipe, the Applicant shall hire a California Certified Lead Inspector/Assessor and Certified Asbestos Consultant to evaluate these features for the presence of lead based paint (LBP) and/or asbestos containing materials (ACM). Confirmed LBP and/or ACM shall be handled by a licensed LBP contractor and/or Licensed Asbestos Contractor. All contaminants shall be remediated in compliance with California environmental regulations and policies. LBP and/or ACM shall be disposed of according to appropriate regulations.	Prior to the demolition of any building, structure, or transite pipe removal or disturbance/Applicant; California Certified Lead Inspector/Assessor and Certified Asbestos Consultant.	Imperial County Health Department, Environmental Health and Consumer Protection Services; CUPA County of Imperial.	
<b>HYDROLOGY AND WATER QUALITY</b>				
MM 4.11.5	Construction and operation activities within Flood Zone A shall be halted during flash flood warnings and events or any other flooding events as predicted by local weather forecasts, the National Weather Service to which the solar farm complex site is subject. Upon notification of potential flood events in the Project vicinity, any non-stationary equipment and personnel located within Flood Zone A shall be relocated outside of the flood zone until such time as the threat of flooding has passed.	During potential flood events throughout Project construction and operation/ Based on local weather forecasts and National Weather Service.	Imperial County Department of Planning and Development Services.	
<b>BIOLOGICAL RESOURCES</b>				
MM 4.12.1	The loss of mesquite thicket shall be mitigated through a combination of compensation and/or restoration at a minimum 1:1 ratio, or as required by permitting agencies. Habitat compensation shall be accomplished through agency-approved land preservation or through mitigation fee payment for land supporting comparable habitat to that impacted by the proposed Project. Restoration may be appropriate mitigation for impacts if demonstrated to be feasible, and if the restoration effort is implemented pursuant to a Habitat Restoration/Revegetation Plan.	Prior to issuance of grading permits.	Project Applicant in collaboration with CDFW.	

## 5.0 MITIGATION MONITORING AND REPORTING PROGRAM

MM #	Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
<b>MM 4.12.2a</b>	The Applicant shall create, restore, and/or enhance jurisdictional wetland areas impacted by the proposed transmission line. A 2:1 ratio shall be required for any wetland habitat with at least 1:1 of the mitigation ratio to include creation of wetland habitat (so there would be no net loss of jurisdictional habitat). The other 1:1 ratio shall consist of acquisition and preservation of existing jurisdictional habitat acceptable to the permitting agencies.	Prior to issuance of permits/prior to initiating construction in jurisdictional areas.	USACE, RWQCB, SWRCB and CDFW, as appropriate.	
<b>MM 4.12.2b</b>	A 1:1 ratio shall also be required for impacts to non-wetland jurisdictional waters in the form of wetland enhancement, restoration, or creation as determined in consultation with the permitting agencies. Permits shall be obtained from the USACE, RWQCB, SWRCB, and CDFW, as appropriate, prior to initiating construction in jurisdictional areas.	Prior to issuance of permits/prior to initiating construction in jurisdictional areas.	USACE, RWQCB, SWRCB and CDFW, as appropriate.	
<b>MM 4.12.3</b>	<p>The proposed Project shall implement the following mitigation measures in accordance with the terms and conditions of IID's ROW Grant.</p> <ul style="list-style-type: none"> <li>• A worker education program shall be developed and implemented for all construction personnel.</li> <li>• A field contact representative (FCR) shall be designated prior to Project initiation to: ensure compliance with the protective measures; serve as the primary agency contact; and have authority and responsibility to stop any activities that violate these measures. The FCR shall be authorized by CDFW to handle the FTHL.</li> <li>• All project work areas shall be clearly flagged or similarly marked at the outer boundaries to define the limit of work activities. All construction workers shall restrict their activities and vehicles to areas which have been flagged to avoid impacts to the FTHL.</li> <li>• FTHL that are relocated by the FCR shall be placed in the shade of a large shrub a short distance from the construction in the direction of undisturbed habitat. Captured FTHL shall be kept in a dry container. FTHL shall be held at temperatures between 25°C and 35°C and shall not be exposed to any direct sunlight. Release shall occur as soon as possible during daylight hours (32°C to 40°C). The FCR shall use judgment and discretion to ensure the survival of the FTHL.</li> <li>• Existing roads shall be used for travel and equipment storage whenever possible.</li> </ul>	Prior to and during construction, as appropriate.	CDFW	

## 5.0 MITIGATION MONITORING AND REPORTING PROGRAM

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	<ul style="list-style-type: none"> <li>The area of disturbance of vegetation and soils shall be the minimum required for the Project. Clearing of vegetation and grading shall be minimized.</li> <li>No construction holes shall be left open overnight. Covers shall be secured in place at the end of construction each day. Covers shall be strong enough to prevent wildlife from falling through the cover and into a hole.</li> </ul>			
<p><b>MM 4.12.6a</b></p>	<p>The following measures will avoid, minimize, or mitigate potential impacts to burrowing owls during construction activities:</p> <ul style="list-style-type: none"> <li>In accordance with the Staff Report on Burrowing Owl Mitigation (CDFW 2012), a pre-construction take avoidance survey shall be conducted 14 days prior to any ground disturbing activities. If the burrowing owl is absent, then no mitigation is required.</li> </ul>	<p>Prior to commencing construction.</p>	<p>Project Applicant in collaboration with CDFW.</p>	
<p><b>MM 4.12.6b</b></p>	<p>If burrowing owl is present, the following mitigation shall be implemented:</p> <ul style="list-style-type: none"> <li>If burrowing owls and their habitat can be protected in place on or adjacent to a project site, disturbance impacts shall be minimized through the use of buffer zones, visual screens, or other measures in accordance with CDFW (2012).</li> <li>Occupied burrows shall be avoided during the breeding period from February 1 through August 31 (CDFW 2012). "Occupied" is defined as a burrow that shows sign of burrowing owl occupancy within the last 3 years.</li> <li>Occupied burrows shall also be avoided during the non-breeding season. Burrow exclusion is a technique of installing one-way doors in burrow openings during the non-breeding season to temporarily exclude burrowing owls, or permanently exclude burrowing owls and close burrows after verifying burrows are empty by site monitoring and scoping. Eviction of burrowing owls is a potentially significant impact under CEQA and would require CDFW approval of a Burrowing Owl Exclusion Plan (CDFW 2012).</li> <li>Mitigation for impacts to nesting, occupied, and satellite burrows and/or burrowing owl habitat is required such that the habitat acreage, number of burrows and burrowing owls impacted are replaced based on the burrowing owl life history information provided in Staff</li> </ul>	<p>Prior to commencing construction.</p>	<p>Project Applicant in collaboration with CDFW.</p>	

## 5.0 MITIGATION MONITORING AND REPORTING PROGRAM

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	<p>Report on Burrowing Owl Mitigation (CDFW 2012).</p> <ul style="list-style-type: none"> <li>Coordination with CDFW may be necessary for the development of site-specific avoidance and mitigation measures.</li> </ul>			
<b>MM 4.12.8</b>	<p>Vegetation clearing shall take place outside of the general avian breeding season (February 1 through August 31). If vegetation clearing cannot occur outside the avian breeding season, a qualified avian biologist will conduct a pre-vegetation clearing survey for nesting birds no more than 7 days prior to vegetation clearing. If no active nests are found, clearing can proceed. "Active" shall be defined as from nest construction through fledging of young. If active nests are found, no clearing shall be allowed within 100 feet of the active nests of non-listed species, within 300 feet of the active nests of listed species, and within 500 feet of active raptor nests until the biologist determines the nest is no longer active or the nest is abandoned or fails. The biologist will submit the results of the survey to the CDFW and USFWS. Any requests for reductions to these prescribed buffers shall be made to the CDFW and USFWS.</p>	<p>Prior to issuance of grading permits for the solar farm complex site and maintained throughout the operation.</p>	<p>Project Applicant in collaboration with CDFW and USFWS.</p>	
<b>MM 4.12.12a</b>	<p>Night lighting shall be minimized during construction to avoid illumination of adjacent natural areas and the night sky. Techniques may include, but are not limited to, shielding light sources and use of directional lighting pointed downward.</p>	<p>Prior to issuance of grading permits/during construction.</p>	<p>Applicant in collaboration with CDFW, BLM and USFWS, as appropriate.</p>	
<b>MM 4.12.12b</b>	<p>During operation, night lighting shall only be used when necessary for worker safety. If night lighting is used for security purposes, it shall be motion or heat activated, shielded and directed downward.</p>	<p>Maintained throughout operation.</p>	<p>Applicant in collaboration with CDFW, BLM and USFWS, as appropriate.</p>	

## 5.0 MITIGATION MONITORING AND REPORTING PROGRAM

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MM 4.12.14	All vegetation and soil removed for the proposed project shall be disposed of in a safe and legal manner such that the plant material and soil (which contains seeds) are not released into the surroundings (e.g., trucks hauling such material shall be tightly covered).	Prior to issuance of grading permits/Maintained throughout the operation.	Project Applicant in collaboration with the CDFW, USFWS and BLM, as appropriate.	
<b>PUBLIC SERVICES AND UTILITIES</b>				
MM 4.13.3	The Applicant shall mitigate for impacts to law enforcement services resulting from the proposed Project as determined in consultation with the Imperial County Sheriff's Office or established in a Development Agreement or Public Benefits Agreement with Imperial County.	Prior to the issuance of building permits, or as specified in the Development Agreement or Public Benefits Agreement.	Imperial County Sheriff's Office/Imperial County Planning and Development Services Department.	
MM 4.13.13	The Applicant shall undertake a distribution circuit system study through consultation with IID Energy.	As soon as feasibly possible.	IID.	