

## **INTRODUCTION**

This Environmental Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines to provide for the monitoring of mitigation measures required of the Incorporation of Arden Arcade Project as set forth in the Mitigated Negative Declaration (MND) prepared for the project.

Section 21081.6 of the California Public Resources Code and Section 15091(d) and 15097 of the State CEQA Guidelines require public agencies, “to adopt a reporting or monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment.” An MMRP is required for the proposed project because the initial study for the project identified potentially significant adverse impacts, and mitigation measures have been identified to reduce those impacts to a less-than-significant level.

## **PURPOSE OF THE MMRP**

This MMRP has been prepared to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during project construction and implementation, as required. The MMRP may be modified by the University during project implementation, as necessary, in response to changing conditions or other refinements. Table 1: Mitigation Monitoring and Reporting Table, will assist the responsible parties in implementing the MMRP. The table identifies individual mitigation measures, monitoring/mitigation timing, responsible person/agency for implementing the measure, monitoring procedures, and a record of implementation of the mitigation measures. The numbering of mitigation measures follows the numbering sequence used by the MND.

## **ROLES AND RESPONSIBILITIES**

Unless otherwise specified herein, the University is responsible for taking all actions necessary to implement the mitigation measures according to the specifications provided for each measure and for demonstrating that the action has been successfully completed. The University at their discretion may delegate implementation responsibility or portions thereof to a licensed contractor.

The University will be responsible for overall administration of the MMRP and for verifying that University or a qualified construction contractor has completed the necessary actions for each measure. The University will each designate a project manager to oversee the MMRP during the construction period. Duties of the project manager include the following:

- Ensure that routine inspections of the construction site are conducted by appropriate University staff; and check plans, reports, and other documents required by the MMRP.

- Serve as liaison between the University and the construction contractor regarding mitigation monitoring issues.
- Complete forms and maintain records and documents required by the MMRP.
- Coordinate and ensure that corrective actions or enforcement measures are taken, if necessary.

## **CHANGES TO MITIGATION MEASURES**

Any substantive change in the MMRP made by University staff shall be reported in writing. Reference to such changes shall be made in the monthly or annual Environmental Mitigation Monitoring Report prepared by University staff. Modifications to the mitigation measures may be made by University staff subject to one of the following findings and documented by evidence included in the record:

1. The mitigation measure included in the Final MND and the MMRP is no longer required because the significant environmental impact identified in the MND has been found not to exist or to occur at a level which makes the impact less than significant as a result of changes in the project, changes in conditions of the environment, or other factors.

OR

2. The modified or substitute mitigation measure to be included in the MMRP provides a level of environmental protection equal to or greater than that afforded by the mitigation measure included in the Final MND and the MMRP.

AND

3. The modified or substitute mitigation measures do not have significant adverse effects on the environment in addition to or greater than those which were considered by the responsible hearing bodies in their decisions on the Final MND and the proposed project.

AND

4. The modified or substitute mitigation measures are feasible, and the University, through measures included in the MMRP or other University procedures, can assure their implementation.

Findings and related documentation supporting the findings involving modifications to mitigation measures shall be maintained in the project file with the MMRP and shall be made available to the public upon request.

## **MMRP SUMMARY TABLE**

The MMRP Summary Table that follows should guide the University in their evaluation and records of the implementation of mitigation measures.

The column categories identified in the MMRP Summary Table are:

- **Summary of Mitigation** - lists the mitigation measures by number identified in the Final MND and provides the text of the mitigation measures identified in the Final MND.
- **Action** - describes the type of action taken to verify implementation of the mitigation.
- **Implementing Party** - identifies the entity responsible for complying with the requirements of the mitigation measure.
- **Timing** - lists the time span in which the mitigation will take place.
- **Monitoring Party** - identifies the agency that verifies compliance.

**Table 1: Mitigation Monitoring and Reporting Table**

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
<b>Section 3.5 - Cultural Resources</b>				
<p><b>MM CUL-1a:</b> If potentially significant cultural resources are encountered during subsurface excavation activities, all construction activities within a 100-foot radius of the find shall cease until a qualified archaeologist determines whether the resource requires further study. Fresno State shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered resources found during construction shall be recorded on appropriate Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of California Environmental Quality Act criteria by a qualified archaeologist. Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. If the resource is determined to be significant under CEQA, a qualified archaeologist shall determine whether preservation in place is feasible. Preservation in place is the preferred mitigation for significant resources. If such preservation in place is not feasible, the archaeologist shall prepare and implement a research design and archaeological data recovery plan for the resource. The archaeologist shall also conduct appropriate technical analyses, prepare a full written report and file it with the appropriate information center (California Historical Resources Regional Information Center), and provide for the permanent curation of the recovered resources.</p>	<p>Fresno State shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement.</p> <p>If potentially significant cultural resources are encountered during subsurface excavation activities, contractor shall notify Facilities Management who shall coordinate the work of the qualified archaeologist.</p>	Fresno State, Office of Facilities Management and Construction Contractor	During subsurface excavation of the project site.	Fresno State, Office of Facilities Management
<p><b>MM CUL-1b:</b> Major excavations (such as the detention basin work) shall be monitored intermittently by a qualified paleontologist. If significant paleontological resources are discovered, they shall signal the need for continual monitoring of major excavations by a qualified paleontologist. Fresno State shall include a standard clause in all construction contracts to inform contractors of this requirement.</p>	Major excavations (such as the detention basin work) shall be monitored intermittently by a qualified paleontologist.	Fresno State, Office of Facilities Management and Construction Contractor	During excavations of the basin.	Fresno State Office of Facilities Management. Monitoring results reported from a qualified paleontologist.

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
<p>In the event a fossil is discovered during construction of the project, excavations within 100 feet of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall notify Fresno State to determine procedures to be followed before construction is allowed to resume at the location of the find. If Fresno State determines that avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards. The plan shall be submitted to Fresno State for review and approval. Upon approval, the plan shall be incorporated into the project. Significant paleontological resources would be curated at an accredited and permanent scientific institution.</p>	<p>Facilities management staff shall retain the services of the paleontologist and coordinate any actions resulting from finding resources with the construction contractors.</p>			
<p><b>MM CUL-1c:</b> In the event of an accidental discovery or recognition of any human remains, Public Resource Code 5097.98 must be followed. In this instance, once project-related earthmoving begins and if there is accidental discovery or recognition of any human remains, the following steps shall be taken:</p> <ol style="list-style-type: none"> <li>1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Fresno County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the “most likely descendant” (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98.</li> <li>2. Where the following conditions occur, Fresno State or its</li> </ol>	<p>In the event of an accidental discovery or recognition of any human remains, the contractor shall coordinate with Facilities Management who shall ensure that Public Resource Code 5097.98 is followed.</p>	<p>Fresno State, Office of Facilities Management and Construction Contractor</p>	<p>During excavation and disturbance of the project site.</p>	<p>Fresno State, Office of Facilities Management</p>

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
<p>authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the Most Likely Descendant or on the project site in a location not subject to further subsurface disturbance:</p> <ul style="list-style-type: none"> <li>- The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission.</li> <li>- The descendant identified fails to make a recommendation.</li> <li>- Fresno State or its authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.</li> </ul>				
<b>Section 3.6 - Geology and Soils</b>				
<p><b>MM GEO-1a:</b> Prior to construction, a final geotechnical report detailing onsite soil conditions shall be prepared by a qualified geologist, whose recommendations must be incorporated into project construction. The Proposed Project shall adhere to the geologist’s recommendations regarding site-specific preparation, grading, excavations, and foundations, which would ensure that all structures and infrastructure are adequately supported. In addition, all applicable building codes shall be followed.</p>	<p>Finalize geotechnical report and adhere to geologist’s recommendation.</p>	<p>Fresno State, Office of Facilities Management</p>	<p>Prior to commencing construction.</p>	<p>Fresno State, Office of Facilities Management</p>
<b>Section 3.8 – Hydrology and Water Quality</b>				
<p><b>MM HYD-1a:</b> Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.</p>	<p>Erosion control measures are to be used along public roadways.</p>	<p>Fresno State, Office of Facilities Management, and hired construction contractors.</p>	<p>Prior to construction.</p>	<p>Fresno State, Office of Facilities Management</p>
<p><b>MM HYD-1b:</b> Construction plans prepared to for the Proposed Project shall include the following water conservation methods when feasible:</p> <ul style="list-style-type: none"> <li>-Interior plumbing fixtures shall water-conserving models such as</li> </ul>	<p>Water conservations are to be built into the project design.</p>	<p>Fresno State, Office of Facilities Management</p>	<p>Prior to construction.</p>	<p>Fresno State, Office of Facilities Management</p>

Summary of Measure	Action	Implementing Party	Timing	Monitoring Party
<p>low-flow or ultra-low-flow toilets and urinals and faucet aerators or low-flow faucets</p> <p>-Use non-potable water sources (purple-pipe) and state-of-the-art irrigation technology for landscape irrigation systems.</p> <p>-Select drought-tolerant, xerophytic species for landscaping design consistent with the Campus Landscape Master Plan and minimize square footage of green turf.</p>				
<p><b>MM HYD-1c:</b> Existing wells shall be properly abandoned prior to any ground-disturbing activities. In order to do so, the applicant must retain a C-57 licensed professional to prepare and submit a well permit to the Fresno County Permit and Resource Management Department outlining proper well-abandoning procedures for each well onsite.</p>	<p>Retain a C-57 licensed professional to prepare and submit a well permit to the Fresno County Permit and Resource Management Department outlining proper well-abandoning procedures for each well onsite</p>	<p>Fresno State, Office of Facilities Management</p>	<p>Prior to construction.</p>	<p>Fresno County Permit and Resource Management Department</p>
<p>Section 3.13 – Public Services</p>				
<p><b>MM PSU-1a:</b> Before construction is completed on the new building, the University shall add a new Blue Light emergency phone deemed appropriate by UPD to ensure safety at this location.</p>	<p>Add a new Blue Light emergency phone deemed appropriate by UPD to ensure safety at the project site.</p>	<p>Fresno State, Office of Facilities Management</p>	<p>Prior to completion of project.</p>	<p>University Police Department</p>
<p><b>MM PSU-1b:</b> Contractors working on University projects shall prepare a thorough jobsite anti-theft plan before the start of construction. The plan shall include but not be limited to proper lighting, alarm systems, and private security fencing. The plan shall be submitted to the Office of Facilities Management and the University Police Department.</p>	<p>Submit a job site anti-theft plan to the Office of Facilities Management and the University Police Department.</p>	<p>Fresno State, Office of Facilities Management</p>	<p>Prior to construction.</p>	<p>University Police Department and Office of Facilities Management.</p>