

### 4.1 SUMMARY OF MITIGATION MEASURES

#### BIOLOGICAL RESOURCES (SECTION 3.4)

**MM 3.4.1** In order to mitigate for the loss of Swainson's hawk foraging habitat, the City shall implement one of the following City of Elk Grove's approved mitigation alternatives described below:

Prior to any site disturbance, such as clearing or grubbing, the City shall:

- 1) Preserve 1.0 acres of similar habitat for each acre lost. The is land shall be protected through a fee title or conservation easement acceptable to the CDFG and the City of Elk Grove as set for in Chapter 16.130.040(a) of the City of Elk Grove Municipal Code as such may be amended from time to time and to the extent that said Chapter remains in effect, or
- 2) Submit payment of Swainson's hawk impact mitigation fee per acre of habitat impacted (at a 1:1 ratio) to the City of Elk Grove in the amount set forth in Chapter 16.130 of the City of Elk Grove Cost as such may be amended from time to time and to the extent that said chapter remains in effect.

**MM 3.4.2** The City shall retain a qualified biologist to complete mitigation established by the CDFG to avoid and minimize impacts to burrowing owls at the project site. The biologist shall complete "passive relocation" of the owls utilizing one-way doors. Owls shall be excluded from burrows in the immediate impact zone and within a 50-meter (approx. 160 feet) buffer zone by installing one-way doors in burrow entrances. One-way doors should be left in place 48 hours to insure owl have left the burrow before excavation. Whenever possible, burrows should be excavated using hand tools and refilled to prevent reoccupation.

**MM 3.4.3** One week prior to the start of ground disturbing activities within the project area, a qualified biologist shall survey the project site and surrounding areas (up to 160 feet outside the project area) for the presence of burrowing owls. A second pre-construction survey shall occur one-day prior to ground disturbing activities. If ground-disturbing activities are delayed or suspended for more than one week after the preconstruction survey, the site should be resurveyed. If no burrowing owls are detected during the preconstruction surveys, no further action is necessary and construction may proceed.

**MM 3.4.4** If burrowing owls are detected during preconstruction surveys, occupied burrows should not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by the CDFG verifies through non-invasive methods that either: (1) the birds have not begun egg-laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

## 4.0 LIST OF MITIGATION MEASURES

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### HAZARDS AND HAZARDOUS MATERIALS (SECTION 3.7)

- MM 3.7.1** If buried pipe is encountered during excavation or other construction activities, the pipe shall be evaluated to determine if it contains transite and to determine appropriate remediation. In the event that the pipe does not contain transite, the construction may proceed. If the pipe is found to contain transite at levels that may pose a health or safety hazard, a hazardous waste remediation plan that complies with all federal, state, and local laws shall be developed, and it shall be implemented throughout the remainder of construction. Construction plans shall be modified or postponed to ensure construction would not inhibit remediation activities and would not expose the public or construction workers to hazardous conditions.
- MM 3.7.2** If potentially contaminated soil and/or groundwater are encountered during excavation or other construction activities (as indicated by sheen, discoloration, odors, etc.), a Phase II Hazardous Waste Investigation shall be completed to determine the extent of the contamination and remediation. In the event that the soil and/or groundwater are not contaminated, the construction may proceed. If the soil and/or groundwater are contaminated, a hazardous waste remediation plan that complies with all federal, state, and local laws shall be developed, and it shall be implemented throughout the remainder of construction. Construction plans shall be modified or postponed to ensure construction would not inhibit remediation activities and would not expose the public or construction workers to hazardous conditions.
- MM 3.7.3** The construction contractor shall designate staging areas where fueling and oil-changing activities are permitted. No fueling and oil-changing activities shall be permitted outside the designated staging areas. The staging areas, as much as practicable, shall be located on level terrain and away from sensitive land uses such as residences, day care facilities and schools. Staging areas shall not be located near any stream channels or wetlands. The proposed staging areas shall be identified in the Storm Water Pollution Prevention Plan (SWPPP), which shall be reviewed and approved by the City of Elk Grove Stormwater Management Department as part of the NPDES permit process.